

**CODE OF THE CITY OF GALVESTON**

**CHAPTER 3. AIRPORTS, ARTICLE III. – RULES AND REGULATIONS**

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## ARTICLE III. - RULES AND REGULATIONS

**Cross reference**— Clean indoor air; provisions re smoking, § 11.5-1 et seq.

### **Sec. 3-33. - Purpose.**

The Scholes International Airport is owned, managed, operated and maintained by the City of Galveston, Texas. The requirements for policing the airport are necessarily distinct and different from those for other city owned property. Strict control, particularly of the air operations areas (AOA) and other working areas must be exercised, and must be based on a city ordinance to be enforceable. It is the purpose of this article to create such rules and regulations as are necessary to provide this control.

The management and administration of those portions of the airport, to which access by the public is limited, must necessarily be the responsibility of the airport director. The airport director must have assistance available from the city police department to process complaints of violations thereof. The policing of those areas of the airport, open to the public for general use, will be the responsibility of the city police department.

Areas of the airport, to which the general public cannot be allowed free access, for reasons of public safety and interference with aircraft operations, must obviously be distinguished from those areas to which the public has unrestricted access, such as the airport streets, public vehicular parking areas and the airport terminal. Reference herein to certain areas to which the public has, or does not have access for general purposes, is not to be construed as limiting or qualifying the public access of the airport.

### **Sec. 3-34. - Definitions.**

As used in this article, the following terms shall have the meaning respectively ascribed to them in this section.

*Air operations area (AOA)* shall mean the areas of the airport used or intended to be used for landing, take-off, or surface maneuvering of aircraft. Within the AOA, are movement and non-movement areas. (See crosshatched area on [Figure 1 – Airport Operations Area \(AOA\)](#).)

*Air traffic control (ATC)* shall mean the Galveston Air Traffic Control Tower and includes the controllers on duty.

*Aircraft* shall mean and include any and all contrivances now or hereafter used for the navigation of or flight in air or space, including but not limited to airplanes, lighter-than-aircraft, helicopters, gliders, amphibians, seaplanes, and ultralight vehicles.

*Airport* shall mean Scholes International Airport at Galveston, also known as Scholes Field.

*Airport rules and regulations* shall mean these rules and regulations.

*Airport director* shall mean the Scholes International Airport Director, or, in the absence of the airport director, the person acting as the airport director's designated representative.

*Charter flights* shall mean those flights, other than regularly scheduled airline service, on which passengers and/or cargo are carried for hire.

*City* shall mean the City of Galveston, Texas and includes employees, agents and representatives.

*Commercial aeronautical activity* shall mean the buying or selling or leasing of any goods, products or services.

*FAA* shall mean the Federal Aviation Administration.

FAR shall mean Federal Aviation Regulations.

FBO shall mean any person, firm, corporation or other business entity which conducts a fixed base operation upon Scholes International Airport.

Fixed base operator shall mean any commercial business granted the right by the city to operate on the airport and provide, at the minimum, the following aeronautical services: aircraft fueling and oil dispensing services, aircraft line services, basic aircraft and engine repair services, aircraft hangar storage, and provides customary services to general aviation users, such as public restrooms, waiting lounges, conference rooms, crew lounges and flight briefing room, crew car, basic pilot supplies and charging stations for customer's electronic devices.

Flying club shall mean any person, firm or cooperation engaged in ownership or lease of aircraft that provide flying services only to its members. Flying clubs can be operated as either a non-profit or commercial operation.

Fuel handling shall mean the transporting, delivering, dispensing, or draining of fuel, or draining of fuel waste products.

Fuel storage area shall mean and include those portions of the airport designated, either temporarily or permanently, by the airport director as areas in which gasoline, jet fuel, or any other type of fuel may be stored.

Movement area shall mean and include all taxiways and runways and is under the jurisdiction of the control tower. Clearance from ATC is required prior to entering into the movement area.

Non-movement area shall mean and include all aircraft ramps and is not controlled by ATC, movement in this area is permissible without clearance or communications with ATC.

NTSB shall mean the National Transportation Safety Board.

Operator shall mean any person in legal or actual control of an aircraft on, or in the vicinity of Scholes International Airport.

Permission shall mean permission granted by the airport director.

Person shall mean any individual, firm, co-partnership, corporation, association or company, (including but not limited to, any assignee, receiver, trustee or similar representative thereof), or the United States of America, or any foreign government, or any state or political subdivision thereof.

Public aircraft parking and storage area shall mean and include those portions of the airport designated and made available, either temporarily or permanently, by the airport director to the public for the parking or storage of aircraft.

Public landing area shall mean and include those portions of the airport including runways and taxiways designated and made available by the airport director to the public for the landing and taking off of aircraft and other areas between and adjacent to said runways and taxiways.

Public ramps and aprons shall mean and include those portions of the airport designated and made available by the airport director to the public for loading or unloading of passengers or cargo on and from aircraft.

Public vehicular parking area shall mean and include those portions of the airport designated and made available by the airport director to the public for the parking of vehicles.

Skydiving operation shall mean a person engaged in the business of providing for the purpose of, or in support of, a parachute jump or a parachute drop. This parachute operation can involve, but is not limited

to, the following persons; parachutist, parachutist in command and passenger in tandem parachute operations, drop zone or owner or operator, jump master, certificated parachute rigger, or pilot.

Vehicles shall mean and include automobiles, trucks, buses, motorcycles, horse-drawn vehicles, bicycles, pushcarts, and any other device in or upon which any person or property is or may be transported, carried or drawn upon land, except aircraft.

**Sec. 3-35. - Conflict in rules.**

If there is a conflict between any of these rules and regulations and any federal aviation regulation (FAR), the federal aviation regulation shall prevail.

**Sec. 3-36. - Airport management.**

- a) *Closing airport.* The airport director may suspend or restrict any or all operations at the airport whenever such action is deemed necessary in the interest of safety.
- b) *Circulation of rules.* Copies of these rules and regulations shall be made available to all airport tenants. Copies will be retained in the office of the airport director for review by anyone during normal business hours.
- c) *Enforcement of rules.* The enforcement of these rules and regulations is the responsibility of the airport director.
- d) *Enforcement.* The airport director shall have the authority to enforce the provisions of these rules and regulations and a violation of these rules and regulations will be cause for suspension of operating privileges at the airport.
- e) *Police powers.* Actual police power for the airport shall be vested with the city police department.
- f) *Safeguard of persons and property.* The airport director shall, at all times, have authority to take such action as may be necessary to safeguard any person, aircraft, equipment or property on the airport.

**Sec. 3-37. - Miscellaneous provisions.**

- a) *General rules.* No person in or upon the airport shall do or omit to do any act that endangers or is likely to endanger any person or property.
- b) *Injury and damage reports.* The operator of any aircraft or vehicle involved in any accident causing personal injury or property damage to airport property, or to property of others regardless of the amount of damages, shall make a prompt report of the accident to the airport director.
- c) *Lost and found.* Any person finding a lost article on the airport premises shall deliver it to the airport administration office. Articles unclaimed may be returned to the finder after ninety (90) days or disposed of at the airport director's discretion.
- d) *Compliance with Federal Aviation Regulations.* No person shall fail to comply with the Federal Aviation Regulations promulgated by the FAA for observance by aircraft operated anywhere in the United States, and presently or hereafter effective, are hereby referred to, adopted and made a part hereof as though fully set forth and incorporated herein.
- e) *Take-off.* All aircraft shall hold short of the runway for landing and take-off traffic before taxiing into take-off position, unless otherwise directed by ATC.

**Sec. 3-38. - Ground operations.**

- (a) *Vehicles and pedestrians.*

- (1) *Speed limit.*
  - a. No person shall operate any vehicle on any road or driveway on the airport in excess of twenty (20) miles per hour, or as otherwise posted. This restriction shall not apply to authorized emergency vehicles while engaged in emergency operations.
  - b. No person shall operate any motor vehicle, on any part of the AOA in excess of ten (10) miles per hour or as otherwise authorized by the airport director. The restriction shall not apply to authorized emergency vehicles while engaged in emergency operations.
  - c. Any law enforcement officer or the airport director may, in the event of an emergency, impose speed limits contrary to those posted or implied.
  - d. It shall be a defense that excessive speed was authorized by the airport director.
- (2) *Blocking traffic.* No person shall park or stop a vehicle, without permission of the airport director:
  - a. In front of a driveway;
  - b. In front of an airport access gate;
  - c. In a designated fire or emergency lane;
  - d. On the roadway side of any stopped or parked vehicle; or,
  - e. In other than leased or authorized areas for the purpose of washing, greasing or to make repairs except repairs necessitated by an emergency.
  - f. This section shall not apply to an emergency vehicle responding to an emergency.
- (3) *Air operations area (AOA).* No vehicle shall enter the air operations area non-movement area without permission from the airport director. No vehicle shall enter the movement areas without permission from ATC when the control tower is open, or the airport director, when the control tower is closed. This section shall not apply to authorized emergency vehicles or appropriately marked vehicles when the control tower is closed.
- (4) *Runways.* Unless specifically approved by ATC or the airport director, when the control tower is closed, no vehicle may be operated on any designated landing or take-off area of the airport. Any vehicle operating on the landing and takeoff areas shall be operated in accordance with FAA applicable orders and directives.
  - a. The violation of section 3-38(4), shall be punishable by a fine of not more than five hundred dollars (\$500.00). Each day a violation of section 3-38(4) continues shall constitute a separate offense.
- (5) *Right-of-way.* All vehicles operating on the AOA shall yield the right-of-way to any and all aircraft that are in motion or that have their engines running, unless otherwise directed by ATC.
- (6) *Removal of vehicles.* The airport director may move, remove or cause to be removed, from any area of the airport, any vehicle that is disabled, abandoned or parked in violation of these rules and regulations, or that presents an operational problem to any area of the airport.  

The owner and operator of the removed vehicle shall be liable for expenses incurred for removal. The city shall not be liable for any damages that may result from the removal of the vehicle.
- (7) *Authorized vehicles.* No person may operate a motor vehicle on any part of the airport that is not specifically designated. It shall be an affirmative defense to this section that ATC or the airport director gave permission for the operation of the vehicle.
- (8) *Observing signs.* All motor vehicle operators shall observe all street signs, or other signs or markings pertinent to the operation of a motor vehicle while on the airport. It shall be a defense to this section that a law enforcement official or an airport official directed the motor vehicle operator to disregard the sign(s).

- (9) *Restricted areas.* No person shall enter areas that are marked or posted as being 'restricted', 'private', 'employees only', or 'authorized personnel/vehicles only' except:
- a. Those persons specifically authorized by the airport director when in the non-movement area when the control tower is open;
  - b. Those persons specifically authorized by ATC when in the movement areas when the control tower is open or the airport director when the control tower is closed.
  - c. Persons assigned to duty or transacting business therein;
  - d. Passengers under appropriate supervision who are entering the public ramps and aprons for enplaning or deplaning.
- (b) *Aircraft.*
- (1) *Safety.* No aircraft shall be operated on any surface of the airport:
    - a. In a careless or negligent manner which endangers person or property.
    - b. In disregard of the rights and safety of others.
    - c. At a speed or in a manner which endangers person or property.
    - d. While the operator is under the obvious influence of alcohol, or drugs whether legal or illegal.
  - (2) *Lights.* All aircraft being taxied, towed or otherwise moved between the hours of sunset and sunrise shall be moved with operating lights, or escorted by a lighted motor vehicle.
  - (3) *Storage.* No aircraft may be taxied into or out of a hangar under the power of its own engine.
  - (4) *Taxiways.* All aircraft will use only those areas designated as taxiways for the purpose of taxiing.
  - (5) *Back-taxiing.* Back-taxiing on runways must be reported when the operator has the equipment to do so or when directed by ATC to do so.
- (c) *Fire hazards and explosives.*
- (1) Every person going upon or using the airport or its facilities shall exercise extreme care and caution to avoid and prevent fire.
  - (2) No person shall smoke cigars, cigarettes, pipes or otherwise have an open flame within fifty (50) feet of any fuel carrier or fuel storage area or where smoking is specifically prohibited by signs.
  - (3) No person shall start any open fires of any type on any part of the airport without permission of the airport director.
  - (4) No person shall store, keep, handle, use, dispense or transport at, in or upon the airport, any class A, class B or class C explosives or poisons as defined by the hazardous material regulations of the department of transportation, at any such time or place in such a manner or condition that endangers or is likely to endanger any person or property.
  - (5) No person shall tamper with any fire equipment, including sprinklers, sprinkler valve, or fire extinguisher at the airport. No person shall use any fire equipment for any purpose other than fire-fighting or fire prevention. All such equipment shall be inspected and conform with the National Fire Protection Association regulations.
  - (6) No person shall operate any flame- or spark-producing device on any part of the airport without permission from the airport director.
- (d) *Radioactive material.* Permission of airport director must be obtained for the movement, storage and handling of radioactive material on or upon the airport. The airport director shall grant permission only if: (1) Such materials are packaged, marked, labeled and limited as required by the Interstate Commerce Commission (ICC), the Atomic Energy Commission, and the Federal Aviation

Administration regulations; and (2) It does not create an undue hazard to persons or property. Advance notice of at least twenty-four (24) hours shall be given to the airport director to permit a full investigation and clearance for any operation requiring a waiver for the movement, storage or handling of such materials.

- (e) *Hangar entrances.* All hangar entrances shall be kept clear at all times.
- (f) *Fueling.* All aircraft fueling operations shall be conducted in accordance with the National Fire Protection Association's current standards for fueling aircraft. All fuel servicing vehicles shall be designed, constructed and equipped in compliance with National Fire Protection Association standards for vehicles servicing aircraft with standard grades of aviation fuel.

### **Sec. 3-39. - Landing and takeoff rules.**

*Landings and departing.* Aircraft landing and departing shall comply with all FAA applicable orders and directives.

### **Sec. 3-40. - Drones/unmanned aircraft systems (UAS).**

Prior to operating a UAS within a five-mile radius of Scholes International Airport, individuals must be in compliance with the regulations set forth in the Federal Aviation Administration Advisory Circular No. 107, which is available for download/review at <https://www.faa.gov/uas/>.

### **Sec. 3-41. - Ultralight vehicles.**

- (a) *Introduction.* All ultralight vehicles operating into and out of the Scholes International Airport shall operate in accordance with these rules and regulations and as directed by ATC when the control tower is open. The purpose of these rules and regulations is to provide for the safe, orderly and efficient operation of ultralight vehicles at the airport. Any person or organization desiring to change any of these rules and regulations may initiate such changes or modifications by contacting the airport director.
- (b) *Applicability.* The ultralight vehicles that operate into and out of the airport and meet the definition of an ultralight vehicle as defined in FAR Part 103 (14 CFR 103) shall be subject to these rules and regulations.
- (c) *Registration.* Before operating an ultralight vehicle at the airport, the operator shall register with the airport director.
- (d) *Operations.* All flight operations shall be in accordance with FAR Part 103. . All operations conducted in the Scholes International Airport air space shall be conducted at or below an altitude of eight hundred (800) feet aboveground level (AGL).
- (e) *Safety.* Unsafe or potentially unsafe practices shall be reported to the airport director when they occur. Ultralight vehicle accidents occurring on or within two (2) miles of the airport shall be reported in writing to the FAA approved AOPA safety foundation and the airport director within twenty-four (24) hours of the occurrence.

### **Sec. 3-42. - General provisions.**

- (a) *Garbage disposal.* No person shall place, discharge, or deposit in any manner, garbage or any refuse in or upon any part of the airport, except at such places and in such containers specifically designated and marked for such purpose and under such conditions as the airport director may from time to time prescribe.
- (b) *Solicitation and advertising.* No person shall solicit funds, erect signs, advertise, distribute or post circulars on any part of the airport without written permission from the airport director.

- (c) *Building restriction line (BRL)*. No structures may be erected beyond the BRL or in conflict with the approved airport layout plan. Furthermore, all structures must comply with the city building codes and airport zoning and land use.
- (d) *Subleasing*. Leased property on the airport may be subleased by the lessee only in accordance with lessee's lease.
- (e) *Lease of airport property*. City-owned, airport hangars, buildings and other property may be leased to individuals, companies or corporations for a term and fee as approved by the city. The conditions of the term and fee will be made a part of said lease.
- (f) *Entry upon airport*. All persons entering upon airport property shall comply with the rules and regulations set forth herein. Unless specifically stated, no culpable mental state shall be required as an element of a violation of these rules and regulations.
- (g) *Unauthorized signs and houses*. No signs, permanent or portable, mobile homes or portable buildings or house trailers may be erected, moved in or installed on the airport property except as may be specifically authorized by the airport director.
- (h) *Commercial activity*. No person shall carry on any commercial activity on the airport without permission from the airport director.
- (i) *Photography*. No airport director commercial photography shall be permitted on the airport without permission from the airport director.
- (j) *Storage of cargo or other property*. No person shall use any area of the airport for the storage of cargo or other property without the permission of the airport director. The airport director may move or cause to be moved, any such cargo or property at the expense of the owner and with no liability to the city or its agent or employees for damages resulting from such removal. This section shall not apply to a lessee using property described by a signed lease agreement.
- (k) *Parachute activity*. No person, except in an emergency, shall descend by parachute and land upon the airport without permission from the airport director and ATC when the control tower is open.
- (l) *Release of property*. No person shall disturb, move or remove any aircraft parts or other equipment found on the airport or as a result of an accident until release of the aircraft or parts thereof by the NTSB or the FAA or the airport director.
- (m) *Disabled aircraft*. Except as provided in paragraph (l) of this section, no aircraft owner, the owner's operators and agents shall fail to promptly remove from the AOA of the airport, under the direction of the airport director the owner's disabled or wrecked aircraft. In the event of failure to do so, the airport director may move or cause to be removed, said aircraft at the expense of the owner with no liability to the city, its agents or employees for damages resulting from said removal.
- (n) *Aircraft repair*. There shall be no maintenance of an aircraft outside of its leasehold, or designated FBO maintenance hangars without the prior approval of the airport director. Used oil, and other chemical residue, shall be disposed of in accordance to current EPA directives.
- (o) *Fixed base operations*. No fixed base operations shall be conducted at the airport except pursuant to a written lease agreement with the city, approved by city council.
- (p) *Terminal operations*. No service shall be offered to the public in the terminal except from a counter, office, or other facility approved by the airport director suitable for the activity stated.
- (q) *Flying club*. No flying club shall be conducted on the airport without the consent, in writing, of the airport director.
- (r) *Agricultural operations*. No agricultural spraying operations conducted on the airport will be conducted except in accordance with procedures approved by the airport director.
- (s) *Entry into air operations area (AOA)*. No person shall enter the AOA of the airport, either on foot or by vehicle without permission. Any person so entering does so at their own risk and with no liability to the city, or its agents or employees for injury or damage to person or property.



- (t) *Debris.* No debris of any kind shall be left or otherwise deposited upon the surface of the AOA of the airport.
- (u) *Damage to airport.* No person shall cause damage of any kind to the airport whether through violation of these rules or through vandalism, or through any intentional act. Any person causing damage shall be liable therefor to said city for such damages.
- (v) *Interference with aircraft.* No person shall interfere or tamper with any aircraft or its parts, or start the engine of any aircraft at the airport without the consent of the owner or operator of said aircraft.
- (w) *Radio interference.* No person shall operate equipment, radios or other devices on the airport that interferes with aircraft radio communications or any navigational aid.

**Sec. 3-43. - Penalties.**

- (a) Any person violating any of these rules and regulations in sections 3-38, 3-41 and 3-42 shall be deemed guilty of a misdemeanor and shall, upon conviction thereof, be subject to a fine in any amount not to exceed five hundred dollars (\$500.00).
- (b) Each day a violation continues to exist shall constitute a separate offense.
- (c) Any person violating any provision of the Texas Penal Code, Highway Vehicle Code, or any other applicable state or federal regulation as it may apply to activities on the airport is subject to punitive action either locally or on a federal or state level.

**Secs. 3-44, 3-45. - Reserved.**

**Editor's note—** Ord. No. 19-062 <sup>1</sup>, § 2, adopted Oct. 17, 2019, repealed §§ 3-44, 3-45, which pertained to emergency response procedures and security plan and derived from Ord. No. 94-22, § 2, adopted April 14, 1994.

**Sec. 3-46. - Fixed base operations.**

- (a) No person shall operate as a fixed base operator, unless such person has met and agrees to abide by the most current "airport minimum operating standards" and approved by city council. This provision shall not apply during fuel emergencies, as determined by the city manager, or designee as set forth in subsection (g) below.
- (b) The "airport minimum operating standards" shall be available in the office of the city secretary and office of the airport director during normal business hours. The "airport minimum operating standards" may be amended or modified only by city council approval.
- (c) In addition to selling fuel and lubricants, a fixed base operator shall perform the mandatory operations as stated in the "airport minimum operating standards" aircraft line services, major aircraft repair services, aircraft storage, sale of aircraft parts and accessories and provision of customary services to general aviation users, such as public restrooms, waiting lounges, conference rooms, crew lounges and flight planning services.
- (d) A fixed base operator may also perform any and all of the general aviation specialty services as outline in the "airport minimum operating standards" including but not limited to: air taxi and charter; radio, instrument and propeller repair; flight training; aircraft rental; aircraft sales; and operation of a flying club. If a fixed base operator performs any of these optional services, the fixed base operator shall meet and abide by the guidelines and requirements for that optional service as stated in the "airport minimum operating standards"
- (e) If a person or entity that is not a fixed base operator performs any of these optional services, that person or entity shall meet and abide by the guidelines and requirements for that optional service as stated in the "airport minimum operating standards."

- (f) The violation of this section shall be punishable by a fine of not more than five hundred dollars (\$500.00). Each day a violation of this section continues shall constitute a separate offense.
- (g) A fuel emergency shall mean there is no fixed base operator to provide fuel, or the approved fixed base operator is unable or unwilling to sell fuel at a regular and consistent volume to satisfy normal demands of airport patrons. During a fuel emergency, the city manager, or designee, may authorize the city or one (1) or more airport tenants to provide fuel to airport patrons for a period not to exceed ninety (90) days. During such emergency, the city manager, or designee, may waive one (1) or more requirements set forth in the "airport minimum operating standards. The city manager, or designee, may prescribe conditions, including but not limited to, the type and amounts of insurance coverage, and payment of fuel flowage fees to the city. The city manager, shall report the emergency to the city council at the next regular meeting of the city council. City council may extend the fuel emergency for a period beyond ninety (90) days. All decisions by the city manager and city council shall be final.

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<sup>1</sup> [https://library.municode.com/tx/galveston/ordinances/code\\_of\\_ordinances](https://library.municode.com/tx/galveston/ordinances/code_of_ordinances)

**SCHOLES INTERNATIONAL AIRPORT**  
**Figure 1 – Airport Operations Area (AOA)**  
**AOA INCLUDES MOVEMENT AND NON-MOVEMENT AREAS**



**AIRPORT MOVEMENT AREA - ATC CLEARANCE IS REQUIRED PRIOR TO ENTERING INTO THIS AREA**



**NON- MOVEMENT AREA - ATC CLEARANCE IS NOT REQUIRED PRIOR TO ENTERING INTO THIS AREA**