MILLINGTON AIRPORT AUTHORITY

RULES AND REGULATIONS

FOR

MILLINGTON-MEMPHIS AIRPORT

City of Millington, Tennessee

April 15, 2025

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TABLE OF CONTENTS

SECTION	ITEMS	PAGE
SECTION 1	**DEFINITIONS**	**4**
SECTION 2	**GENERAL REGULATIONS**	**7**
Subsection 2.1	Compliance with Rules and Regulations	7
Subsection 2.2	Commercial Activity, Advertising, Display and Speech	7
Subsection 2.3	Fees and Charges	7
Subsection 2.4	Commercial Photography	7
Subsection 2.5	Solicitation	8
Subsection 2.6	Polls, Questionnaires and Surveys	8
Subsection 2.7	Standard Procedures, Emergency Procedures and Directives	8
Subsection 2.8	Prohibited Conduct	8
Subsection 2.9	Other Laws	9
Subsection 2.10	Anti-waiver	9
SECTION 3	**PERSONAL CONDUCT**	**10**
Subsection 3.1	Compliance with Signs	10
Subsection 3.2	Use and Enjoyment of Airport Premises	10
Subsection 3.3	Restricted Areas, Movement Areas and Air Operations Areas	10
Subsection 3.4	Security	10
Subsection 3.5	Environmental Pollution and Sanitation	11
Subsection 3.6	Animals	11
Subsection 3.7	Firearms and Weapons	12
Subsection 3.8	Damage Inspection	12
Subsection 3.9	Responsibility for Damages	12
Subsection 3.10	Accident Reports	13
Subsection 3.11	Preservation of Property	13
Subsection 3.12	Lost and Found and Abandoned Property	13
Subsection 3.13	Alcoholic Beverages	13
Subsection 3.14	Smoking	13
SECTION 4	**FIRST AMENDMENT ACTIVITIES**	**14**
Subsection 4.1	General	14
Subsection 4.2	Leafleting	14
Subsection 4.3	Picketing	14
Subsection 4.4	Permitting Process and Procedure	14
Subsection 4.5	Violations by Permit Holders	16

SECTION	ITEMS	PAGE
(Cont.)		
Subsection 4.6	Activities during Emergencies	16
Subsection 4.7	Appeals from First Amendment Related Actions or Decisions	16
SECTION 5	**FIRE AND SAFETY**	**18**
Subsection 5.1	General	18
Subsection 5.2	Fueling Operations	18
Subsection 5.3	Authority to Dispense Aviation Fuel	18
Subsection 5.4	Leasehold Housekeeping	19
Subsection 5.5	Hazardous Materials	19
Subsection 5.6	Storage of Equipment	19
Subsection 5.7	Repairing Aircraft	20
Subsection 5.8	Powder or Explosive Cartridge Activated Tools	20
SECTION 6	**AERONAUTICAL**	**21**
Subsection 6.1	General	21
Subsection 6.2	Special Use Permits	23
Subsection 6.3	Aircraft Ground Rules	24
Subsection 6.4	Helicopter Operation	25
Subsection 6.5	Use of T-Hangars and Storage Hangars	25
SECTION 7	**MOTOR VEHICLES**	**27**
Subsection 7.1	General Traffic Regulations	27
Subsection 7.2	Procedure in Case of Accidents	28
Subsection 7.3	Speed Limits	28
Subsection 7.4	Vehicle Operations on Air Operations and Movement Area	28
Subsection 7.5	Public Parking	29
Subsection 7.6	Reserved Parking	29
Subsection 7.7	Issuance of Traffic Citations and Tickets	29
SECTION 8	**PENALTIES**	**30**
Subsection 8.1	Cease and Desist Orders	30
Subsection 8.2	Removal from or Denial of Access to Airport	30
Subsection 8.3	Appeals from Cease-and-Desist Orders	30
Subsection 8.4	Removal of Property	30
Subsection 8.5	Removal of Persons	31
Subsection 8.6	Intent	31
Subsection 8.7	Severability	31
SECTION 9	**JURISDICTION**	**32**
Subsection 9.1	Millington Airport	32

SECTION 1. DEFINITIONS

1.1 Terms used in these Rules and Regulations are defined below. Words relating to aeronautical practices, processes and equipment will be construed according to their general usage in the aviation industry, unless a different meaning is apparent from the context or specifically defined otherwise herein. All other words will be construed according to their common literal meaning.

a. Abandoned Aircraft: An aircraft that has been disposed of on the Airport in a wrecked, inoperative, or partially dismantled condition or an Aircraft that has remained in an idle state on the Airport for 45 consecutive calendar days. For the purpose of this section, "idle state" is defined as an Aircraft not in usable condition and without a previously agreed to arrangement between the owner of the Aircraft and either the Airport and/or Fixed Base Operator.

b. Air Operations Area (AOA): Any area of the Airport used or intended to be used for landing, take off or the surface maneuvering of Aircraft.

c. Aircraft: Any contrivance designed, invented or used for powered or nonpowered flight in the air. For the purpose of this definition, an ultralight vehicle is not included.

d. Airport: Will collectively and individually include Millington airport located in Shelby County, Tennessee.

e. Apron or Ramp: Those areas of the Airport within the AOA designated for the loading, unloading, servicing or parking of Aircraft.

f. Authority: Millington Airport Authority.

g. Authorized Area: A specified location, approved by the Authority, as accessible to authorized persons only.

h. Airport Director: The airport employee responsible for the administration, management, and operation of the Airport with signature authority to implement administration, management, and operational decisions, or his/her designee.

i. Commercial Activity: The exchange, trading, buying, leasing, hiring or selling of commodities, goods, services or tangible property of any kind, or any revenue producing activity on the Airport.

j. Derelict Aircraft: Any Aircraft that is not in flyable condition, does not have a current certificate of air worthiness issued by the Federal Aviation Administration (FAA), and is not in the process of actively being repaired.

k. Fire Department: The department of a local or municipal authority in charge of preventing and fighting fires that has jurisdiction over the Airport.

l. Flying Clubs: Any organization established and existing for utilization of Aircraft by member pilots of the club.

m. Maintenance: The inspection, overhaul, repair, preservation, and replacement of

parts of an Aircraft, excluding preventive maintenance.

n. Motor Vehicle: A self-propelled device in, upon or by which a person or property may be transported, carried or otherwise moved from point to point except Aircraft or devices moved exclusively upon stationary rails or tracks.

o. Movement Area: The runways, taxiways, and other areas of the Airport which are used for taxiing or hover taxiing, air taxiing, take off, or landing of Aircraft, exclusive of loading ramps and Aircraft parking areas.

p. Non-commercial Materials: Materials associated with non-profit activities undertaken for philanthropic, religious, charitable, benevolent, humane, public interest or similar purposes.

q. Operating Directive: Ministerial instructions and guidance serving to govern and direct operational matters. Operating Directives can be used for both internal and external guidance. All Operating Directives will be approved by the Airport Director or designee.

r. Park: To let a motor vehicle or Aircraft stand or stop in any location whether the operator thereof leaves or remains in such vehicle or Aircraft, when such standing or stopping is not required by traffic controls or conditions beyond the control of the operator.

s. Person: Any individual, firm, partnership, corporation, company, association, joint stock association or body politic, including any trustee, receiver, committee, assignee or other representative or employee.

t. Policy: A general principle or plan by which the Authority is guided in its management of public affairs. The Authority's Board of Directors approves all Policies.

u. Preventive Maintenance: Simple or minor preservation operations of Aircraft and the replacement of small standard parts not involving complex assembly operations.

v. Ramp - See Apron.

w. Restricted Area: Any area of the Airport designated to prohibit entry or to limit entry or access to specific authorized persons.

x. Rules and Regulations: Statements of general applicability adopted by the Authority Board of Directors that implement, interpret or prescribe law or policy or describe the procedure or practice requirements of the Authority.

y. Self-Fueling: The fueling or servicing of an Aircraft by the owner of the Aircraft with his or her own employees and using his or her own equipment.

z. Solicitation or to solicit: To ask, request, implore or plead repetitively or continuously, directly or indirectly, actively or passively, openly or subtly, orally, in writing or otherwise for money or anything of pecuniary value. Solicitation also includes requests to sign a petition.

aa. Special Use Permit: An authorization from the Authority for requested special activities that can be accommodated on a controlled, case by case basis.

bb. Standard Procedures: A specific method or course of action or an established way or order of accomplishing a specific matter. All Standard Procedures will be approved by the Airport Director or designee.

SECTION 2. GENERAL REGULATIONS

2.1 COMPLIANCE WITH RULES AND REGULATIONS

a. Any permission granted by the Authority, directly or indirectly, expressly or by implication otherwise, to any Person to enter or to use the Airport or any part thereof, is conditioned upon strict compliance with these Rules and Regulations, as well as the Authority's Policies, Standard Procedures, and Operating Directives.

b. Any permission granted by the Authority under these Rules and Regulations is conditioned upon the payment of any and all applicable fees and charges established by the Authority.

c. Any privilege granted by the Authority for using the Airport and its facilities is conditioned upon the assumption by the user thereof of full responsibility and risk of such use.

d. Any Person failing to comply with these Rules and Regulations may be denied use of the Airport.

e. No lessee or sublessee of Airport property shall allow such property to be used or occupied for any purpose prohibited by these Rules and Regulations.

2.2 COMMERCIAL ACTIVITY, ADVERTISING, DISPLAY AND SPEECH

In compliance with the Authority's Policies, Standard Procedures and Operating Directives, no Person for any business, commercial or revenue producing purposes, will occupy or rent space, conduct any business, Commercial Activity, post, distribute or display signs, advertisements, circulars, pictures, sketches or drawings or engage in any other forms of commercial speech on the Airport without first obtaining a written contract, permit or other form of written authorization from the Authority.

2.3 FEES AND CHARGES

a. All fees and charges will be in accordance with the Authority's Policies, Standard Procedures, and Operating Directives or the terms and conditions of the contracts or agreements between the Authority and the Commercial Activity. All user fees will be determined by the Authority.

b. Annually published rates and charges will be utilized to apply fees associated with Authority related facilities. Landing fees payable by a commercial aviation operator for a commercial use of the Airport, based on the maximum gross certificated landing weight of the Aircraft, is payable regardless of whether the commercial use is a landing or a takeoff; however, the operator will not be charged for both a landing and a takeoff.

2.4 COMMERCIAL PHOTOGRAPHY

No Person will take still, motion or sound motion pictures, sound records or recordings of voices on the Airport for commercial purposes without written permission from and in a

manner authorized by the Authority. This regulation does not apply to bona fide coverage by the news media conducting business in Authorized Areas and in accordance with the Authority's Policies, Standard Procedures and Operating Directives.

2.5 SOLICITATION

No Person will solicit for any purpose on the Airport under any circumstance.

2.6 POLLS, QUESTIONNAIRES AND SURVEYS

No Person will conduct any polls, questionnaires or surveys on the Airport without first obtaining written permission from the Authority.

2.7 STANDARD PROCEDURES, EMERGENCY PROCEDURES AND DIRECTIVES

The Airport Director is the individual with the responsibility and authority for administering these Rules and Regulations. Standard Procedures and Operating Directives issued by the Airport Director or designee will be considered as addenda to and have the full force and effect of these Rules and Regulations and will be utilized to implement or provide further clarification consistent with these Rules and Regulations.

a. When an emergency exists at the Airport, the Airport Director or designee will be empowered to take action within their discretion and judgment that is necessary or desirable to protect the health, welfare and safety of Persons and property and to facilitate the operation of the Airport.

b. During such an emergency, the Airport Director or designee may suspend these Rules and Regulations or any part thereof, at their discretion and judgment and issue oral orders and/or rules and regulations as may be deemed necessary.

2.8 PROHIBITED CONDUCT

Notwithstanding any provision in these Rules and Regulations or any permits issued, the following activities are prohibited at the Airport:

a. Sale or distribution of any items, goods, merchandise or services except when expressly allowed by written agreement with the Authority;

b. Conduct that in any way obstructs, delays or interferes with the free movement of any other Person or authorized business of the Airport except by Authority staff;

c. Pinning, tying or attaching any flower or other symbol, insignia, article or object to the clothing, luggage or vehicle of any Person without consent;

d. Assaulting or committing a battery on any other Person or touching any Person without consent;

e. Use of any musical instrument, noise-making device, sound or voice amplifying apparatus, singing or chanting or any other sound which may reduce the effectiveness of the public address system or interfere with the business functions of the Airport, except upon approval of the Authority;

f. Placement of a table, bench, chair, sign or other structure, fixture or object on Airport property unless permitted by the Airport Director or designee;

g. Distribution of literature or other goods or the display of signs or other printed matter at the Airport, without having first complied with the provisions of Section 4 of these Rules and Regulations;

h. Distribution of literature, other printed matter or the display of signs at the Airport after a permit that has been issued pursuant to Section 4 of these Rules and Regulations is terminated or expired;

i. Intentionally leaving unattended any item intended for distribution;

j. Any activity which constitutes a danger to persons or property or which interferes with the orderly formation and progression of waiting lines or which interferes with any of the following, except by Authority staff: pedestrian or vehicular travel; the issuance of tickets or boarding passes or equivalent documents for air or ground transportation; luggage or cargo movement or handling; the entry to or exit from vehicles, elevators, escalators, doorways or passageways; security procedures; government inspection procedures; or cleaning, maintenance, repair or construction operations;

k. Any conduct which improperly indicates or represents or attempts to indicate or represent to the public that an individual is a representative of the Authority; or

l. Any conduct which misrepresents the identity of the individual or organization for which the individual is performing the permitted activities.

2.9 OTHER LAWS

All applicable Federal, State, county and city laws in the Airport's jurisdiction, including the Tennessee Uniform Traffic Control Law, now in existence or hereafter promulgated, and not in conflict with these Rules and Regulations, are hereby adopted by reference as part of these Rules and Regulations.

2.10 ANTI-WAIVER

Any failure or delay in enforcing any of these Rules and Regulations does not amount to a waiver of such Rule or Regulation. To be enforceable, any waiver of any of these Rules and Regulations must be in writing and authorized by the Airport Director or designee.

SECTION 3. PERSONAL CONDUCT

3.1 COMPLIANCE WITH SIGNS

All Persons will observe and obey all Authority posted signs, fences, and barricades. Sign placement, removal and procedures associated with tenant, concessionaire and air carrier sign usage will be governed by the Authority's Policies, Standard Procedures, and Operating Directives or as set forth in written contracts, permits or other forms of written authorization from the Authority.

3.2 USE AND ENJOYMENT OF AIRPORT PREMISES

a. No Person, except for Authority staff, by conduct or by congregating with others, may prevent any other Person from lawful use and enjoyment of the Airport or prevent any other Person from lawful passage from place to place or through entrances, exits or passageways on the Airport.

b. It is unlawful for any Person to remain in or on any public area, place or facility at the Airport, in such a manner inconsistent with the normal or customary use of such area, place or facility by Persons or vehicles entitled to such passage or use.

3.3 RESTRICTED AREAS, MOVEMENT AREAS AND AIR OPERATION AREAS

No person may enter the AOA, Movement Areas or any Restricted Areas on the Airport except:

a. Persons authorized by the Authority; and

b. Pilots and passengers who, under appropriate supervision, enter upon the Apron for the purposes of enplaning or deplaning an Aircraft; and

c. Persons escorted who are authorized by the Authority.

No Person will walk, drive or otherwise traverse across the Movement Areas of the Airport without specific permission from the Authority. Service roads shall be utilized to navigate the Airport.

3.4 SECURITY

a. Access Codes/Devices - Persons who have been provided either a code or device for the purpose of obtaining access to the Airport shall not divulge, duplicate, or otherwise distribute the same to any other Person, unless otherwise approved in writing by the Authority. Violation of this prohibition may result in the loss of access privileges.

b. Doors & Gates

   a. At no time shall any Airport access gate be left open and unattended in a manner that would allow unauthorized access.
   b. Security doors leading into the AOA shall be secured at all times.
   c. Tenants shall be responsible for maintaining security doors and gates located in their leased areas.

3.5 ENVIRONMENTAL POLLUTION AND SANITATION

a. No Person will conduct activities in such a manner as to cause littering or environmental pollution. No garbage from home may be disposed on airfield.

b. No Person will dispose of garbage, papers, refuse or other forms of trash, including cigarettes, cigars and matches, except in receptacles provided for such purpose.

c. Except as approved in writing by the Authority, no Person will dispose of any fill or building materials or any other discarded or waste materials on Airport property, nor place liquids in the storm drains or the sanitary sewer system at the Airport, which will damage such drains or system or will result in environmental pollution passing through such drains or system.

d. No Person will use a comfort station, restroom, toilet or lavatory facility at the Airport other than in a clean and sanitary manner.

e. Any solid or liquid material spilled at the Airport will immediately be cleaned up by the Person responsible for such spillage and reported immediately to the Authority.

f. The disposal of chemicals, paints, oils or other products must be discarded in accordance with all applicable State, local, county, and Federal laws and regulations.

g. No tenant, lessee, concessionaire or agent thereof doing business on the Airport may keep uncovered trash containers adjacent to sidewalks or roads in a public area of the Airport.

3.6 ANIMALS

a. No Person may bring an animal into the Airport except:

1. Non-service animals to be or that have been transported by air. Non-service animals to be or that have been transported by air must be properly confined as set forth in subparagraph (b) below before entering the terminal building;

2. A service animal used by disabled persons in accordance with applicable Tennessee Statutes;

3. An animal which remains inside a Motor Vehicle at all times;

4. An animal used for law enforcement purposes; or

5. Animals authorized by the Airport Director or designee for special events

b. All non-service animals permitted under subparagraph (a)(1) must be contained in a pet carrier or, if no pet carrier is present, the non-service animal must be restrained by a leash and must be within five feet of the handler. Such non-service animals must be completely under control of the handler at all times.

c. No Person other than those authorized by the Authority will hunt, pursue, trap, catch, injure any animal on the Airport.

d. No Person will feed or do any other act to encourage the congregation of birds or other animals on the Airport.

e. No Person will permit, either willfully or through failure to exercise due care or control, any animal to urinate or defecate on the sidewalks of the Airport or within any Airport building.

f. Access cards will be issued for limited area access following a require airfield knowledge course. Lost cards can be replaced at a cost of $25.00 per card.

3.7 FIREARMS AND WEAPONS

a. No Person may carry a firearm or concealed weapon inside the terminal building of the Airport, provided that no Person will be prohibited from carrying any legal firearm into the terminal building when such firearm is encased for shipment for the purpose of checking such firearm as baggage to be lawfully transported on an Aircraft.

b. The carrying of firearms on the Airport by watchmen and guards in the course of their official duties must be approved by Millington Airport Emergency Management. No personnel will carry weapons on airfield unless allowed by NQA.

c. For the purpose of this section, the term “firearm” has the same meaning as in Tennessee Statute.

d. For the purpose of this section, the term “concealed weapon” has the same meaning as in Tennessee Statute.

e. In accordance with Tennessee Statute, no Person will discharge any firearm on the Airport except in the performance of official duties requiring such discharge thereof.

3.8 DAMAGE INSPECTION

a. At the earliest opportunity, a damage inspection of any Airport facilities involved in an accident or incident will be made by the Authority and any Aircraft or Motor Vehicle owner or operator, to determine the extent of damages to the Airport. Damages so sustained will be assessed by the Authority as a claim against the owner or operator of the Aircraft or Motor Vehicle.

b. No Person will walk or drive across the Movement Areas of the Airport without specific permission from the Authority.

3.9 RESPONSIBILITY FOR DAMAGES

Any Person causing damage to or destroying public property of any kind, including buildings, fixtures or appurtenances, whether through violation of these Rules and Regulations or through any act or omission, will be fully liable to the Authority. Any such damage must be reported immediately to the Authority.

3.10 ACCIDENT REPORTS

Any Person involved in any type of accident occurring on Airport property must make a full report to the Authority as soon as possible. The report will include, but not be limited to, the names and addresses of all principals and witnesses, if known, and a statement of the facts.

3.11 PRESERVATION OF PROPERTY

a. No Person may destroy, injure, deface or disturb any building, sign, equipment, marker or other structure, landscaping or other property on the Airport. Any Person causing or who is responsible for such injury, destruction, damage or disturbance will immediately report the same to the Authority.

b. No Person may travel upon the Airport other than on roads, walks or other rights-of-way provided for such specific purpose.

c. No Person may alter, add to or erect any building or sign, or make any excavation on the Airport without prior written approval of the Authority.

3.12 LOST AND FOUND AND ABANDONED PROPERTY

a. Any Person finding lost articles in the public areas of the Airport will immediately deposit them with the Authority. Lost articles will be handled in accordance with State law. Nothing in this paragraph will be construed to deny the right of Airport tenants to maintain lost and found services for property of their patrons, invitees or employees.

b. No Person may knowingly abandon any personal property on the Airport. Any property that has been determined by the Authority to be abandoned will be removed, stored, and/or disposed of at the owner's expense in accordance with applicable Tennessee Statutes.

3.13 ALCOHOLIC BEVERAGES

No Person may drink any alcoholic beverages on any part of the Airport except in places properly designated by City ordinance.

3.14 SMOKING

In accordance with Tennessee Statutes, no Person may smoke within an interior public area, enclosed indoor workspace, and other areas designated by signage as “no smoking”.

SECTION 4. FIRST AMENDMENT ACTIVITIES

4.1 GENERAL

No Person will engage in First Amendment activities contained herein without first obtaining a permit. All First Amendment activities will be conducted:

a. In strict compliance with this section and the Authority's Policies, Standard Procedures, and Operating Directives;

b. In the peaceful and orderly manner contemplated by law, without physical harm, molestation, threat, harassment, obscenities, violence, breach of the peace, damage to property, or other unlawful conduct; and

c. Without obstructing the use of the Airport by others and without hindrance to or interference with the proper, safe, orderly and efficient operation of the Airport and the activities conducted thereupon, and without interference with the constitutional rights of others.

4.2 LEAFLETING

a. Leafleting, the repetitive or continuous distribution of printed or written non-commercial material at the Airport is permitted only in compliance with the permitting process and procedures, and only in strict accordance with Authority's Policies, Standard Procedures, and Operating Directives. Permitted leafleting will only include the distribution of non-commercial printed or written materials. The distribution of printed or written materials of a commercial nature by or on behalf of a commercial enterprise is governed by Section 2 of these Rules and Regulations.

b. The Authority has determined that certain areas provide a reasonable opportunity for leafleting at the Airport in order to ensure the safe, efficient and orderly flow of vehicular and pedestrian traffic so that the Airport can be used for the purposes intended and in accordance with its design. The designated leafleting areas at the Airport will be determined by the Authority on a case-by-case basis.

4.3 PICKETING

Picketing, the participation in a picket line as a picketer, or the participation in any labor or other form of demonstration or protest is permitted only in strict accordance with Authority's Policies, Standard Procedures, and Operating Directives. The Authority has determined that certain areas of the Airport are the only areas that provide a reasonable opportunity for picketing on the Airport in order to ensure the safe, efficient and orderly flow of vehicular and pedestrian traffic so that the Airport can be used for the purposes intended and in accordance with its design. The designated picketing areas at the Airport will be determined by the Authority on a case-by-case basis.

4.4 PERMITTING PROCESS AND PROCEDURE

a. Any Person desiring to engage in leafleting or picketing at the Airport must first obtain a written permit from the Executive Director and Customer Service or designee by

submitting a written request setting forth the name, address and telephone number of the Person or organization sponsoring, permitting or conducting the proposed activities; and a description of proposed activities. The request must include a statement that the proposed activities will not include solicitation and that the responsible Person has read, understood and will abide by these Rules and Regulations.

b. Any Person may apply for a permit with the Authority on any Monday through Friday which is not a designated Authority holiday between 9:00 a.m. and 3:00 p.m. by providing the information described above. The Executive Director and Customer Service or designee will review the application for sufficiency of information and compliance with these Rules and Regulations, and will normally issue a permit no later than one business day from the time the application is received or notify the applicant in writing the reason the issuance of a permit is delayed or denied.

A permit will not be granted or denied based upon the viewpoint of any non-commercial message. If the Executive Director and Customer Service or designee fails to issue a permit or statement of delay within three hours, it may be considered a denial of the permit, and the applicant may at their option seek a review of such denial by following the appeals procedure outlined below, or waive their rights thereto. The Executive Director and Customer Service or designee may approve a permit request outside regular Authority business hours on a case-by-case basis, as needed.

c. The permit will designate that the holder is eligible to conduct activities at the Airport for a period of up to 30 consecutive days and may be renewed on a month-to-month basis for a maximum of one year. At the end of the one-year period, the Person must re-apply if they wish to continue their activities. In such a case, applicants may be permitted to incorporate by reference any required documentation filed with a previous application.

d. The First Amendment activities referred to herein will be conducted strictly in conformity with the terms and conditions set forth in the permit issued by the Executive Director and Customer Service or designee and these Rules and Regulations.

e. No more than one Person may engage in the permitted activity in each of the designated areas at a time. The number of Persons and designated areas may be adjusted based on the operational impact to the Airport.

f. No permit holder will have the right to exclusive use of any designated area. Authorization for use of areas designated for the permitted activity will be granted daily on a first come first served basis. The permits are not transferable. In the event that two or more Persons or organizations seek to conduct activities described herein at the same time, the Airport Director or designee will allocate, by lot or other equitable method, the available designated areas or space within those areas between or among them on a daily basis.

4.5 VIOLATIONS BY PERMIT HOLDERS

Any violations of the provisions of Section 4 or Section 2.8 by any Person will cause the termination of the permit under which they are operating. Upon termination, the Person will not be eligible for a new permit for a period of six months. In the event of such termination, the Executive Director and Customer Service or designee will give notice thereof to the holder of the permit by sending a letter, certified mail or by overnight courier, to the address shown on the permit, indicating the reason for the termination.

Upon receipt of the notice of termination described above, any Person whose permit was so terminated must use the appeals process outlined below or waive any of their rights related thereto. Nothing in this Section precludes the Airport Director or designee from removing from the Airport, Persons in violation of these Rules and Regulations.

4.6 ACTIVITIES DURING EMERGENCIES

The Airport Director or designee may declare an emergency because of unusually congested conditions in a facility due to adverse weather, schedule interruptions or extremely heavy traffic movements or for emergency security measures. In the event of such an emergency, an announcement to this effect will be made in the most efficient manner given the situation. Any Person involved in First Amendment activities in an area affected by the emergency will immediately cease such activities for the duration of the emergency and will not resume such activities until the Airport Director or designee announces an end to the emergency.

4.7 APPEALS FROM FIRST AMENDMENT RELATED ACTIONS OR DECISIONS

a. Upon receipt of a statement of delay or denial or termination of a permit described above, the applicant may submit, within ten days of such occurrence, a written request for review to the Airport Director. Such request must be sent in writing by certified mail or by overnight courier, and must specify all reasons why the statement, denial or termination should be modified or reversed.

   Any request for review filed in compliance with these Rules and Regulations will be reviewed by a fact-finding group whose duty is solely to gather data for the Airport Director. The group will consist of the Airport Director and Customer Service or designee, relevant staff members, and at least one Authority attorney. The group will present all data gathered in the most efficient manner to the Airport Director who, after a thorough review of the data, will send a written determination by certified mail or by overnight courier to the Person requesting such review no later than ten days from receipt of request to review.

b. The Airport Director's determination is final, unless within ten days from the Airport Director's determination, the applicant requests in writing, by certified mail, that an informal hearing before the Authority's Board of Directors be held on the matter. If such hearing is requested, the Airport Director will prepare an independent recommendation to the Authority's Board of Directors. The Authority's Board of Directors will issue a written decision after a presentation by the applicant and the Airport Director at the hearing.

c. Decisions of the Authority's Board of Directors are final and subject to review or appeal by the appropriate court action or in some instances by proceedings before Federal administrative agencies in accordance with applicable law. No new facts or issues will be considered by the reviewing court or agency.

SECTION 5. FIRE AND SAFETY

5.1 GENERAL

a. All persons using the Airport or the facilities of the Airport must exercise the utmost care to guard against fire and injury to Persons or property.

b. All applicable codes, standards and recommended practices in the City of Millington, Shelby County, and the National Fire Protection Association (NFPA) now in existence or hereafter promulgated and not in conflict with these Rules and Regulations, or with the Authority's Policies, Standard Procedures or any Operating Directives or with Federal aviation regulations, are hereby adopted by reference as part of these Rules and Regulations.

5.2 FUELING OPERATIONS

a. No Aircraft may be fueled or defueled while inside any building or structure.

b. No Person may start the engine of an Aircraft on the Airport if there is any gasoline or other volatile fluid on the ground within the vicinity of the Aircraft.

c. Any Person, including the owner or operator of Aircraft, causing overflowing or spilling of fuel, oil, grease or other contaminants anywhere on the Airport will be responsible for ensuring the immediate cleanup of such spillage. In the event of failure or refusal to comply with such cleanup requirements, the spillage may be cleaned up by the Authority at the responsible party's expense.

d. Any fuel spillage must be reported immediately to the Fire Department via business line telephone and by dialing (901)872-1965, if no answer, then by dialing 9-1-1. Details of all spillages must be reported to the Authority, in compliance with the procedures contained in the Airport Emergency Plan. Aircraft fuel delivery devices and other vehicles will not be moved or operated in the vicinity of the spill until the spillage is removed. The Person causing the spill will promptly post a fire guard.

e. If a fire occurs in or near a fuel delivery device while servicing an Aircraft, the Fire Department must be notified immediately by dialing 9-1-1. Fueling must be discontinued immediately and all emergency valves and dome covers must be shut down at once.

f. No fuel vehicle designed for or employed in the transportation of fuel may be operated on a taxiway or runway at any time without prior permission from the Authority.

g. No Person may operate a radio transmitter or receiver or switch electrical appliances on or off in an Aircraft while it is being fueled or defueled.

5.3 AUTHORITY TO DISPENSE AVIATION FUEL

a. Only those Persons authorized by the Airport Director or designee via a current self-fueling permit or those operators authorized to provide such Commercial Activities under an agreement with the Authority may dispense fuel into a public or private Aircraft.

b. No Person may dispense aviation fuel directly into an automobile or sell fuel for such purposes.

c. Co-op self-fueling, the sharing of vehicles, employees, or GSE/refueling equipment, and resources, is not permitted.

5.4 LEASEHOLD HOUSEKEEPING

All Persons occupying space at the Airport must keep the space allotted to them clean and free from rubbish and accumulation of any material. Only approved boxes, crates, paint or varnish cans, bottles or containers maybe stored in or about any leasehold, and all floors must be kept clean and free from fuel and oil. The use of volatile or flammable solvents for cleaning floors is prohibited. Approved metal receptacles with a self-extinguishing cover will be used for the storage of oily waste rags and similar material. The contents of these receptacles will be removed daily by Persons occupying space; drip pans will be placed under engines and kept clean at all times.

5.5 HAZARDOUS MATERIALS

a. No Person may, without prior permission from the Airport Director or designee, keep, transport, handle or store at, in or upon the Airport any cargo of explosives or other hazardous articles which are barred from loading in or for transportation by civil Aircraft in the United States under the current provisions of regulations promulgated by the United States Department of Transportation, the FAA, or by any other applicable authority. Compliance with said regulations will not constitute or be construed to constitute a waiver of the required notice or an implied permission to keep, transport, handle or store such explosives or other dangerous articles at, in or upon the Airport. Advance notice of at least 24 hours must be given to the Airport Director or designee to permit full investigation and clearances for any operation requiring a waiver of these Rules and Regulations.

b. No Person may offer and no Person may knowingly accept any hazardous article for shipment at the Airport unless the shipment is handled and stored in full compliance with current Federal aviation regulations.

c. Any Person engaged in the transportation of hazardous articles must have designated personnel at the Airport authorized and responsible for receiving and handling such shipments in compliance with State and Federal regulations.

d. Any Person engaged in the transportation of hazardous articles must provide storage facilities which reasonably ensure against unauthorized access or exposure to persons and against damage to shipments while in the Airport.

5.6 STORAGE OF EQUIPMENT

Unless otherwise provided for by a contractual agreement, no Person will use any area of the Airport, including buildings, whether privately or publicly owned, for the storage of cargo or any other property or equipment without prior permission of the Airport Director or designee. The Airport Director or designee will have the authority to order the cargo or any other property removed and stored at the expense of the owner or consignee without responsibility or liability by the Authority.

5.7 REPAIRING AIRCRAFT

a. No Person may repair an Aircraft or Aircraft engine, propeller or other Aircraft apparatus in any area of the Airport other than those areas specifically designed for such repairs, except that minor adjustments or repairs may be made while the Aircraft is at an Aircraft parking position prepared for departure.

b. Aircraft repairs in storage areas of hangars are limited to inspections and replacement of parts and repairs incident thereto, provided such repairs do not involve appliances using open flames or heated parts.

c. The starting or operating of Aircraft engines inside any hangar is prohibited. This will not be construed as prohibiting the use of tractors with NFPA approved exhaust systems when moving Aircraft within any hangar.

5.8 POWDER OR EXPLOSIVE CARTRIDGE ACTIVATED TOOLS

With the exception of the interior of non-Authority owned buildings, no Person may use powder or explosive cartridge activated tools or fastening devices anywhere on the Airport without prior written authorization of the Authority.

SECTION 6. AERONAUTICAL

6.1. GENERAL

a. Interference with Aircraft

No Person may aim, throw, shoot or propel any object or laser beam in such a manner as to interfere with or endanger the safe operation of any Aircraft taking off from, landing at or operating on the Airport or any vehicle operating on the Airport.

b. Compliance with Orders

All aeronautical activities at the Airport must be conducted in compliance with the current applicable Federal aviation regulations and these Rules and Regulations, and Authority Policies, Standard Procedures and Operating Directives.

c. Hold Harmless

Aircraft owners, pilots, agents or their duly authorized representatives will release or discharge the Authority, its Board of Directors, its officers and its employees of and from liability for any damage which may be suffered by any Aircraft and its equipment and for personal injury or death.

d. Prohibited Operations and Liability

1. No Person may operate Aircraft at the Airport in a careless manner or in disregard of the rights and safety of others.

2. All Persons using the Airport will be held liable for any property damage caused by carelessness or negligence on or over the Airport and any Aircraft operated, so as to cause such property damage, may be retained in the custody of the Authority and the Authority may have a lien on said Aircraft until all charges for damages are paid. Any Person liable for such damage will indemnify fully and save and hold harmless the Authority, its Board of Directors, its officers and its employees from claims, liabilities and causes of action of every kind, character and nature and from all costs and fees, including attorney's fees connected therewith and from the expenses of the investigation thereof.

e. Denial of Use of Airport

The Airport Director or designee has the right at any time to close the Airport in its entirety or any portion thereof to air traffic, to delay or restrict any flight or other Aircraft operation, to refuse take off permission, and to deny the use of the Airport or any portion thereof to any specified class of Aircraft or any individual or group when necessary to avoid endangering Persons or property and to be consistent with the safe and proper operation of the Airport. In the event the Airport Director or designee believes the condition of the Airport to be unsafe for landings or take-offs, it will be within their authority to issue or cause to be issued, a Notice to Airmen (NOTAM) closing the Airport or any portion thereof.

f. Aircraft Accidents or Incidents

The pilot or operator of any Aircraft involved in an accident or incident on the Airport causing personal injury or property damage must, in addition to all other reports required by other agencies, make a prompt and complete report concerning said accident or incident to the Authority. When a written report of an accident or incident is required by Federal aviation regulations, a copy of such report may also be submitted. The report will be filed within 48 hours from the time of the accident or incident. All aircraft will remain at the incident location until released by the authority having jurisdiction.

g. Disabled Aircraft

Subject to compliance with appropriate Federal aviation regulations, the Aircraft owner will be responsible for the disabled Aircraft and parts of such Aircraft at the Airport, as reasonably directed by the Authority.

In the event of owner's failure or refusal to comply with such directions, the disabled Aircraft or any and all parts thereof may be removed by the Authority at the owner's expense and without liability for damage which may result from such removal.

h. Tampering with Aircraft

No Person may interfere or tamper with any Aircraft, put in motion such Aircraft, use or remove any Aircraft, Aircraft parts, instruments or tools without positive evidence of permission of the owner.

i. Cleaning, Maintenance and Repair of Aircraft

No Person shall clean, paint, wash, polish or otherwise maintain an Aircraft, other than in areas approved and, in the manner, designated by the Authority.

j. De-icing of Aircraft

No person may de-ice an Aircraft by applying any substance without prior written permission from the Authority and compliance with an Airport approved plan.

k. Hand Propping of Aircraft

Hand propping is not allowed unless there is no other means of starting an Aircraft. Pilots are solely responsible for liability resulting from this type of action.

l. Certification of Aircraft and Licensing of Pilots

All Aircraft operating at the Airport will display on board the Aircraft a valid airworthiness certificate issued by the FAA or appropriate foreign government and will display on the exterior of the Aircraft a valid registration number issued by the FAA or appropriate foreign government. All Persons operating Aircraft on the Airport will possess an appropriate license, issued by the FAA or appropriate foreign government.

m. Registration of Aircraft

The Authority may require the registration of pilots and Aircraft using the Airport and such pilots will comply with the registration requirements.

n. Payment of Fees

The payment of rentals, fees, and charges relating to the use of Airport premises and facilities will be made before takeoff. In lieu of such payment, satisfactory credit arrangements may be made by the pilot or owner of Aircraft with the Authority or the appropriate entity before leaving the Airport.

6.2. SPECIAL USE PERMITS

a. The following activities require a Special Use Permit and prior approval by the Authority necessary to ensure the safe and efficient operation of the Airport:

1. powerless Aircraft;
2. banner towing;
3. parachute jumping over or on to the Airport;
4. air shows;
5. ultralight vehicle activity as defined in 14 CFR §103.1;
6. self-fueling;
7. major repair of Aircraft;
8. ballooning;
9. airship operations;
10. special events; and
11. any other activities which may constitute a hazard or disruption to the normal flow of operations on or within the vicinity of the Airport.

b. Take Offs and Landings

1. No Person may cause an Aircraft, other than a helicopter, to land or take off at the Airport, except on a runway. Helicopters may operate from a helipad or other approved location.
2. No Person may turn an Aircraft in order to reverse direction on a runway.
3. Persons landing an Aircraft at the Airport will make the landing runway available to other Aircraft by leaving said runway as promptly as possible, consistent with safety.
4. Any Person operating or controlling an Aircraft landing at or taking off from the Airport will comply with applicable Aircraft noise limits as promulgated by the Federal government or the Authority, whichever is the most restrictive.

c. Preferential Runway Use

To minimize flights over noise sensitive residential areas, the Authority may issue Operating Directives for preferential runway use.

6.3 AIRCRAFT GROUND RULES

a. Aircraft Parking

1. No Person may Park an Aircraft in any area on the Airport except those designated and in the manner prescribed by the Authority. If any Person uses unauthorized areas for Aircraft parking, the Aircraft parked may be removed by or at the direction of Authority at the risk and expense of the owner.

2. No Aircraft will be left unattended on the Airport unless it is in a hangar or approved and adequately secured.

3. Articles left in Aircraft are the sole responsibility of the Aircraft owner/pilot. Theft or vandalism of said articles are not the Authority's responsibility.

b. Derelict and Abandoned Aircraft

1. No Person may Park or store an Aircraft in a derelict or abandoned condition on Airport property, including leased premises, without written permission from the Authority.

2. No Person will store or retain Aircraft parts or components held as inventory anywhere on the Airport, other than in an enclosed authorized facility or in a manner approved by the Authority in writing.

3. Whenever any Aircraft is parked, stored or left in a derelict or abandoned condition on the Airport in violation of the provisions of this Section, the Aircraft is subject to removal by the Authority.

c. Starting and Running Aircraft Engines

1. No Aircraft engine may be run at the Airport unless a pilot or certified airframe and power plant mechanic qualified to run the engines of that particular type of Aircraft is at the controls and blocks have been placed in front of the wheels or the Aircraft parking brakes are set adequately.

2. No Person may run an engine of an Aircraft parked on the Airport in a manner that could cause injury to Persons, damage to property, or endanger the safety of operation on the Airport.

3. Aircraft engines may be started or operated only in the places and times designated for such purposes by the Authority’s Policies, Standard Procedures or Operating Directives.

4. Engine run-ups for Aircraft maintenance or purposes other than pre-flight will be conducted in designated areas as identified by Airport Director.

5. No Aircraft engine will be run-up or started up while under the roofline of a hangar, whether said hangar is enclosed or not.

6. Noise emanating from Aircraft engines during ground operations must be maintained within the applicable Aircraft engine noise limits promulgated by the Federal government or the Authority, whichever is the most restrictive.

d. Aircraft Taxiing

1. No Person may taxi an Aircraft on the Airport until they have ascertained that there is no danger of collision with any Persons or objects.

2. All Aircraft will be taxied at a safe and reasonable speed.

3. When taxiing Aircraft are converging, the Aircraft involved will pass each other bearing to the right, unless otherwise directed by the control tower, if any.

4. No Aircraft will be taxied into or out of any hangar under its own power.

5. All Aircraft being taxied, towed or otherwise moved on the Airport will procced with navigational lights on during the hours between sunset and sunrise.

6.4 HELICOPTER OPERATION

In addition to all other Rules and Regulations set out herein, all helicopters must:

a. Operate under the direction of the control tower, if available;

b. Avoid fixed-wing Aircraft traffic patterns and altitudes to the maximum extent possible;

c. Taxi, tow or otherwise move with rotors turning only if there is a clear area of at least 50 feet in all directions from the outer tips of the rotors; and,

d. Operate at least 200 feet from any areas on the Airport where unsecured light Aircraft are parked.

6.5 USE OF T-HANGARS AND STORAGE HANGARS

Tenants will use their hangar premises in accordance with the Directives of the Authority and adhere to the following requirements:

a. T-hangars and storage hangars will not be used for any purpose that would constitute a nuisance or interfere in any way with the use and occupancy of other buildings and structures in the neighborhood of the leased premises.

b. T-hangar and unit storage hangars will be used for storage of Aircraft only. Tenants may not use the premises to store furniture, construction materials or other objects foreign to the intended primary use of the premises.

c. No items of any nature will be attached to the building, interior or exterior. No Aircraft or Aircraft component may be suspended or lifted utilizing the building or any component of the building.

d. No alterations will be made to the hangar structure without written approval by the Authority. Alterations are subject to removal by the Authority at tenants' expense, upon 30 days written notice unless the Airport Director or designee, determining that safety reasons require the waiving of such notice, for the purpose of repair, construction or other purposes deemed necessary by the Authority.

e. No flammable material or refuse will be stored or allowed to accumulate in hangars, except that tenants may store not more than five gallons of flammable fluids including a reasonable amount of Aircraft lubricants, within the premises, provided that any such storage will be limited to NFPA approved containers or unopened original containers.

f. Aircraft are not to be washed with running water in hangars when such washing will cause drainage into or through another hangar.

g. No paint spraying or spraying of any kind will be permitted or the installation of air compressors for any purpose, except that the use of non-electric, non-combustible, air compressor tanks used to inflate Aircraft tires are permitted.

h. No mechanical maintenance of any nature is permitted without special permission from Authority.

i. No tools, equipment or material will be used in the hangars that could constitute a fire hazard.

j. Smoking is not permitted in hangars.

k. Tenants will exercise reasonable care to keep oil, grease or similar products off the floor.

l. Tenants will see that electric current and water, if available, is not used excessively.

m. No signs will be erected or painted on the exterior or interior of hangars.

n. Hangar doors will be kept closed at all times, except when moving Aircraft, working on Aircraft or when Aircraft will be gone for only a short time and at no time will doors be left open when not in use.

o. No Aircraft or Motor Vehicle is to be parked by any hangar, in such a manner as to block access to adjoining hangar spaces or to cause inconveniences to other tenants.

p. The premises are for the private use of tenant and may not be used for any commercial purpose including, but not limited to, the sale of products or services of any kind, whether or not such sales are transacted for a profit.

q. Tenants will not be permitted to perform repair service on automobiles or automotive equipment of any kind other than an authorized motorized towing vehicle from or at the premises.

SECTION 7. MOTOR VEHICLES

7.1 GENERAL TRAFFIC REGULATIONS

a. Authority

Operation of Motor Vehicles on the Airport will be in compliance with all applicable Federal laws, municipal ordinances, and State laws, including the Tennessee Uniform Traffic Control Law and these Rules and Regulations. No Person will operate a Motor Vehicle on the Airport without an appropriate valid driver's license.

b. Discharge of Material

1. No Person will operate an uncovered Motor Vehicle to haul trash, dirt or any other material on the Airport without prior permission of the Authority.

2. No Person may spill or discharge any type of material from a Motor Vehicle operated on the Airport.

c. Traffic Signs and Signal Devices

Signs, markers or devices erected on the Airport will be prima facie evidence that they were erected or placed under proper authority. Failure to comply with the directions indicated on signs, markers or devices erected or placed in accordance herewith will be a violation of these Rules and Regulations and of the applicable provisions of the Tennessee Uniform Traffic Control Law.

d. Pedestrian Right-of-Way

The operator of any Motor Vehicle must yield the right-of-way to a pedestrian who crosses within a marked pedestrian crosswalk, except where the movement of traffic is being otherwise actively regulated by Authority personnel or traffic control devices. The driver of a Motor Vehicle must exercise due care for the safety of any pedestrian upon a roadway.

e. Motor Vehicle Condition

No Person may operate upon the Airport any Motor Vehicle which:

1. Is so constructed, equipped or loaded, or which is in such unsafe condition, as to endanger Persons or property; or

2. Has attached thereto any object or equipment, including that which is being towed, drags, swings or projects so as to be hazardous to Persons or property.

f. Closing or Restricting Use of Airport Roadways

The Airport Director or designee is authorized to close or restrict the use of all Airport roadways to vehicular traffic in the interest of public safety.

g. Storing, Parking and Repairing Motor Vehicles

No Motor Vehicle may be stored, parked or repaired on Airport property, except in areas so designated by the Authority, except for minor repairs necessary with respect to a temporarily disabled Motor Vehicle.

h. Slow-Moving Motor Vehicles, Equipment and Machinery

Every slow-moving Motor Vehicle, equipment or machinery designed for use and speeds of less than 25 miles per hour being operated on Airport roadways must be equipped with and display a triangular slow-moving vehicle emblem, mounted on the rear or in case of towed units, on the rearmost unit being towed.

i. Engine Turn Off

Operators of all Motor Vehicles being operated on the streets or other vehicular traffic areas on the Airport, including parking areas, must turn off the Motor Vehicle's engine when such Motor Vehicle is parked or is waiting other than at a traffic control device, requiring the Motor Vehicle to stop temporarily or to permit the safe passage of Persons or other Motor Vehicles.

j. Any Motor Vehicle entering the Airport will be subject to inspections in accordance with Federal regulations.

7.2 PROCEDURE IN CASE OF ACCIDENTS

The driver of any Motor Vehicle involved in an accident on the Airport which results in injury to or death of any Persons or property damage must immediately stop such Motor Vehicle at the scene of the accident and immediately, by the quickest means of communication, give notice of the accident to the applicable law enforcement agency.

7.3 SPEED LIMITS

The operator of a Motor Vehicle must drive such Motor Vehicle on the streets and other vehicular traffic areas on the Airport, including parking areas, at a speed that is reasonable and prudent under the existing conditions, having due regard to actual and potential hazards, and will comply with speed limits indicated on signs posted and maintained by the Authority. In areas in which signs are not posted, the speed limit will be 15 miles per hour.

7.4 VEHICLE OPERATIONS ON AIR OPERATIONS AND MOVEMENT AREA

a. Permission

No Person may operate a Motor Vehicle on the AOA or Movement Area unless permission based on operational need has been granted by the Airport Director or designee. Special authorization and training will be required for operation on the Movement Area.

b. Parking

No Motor Vehicle may be parked on any portion of the AOA, except those trucks and other Motor Vehicles necessary for the servicing of Aircraft and the maintenance of the Airport and then only if properly identified in accordance with the Airport Security Plan.

c. Restricted Parking

No Person will park a Motor Vehicle in any manner so as to block or obstruct fire hydrants and the approaches thereto, gates or emergency exits, or building entrances or exits.

d. Right-of-Way Aircraft

Aircraft taxiing in the AOA will have the right-of-way over vehicular traffic.

7.5 PUBLIC PARKING

a. Operators of Motor Vehicles using the public parking lots at the Airport must observe and comply with all regulatory and directional traffic signs posted on said facilities.

b. Motor Vehicles will Park in marked spaces only. No Person may Park a Motor Vehicle in any marked parking space in such a manner as to occupy a part of another space.

c. Any Motor Vehicle remaining in a public parking lot on the Airport for more than 45 consecutive days will be considered an abandoned Motor Vehicle.

7.6 RESERVED PARKING

a. No Person may Park any Motor Vehicle in reserved parking areas without a valid permit issued by the Authority. Each Motor Vehicle parked in a reserved area must prominently display the identifying insignia provided by the Authority or will bear other markings acceptable to the Authority. Every such Motor Vehicle will be parked only in the space or area as specifically assigned.

7.7 ISSUANCE OF TRAFFIC CITATIONS AND TICKETS

a. Law enforcement officers are authorized to issue traffic citations or parking tickets for violation of any provision of the Tennessee Uniform Traffic Control Law or these Rules and Regulations governing the operation, loading, unloading or parking of Motor Vehicles on the Airport.

SECTION 8. PENALTIES

8.1 CEASE AND DESIST ORDERS

The Airport Director or designee may order any Person to cease and desist any activities or conduct in noncompliance with these Rules and Regulations, or any Authority Policies, Standard Procedures or Operating Directives.

8.2 REMOVAL FROM OR DENIAL OF ACCESS TO AIRPORT

a. The Airport Director or designee may deny access to or order any Person removed from the Airport who knowingly fails to comply with a cease-and-desist order.

b. Such order will set forth the reasons for and dates on which removal or denial of access will begin and end.

8.3 APPEALS FROM CEASE-AND-DESIST ORDERS

a. Upon issuance of a cease-and-desist order described above, the Person may submit, within ten days of receipt of the order, a written request for reconsideration to the Airport Director. Such request must be sent in writing by certified mail or by overnight courier and must specify all reasons why the order should be modified or reversed. Any request for reconsideration filed in compliance with these Rules and Regulations will be reviewed by a fact-finding group whose duty is solely to gather data for the Airport Director. The group will consist of the Operations Manager and Emergency Manager or designee, relevant staff members, and at least one Authority attorney. The group will present all data gathered in the most efficient manner, to the Airport Director who, after thorough review of the data, will send a written determination by certified mail or by overnight courier to the Person requesting such reconsideration.

b. The Airport Director's determination is final, unless within ten days from the Airport Director's determination, the Person requests in writing, by certified mail or by overnight courier, an informal hearing before the Authority's Board of Directors. If such hearing is requested, the Airport Director will prepare an independent recommendation to the Authority's Board of Directors. The Authority's Board of Directors will issue a written decision after a presentation by the Person and the Airport Director at the hearing.

c. Decisions of the Authority's Board of Directors are final and subject to review or appeal by the appropriate court action or in some instances by proceedings before Federal administrative agencies, in accordance with applicable law. No new facts or issues will be considered by the reviewing court or agency.

8.4 REMOVAL OF PROPERTY

a. The Authority may remove or cause to be removed from any restricted or reserved areas, any roadway or right-of-way or any other unauthorized area or structure at the Airport, any property which is disabled, abandoned or unattended which creates an operations problem, nuisance, security or safety hazard or which otherwise is

placed in an illegal, improper or unauthorized manner. Any such property may be removed or caused to be removed by the Authority to an official impound area or such other area designated by the Authority.

b. Any property impounded by the Authority will be released to the owner or operator thereof, upon proper identification of the property, provided that the Person claiming it pays any towing, removal or storage charges and any other accrued fees. The Authority will not be liable for any damage which may be caused to the property or loss or diminution of value which may be caused by the act of removal.

8.5 REMOVAL OF PERSONS

Violators of cease-and-desist orders will be considered trespassers and will be removed from Airport property.

8.6 INTENT

Nothing in the preceding Sections is intended to preclude any authorized Authority personnel from taking other action authorized by law.

8.7 SEVERABILITY

The provisions of these Rules and Regulations will be severable and if any of the provisions hereof will be held to be unconstitutional or invalid, such determinations will not affect the constitutionality or validity of any of the remaining provisions of these Rules and Regulations. It is hereby declared to be the Authority's intent that such remaining provisions would have been adopted had such unconstitutional or invalid provision or provisions had not been included herein.

SECTION 9. JURISDICTION

9.1 MILLINGTON AIRPORT

a. The Airport boundaries and environs are within the City of Millington and Shelby County.

b. The Fire Department having jurisdiction over the Airport is the Millington Airport Fire Department.

c. The law enforcement agency having jurisdiction over the Airport is the Millington Police Department.