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REVIEWED BY
PREPARED BY
CITY ATTORNEYS OFFICE

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AN ORDINANCE TO AMEND THE ROCK HILL-YORK COUNTY AIRPORT BRYANT
FIELD REGULATIONS AND MINIMUM STANDARDS

BE IT ORDAINED by the Governing Body of the City of Rock Hill,
in Council assembled:

SECTION 1. That this Ordinance is being adopted in order to effect
proper compliance with the provisions of the Home Rule Act of 1975,
now South Carolina Code of Laws for 1976, Section 5-7-30, Section
5-7-260 and Section 2-48 and Section 2-96 of the Code of the City
of Rock Hill.

SECTION 2. That the City Council of the City of Rock Hill adopted
the Rock Hill-York County Airport Bryant Field Regulations and
Minimum Standards by Ordinance 95-6. This Proposed Amendment to
the Rock Hill-York County Airport Bryant Field Regulations and
Minimum Standards will provide airport tenants the means of having
their aircraft serviced by independent aircraft mechanics.

SECTION 3. That this Proposed Amendment to the Rock Hill-York
County Airport Bryant Field Regulations and Minimum Standards and
matters related thereto is being acted upon following Airport
Commission consideration thereof.

SECTION 4. That the Rock Hill-York County Airport Bryant Field
Regulations and Minimum Standards be and the same is hereby amended

by deleting **Part VI.6 Owner Service Area** and inserting in lieu thereof the following:

See Exhibit "A" attached hereto.

SECTION 5. That all ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed to the extent of such inconsistency.

SECTION 6. That this Ordinance shall be and become finally binding immediately after the same shall have received first and final readings, given in the manner required by law.

DONE AND RATIFIED in Council assembled on this the ___ day of _____, 2011.

A. Douglas Echols, Jr., Mayor

Susie B. Hinton, Mayor Pro Tempore

John A. Black, III, Councilmember

Kathy S. Pender, Councilmember

James C. Reno, Jr., Councilmember

Osbey Roddey, Councilmember

Kevin H. Sutton, Councilmember

ATTEST:

Anne H. Poag,
Municipal Clerk

Exhibit "A"

.6. Owner Aircraft Service

Subject to these Regulations and the terms of this section, any person, firm, corporation or other legal entity operating aircraft on the Airport ("Aircraft Owner") shall be allowed to perform any of the services listed below on its own aircraft with its own regular employees or an individual or entity providing independent service ("ISP"), in privately owned or leased hangars that meet all requirements for aircraft servicing or any other part of the Airport designated by the City or the Airport Manager in their respective reasonable discretion from time to time (the "Owner Service Area"). This Part governs such owner servicing and no services covered by this Part may be performed except in compliance herewith.

The services permitted under this section are:

- a. Oil change, lubrication;
- b. Washing, cleaning;
- c. Other services permitted by FAA Regulations; and
- d. Maintenance and repair, subject to requirements of all local, state, and federal ordinances, codes, laws, statutes, rules and regulations (collectively, "Laws")

The types of services prohibited under this Part are:

- a. All fueling operations governed by another Part of these Regulations; and
- b. All services not permitted under this Part.

In addition to the foregoing, repair, maintenance and other servicing of an aircraft under this section by an independent contractor shall also be subject to the following terms and conditions:

a. Prior to servicing an aircraft under this section, the Aircraft Owner and the ISP must execute and deliver to the Airport Manager one or more aircraft service authorization agreements or other agreements, each of which shall be in form and substance satisfactory to the Airport Manager, as amended from time to time in the sole discretion of the Airport Manager or the City of Rock Hill.

b. The ISP must be licensed and certified by the FAA (and all other applicable licensing or certification authorities as required by the Airport Administrator and/or applicable law) to perform the work it intends to undertake. Prior to performing any work on an aircraft, the ISP must deliver a copy of the FAA license and all other required licenses to the Airport Administrator. Any Aircraft Owner that performs work or maintenance on its own Aircraft must have all appropriate FAA certificates as required to perform such services on their own aircraft unless otherwise permitted by the FAA.

c. Each Aircraft Owner that maintains or repairs its own aircraft under this

section, whether such maintenance is performed by the owner, an employee, or ISP, acknowledges that (a) it assumes all risk associated with such maintenance or repair and (b) neither the City, the County, the Airport Manager, the Airport Administrator, nor any other person affiliated with any of the foregoing, makes any representation or warranty as to the qualifications or skills of the person performing any such work. Each such Aircraft Owner who maintains its aircraft pursuant to this section, by performing (or having performed) such maintenance or repair, agrees to indemnify and hold harmless the City, the County and their employees and agents from any and all claims, damages, losses, costs, expenses, or liabilities (including, without limitation, reasonable attorneys' fees) related to personal injury, death or damage to property resulting from or related to any such maintenance or repair.

VI.6.1 Owner Service Area

One or more areas for owner servicing of aircraft may be, but are not required to be, designated on the Airport Master Plan and by signs on the Airport. All other portions of the Airport are off-limits for owner servicing except for privately leased hangars which meet the requirements of this Section 6 and any other Owner Service Area designated by the City or the Airport Manager from time to time. An Aircraft Owner may bring a Surface Vehicle onto the designated Owner Service Area for short periods of time in connection with owner servicing.

Use of the common Owner Service Area(s) shall be on a first-come basis, for a period of time approved by the Airport Administrator in advance in its sole discretion. If an aircraft is left in the Owner Service Area beyond the length of time approved by the Airport Administrator, the Airport Administrator shall have the right to have the aircraft towed, at the owner's expense, to another location at the Airport. Owners using the Owner Service Area shall assume all risk in connection with such use, and shall be solely responsible for clean up of the Owner Service Area and removal / disposal of all fluids or hazardous materials in accordance with all Laws.