

RESOLUTION NO. 26-286

A RESOLUTION OF THE HENRY COUNTY BOARD OF COMMISSIONERS ADOPTING THE ATLANTA SPEEDWAY AIRPORT (HMP) AIRPORT GOVERNANCE MANUAL; ESTABLISHING THE OFFICIAL RULES, POLICIES, MINIMUM STANDARDS, AND ADMINISTRATIVE REGULATIONS GOVERNING THE OPERATION, MANAGEMENT, DEVELOPMENT, LEASING, COMMERCIAL ACTIVITIES, SAFETY, SECURITY, AND ADMINISTRATION OF ATLANTA SPEEDWAY AIRPORT; AUTHORIZING IMPLEMENTATION; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER LAWFUL PURPOSES.

WHEREAS, Henry County, Georgia, is the owner and Airport Sponsor of Atlanta Speedway Airport (FAA Identifier: HMP); and

WHEREAS, the Henry County Board of Commissioners possesses the authority to own, operate, regulate, maintain, improve, lease, and administer Atlanta Speedway Airport pursuant to the Constitution and laws of the State of Georgia, the Henry County Charter, the Henry County Code of Ordinances, and other applicable law; and

WHEREAS, as the Airport Sponsor, Henry County has accepted obligations under Federal Aviation Administration ("FAA") Airport Improvement Program grants and FAA Grant Assurances requiring the County to operate and manage the Airport in a safe, efficient, financially responsible, and legally compliant manner; and

WHEREAS, the Board of Commissioners finds that the adoption of a comprehensive Airport Governance Manual is necessary to establish uniform policies, operational standards, minimum standards, administrative procedures, leasing requirements, commercial operating standards, safety regulations, security requirements, and enforcement procedures governing the Airport; and

WHEREAS, the proposed *Atlanta Speedway Airport (HMP) Airport Governance Manual* has been prepared to promote aviation safety, protect the public investment in Airport facilities, preserve Airport revenues, ensure compliance with applicable federal and state law, maintain eligibility for present and future aviation funding, protect the County's proprietary rights, and provide clear guidance for Airport administration; and

WHEREAS, the Board of Commissioners has reviewed the proposed Airport Governance Manual and finds that its adoption is in the best interests of Henry County and the citizens it serves.

NOW, THEREFORE, BE IT RESOLVED by the Henry County Board of Commissioners, and it is hereby resolved by authority of the same, that:

Section 1. Adoption.

The Henry County Board of Commissioners hereby adopts the document entitled "Atlanta Speedway Airport (HMP) Airport Governance Manual," attached hereto and incorporated herein

by reference as Exhibit "A," as the official Airport Governance Manual of Atlanta Speedway Airport.

Section 2. Official Airport Policies.

The Airport Governance Manual shall constitute the official rules, regulations, policies, minimum standards, administrative procedures, operational standards, leasing standards, commercial operating requirements, safety regulations, security requirements, and governance policies applicable to Atlanta Speedway Airport unless otherwise modified by future action of the Board of Commissioners.

Section 3. Supersession.

Upon the effective date of this Resolution, the Airport Governance Manual shall supersede all prior Airport rules, regulations, policies, minimum standards, administrative procedures, operational directives, and governance documents to the extent they are inconsistent with the Manual, unless specifically preserved by subsequent action of the Board of Commissioners or otherwise required by applicable law.

Nothing contained herein shall impair the contractual rights or obligations established under existing leases, licenses, permits, easements, concessions, or other legally binding agreements, except to the extent such documents expressly provide for compliance with subsequently adopted Airport rules and regulations or where modification is otherwise authorized by law.

Section 4. Compliance with Federal and State Law.

The Airport Governance Manual shall at all times be interpreted and administered in a manner consistent with:

- (a) applicable federal law;
- (b) Federal Aviation Administration regulations;
- (c) FAA Grant Assurances ;
- (d) Airport Improvement Program grant obligations ;
- (e) Georgia law;
- (f) the Henry County Charter;
- (g) the Henry County Code of Ordinances; and
- (h) all other applicable governmental requirements.

In the event of any conflict between the Airport Governance Manual and controlling federal or state law, the applicable law shall govern.

Section 5. Administration.

The County Manager and the Airport Director are authorized and directed to implement, administer, and enforce the Airport Governance Manual consistent with Board policy, County ordinances, and applicable law.

The County Attorney is authorized to provide legal advice and assistance concerning the interpretation and implementation of the Manual and to prepare any amendments determined necessary to maintain compliance with applicable law and FAA requirements.

Section 6. Existing Agreements.

All existing Airport leases, permits, licenses, commercial operating agreements, concession agreements, and other Airport authorizations shall, to the extent permitted by law and the terms of such agreements, be administered in a manner consistent with the Airport Governance Manual.

Section 7. Future Amendments.

The Board of Commissioners reserves the exclusive authority to amend, repeal, supplement, or replace the Airport Governance Manual by subsequent Resolution.

Section 8. Severability.

Should any section, subsection, sentence, clause, phrase, or provision of this Resolution or the Airport Governance Manual be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions, which shall remain in full force and effect.

Section 9. Effective Date.

This Resolution shall become effective immediately upon its adoption by the Henry County Board of Commissioners, and the Atlanta Speedway Airport (HMP) Airport Governance Manual shall be effective immediately upon such adoption.

SO RESOLVED AND ADOPTED, this 27 day of July, 2026.

HENRY COUNTY BOARD OF COMMISSIONERS

BY:



CARLOTTA HARRELL, Chair

Attest:


Stephanie Braun, County Clerk

ATLANTA SPEEDWAY AIRPORT (HMP) AIRPORT GOVERNANCE MANUAL

RESOLUTION OF ADOPTION

This Airport Governance Manual is hereby adopted by the Henry County Board of Commissioners as the official policies, rules, minimum standards, and administrative regulations governing the operation, management, development, leasing, commercial activity, safety, security, and administration of Atlanta Speedway Airport. The provisions contained herein shall supersede all inconsistent Airport rules, policies, administrative procedures, minimum standards, and operational directives previously adopted by Henry County unless specifically preserved by Board action. The Airport Director is authorized to administer and enforce this Manual consistent with applicable federal law, Georgia law, County ordinances, and policies adopted by the Board of Commissioners.

PREFACE

Atlanta Speedway Airport is a public-use airport owned and operated by Henry County, Georgia. As the Airport Sponsor, Henry County has both the authority and the responsibility to establish reasonable standards governing the safe, efficient, and equitable use of Airport property. This Manual establishes the legal, operational, administrative, leasing, development, commercial, environmental, and safety standards necessary to ensure that Airport operations comply with applicable federal and state law while preserving the County's proprietary rights and protecting the long-term viability of the Airport. This Manual is intended to provide clear guidance to Airport personnel, tenants, commercial operators, contractors, governmental agencies, aircraft owners, pilots, consultants, and members of the public.

PURPOSE OF THE MANUAL

The purposes of this Manual include:

- Establishing uniform Airport governance policies.
- Promoting aviation safety.
- Protecting public investments.
- Ensuring compliance with FAA Grant Assurances.
- Protecting Airport revenues.
- Providing fair and uniform commercial standards.
- Protecting the County's proprietary interests.
- Encouraging orderly Airport development.
- Preserving future Airport expansion opportunities.

AUTHORITY

This Manual is adopted pursuant to:

- Georgia Constitution
- Official Code of Georgia Annotated
- Henry County Charter
- Henry County Code of Ordinances
- FAA Grant Assurances
- FAA Orders
- FAA Advisory Circulars
- Federal Aviation Regulations
- Other applicable federal and state laws.

FAA COMPLIANCE STATEMENT

Atlanta Speedway Airport has accepted federal Airport Improvement Program (AIP) grants and is therefore subject to the applicable Federal Aviation Administration Grant Assurances. Nothing contained in this Manual shall be interpreted in a manner inconsistent with federal law, FAA regulations, FAA Grant Assurances, or mandatory FAA policy. Whenever a conflict exists between this Manual and controlling federal law, the federal requirement shall govern.

ACRONYMS AND ABBREVIATIONS

AIP – Airport Improvement Program

ALP – Airport Layout Plan

AOA – Air Operations Area

BOC – Board of Commissioners

CFR – Code of Federal Regulations

EPA – Environmental Protection Agency

FAA – Federal Aviation Administration

FBO – Fixed Base Operator

FOD – Foreign Object Debris

GA – General Aviation

ICAO – International Civil Aviation Organization

NAVAID – Navigational Aid

NFPA – National Fire Protection Association

NTSB – National Transportation Safety Board

RPM – Rules, Policies, and Minimum Standards

SASO – Specialized Aviation Service Operator

SPCC – Spill Prevention, Control, and Countermeasure

TTF – Through-the-Fence

UAS – Unmanned Aircraft System

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CHAPTER 1: INTRODUCTION, AUTHORITY, PURPOSE, AND ADMINISTRATION

ARTICLE 1: TITLE

Section 1.1 Name

This document shall be known and may be cited as the **Atlanta Speedway Airport (HMP) Airport Governance Manual** ("Manual").

This Manual constitutes the official rules, regulations, minimum standards, policies, administrative procedures, and operational requirements governing the ownership, operation, management, maintenance, development, and use of Atlanta Speedway Airport ("Airport"), a public-use airport owned by Henry County, Georgia.

ARTICLE 2: PURPOSE

Section 2.1 General Purpose

The purpose of this Manual is to establish a comprehensive framework for the safe, efficient, orderly, financially responsible, and legally compliant operation of Atlanta Speedway Airport.

This Manual is intended to:

1. Protect the public investment in Airport facilities and infrastructure;
2. Promote aviation safety;
3. Ensure compliance with applicable federal, state, and local laws;
4. Protect Henry County's obligations as an Airport Sponsor;
5. Promote fair and reasonable access to Airport facilities;
6. Prevent unlawful discrimination and exclusive rights;
7. Establish uniform operational standards;
8. Promote efficient Airport administration;
9. Encourage responsible aviation development;
10. Preserve Airport property for aeronautical purposes;
11. Protect Airport revenues;
12. Ensure responsible environmental stewardship;
13. Support future Airport expansion consistent with the Airport Layout Plan;
14. Establish clear administrative authority;
15. Provide due process for enforcement actions; and
16. Promote long-term financial sustainability of Airport operations.

Section 2.2 Scope

This Manual governs every aspect of Airport administration unless specifically superseded by applicable federal or state law. This Manual shall apply to all:

- tenants;
- lessees;
- sublessees;
- permit holders;
- commercial operators;
- Fixed Base Operators;
- Specialized Aviation Service Operators;
- aircraft owners;
- aircraft operators;
- pilots;
- passengers;
- contractors;
- vendors;
- consultants;
- visitors;
- governmental agencies using Airport property;
- County employees assigned to Airport operations; and
- every person entering upon Airport property.

Use of Airport property constitutes acceptance of and agreement to comply with this Manual.

ARTICLE 3: LEGAL AUTHORITY

Section 3.1 Authority of Henry County

Atlanta Speedway Airport is owned exclusively by Henry County, Georgia. The Henry County Board of Commissioners possesses all powers necessary to own, operate, improve, regulate, lease, develop, maintain, and administer the Airport consistent with applicable law. The Board retains final authority over:

- Airport governance;
- Airport policies;
- rates and charges;
- leases;
- licenses;
- permits;
- concession agreements;
- capital improvements;
- Airport development;
- land disposition;
- operating budgets;

- minimum standards;
- Airport Rules and Regulations; and
- amendments to this Manual.

Section 3.2 Airport Sponsor Obligations

Henry County accepts and shall continually perform all obligations imposed upon Airport Sponsors under:

- applicable FAA Grant Assurances;
- federal aviation statutes;
- federal regulations;
- Georgia Block Grant Program requirements;
- Georgia Department of Transportation Aviation Program requirements;
- applicable grant agreements;
- Airport Improvement Program obligations; and
- all other legally binding funding commitments.

Nothing contained in this Manual shall be interpreted to authorize any action inconsistent with those obligations.

Section 3.3 Relationship to Federal Law

Airport operations shall remain consistent with:

- Federal Aviation Administration regulations;
- applicable provisions of Title 14 of the Code of Federal Regulations;
- applicable federal statutes;
- FAA Orders;
- FAA Advisory Circulars;
- FAA policies;
- published Notices to Air Missions (NOTAMs);
- FAA Grant Assurances; and
- any other applicable federal aviation requirements.

Whenever federal law imposes a more restrictive requirement than this Manual, federal law shall control.

Section 3.4 Relationship to State Law

Airport operations shall comply with:

- Georgia law;
- Georgia Department of Transportation Aviation Program requirements;
- Georgia environmental laws;

- Georgia fire safety requirements;
- Georgia building codes;
- Georgia procurement laws;
- applicable county ordinances; and
- all other applicable state requirements.

ARTICLE 4: GOVERNING PRINCIPLES

The Airport shall be administered according to the following principles:

Section 4.1 Safety

Protection of life and property shall remain the highest operational priority.

Section 4.2 Compliance

The Airport shall continually maintain compliance with applicable federal, state, and local requirements.

Section 4.3 Public Use

The Airport exists primarily to serve the public's aeronautical transportation needs.

Section 4.4 Fair Access

Aeronautical users meeting applicable qualifications shall receive fair, reasonable, and nondiscriminatory access to Airport facilities.

Section 4.5 Financial Stewardship

Airport revenues shall be managed prudently and used consistent with applicable federal law.

Section 4.6 Operational Efficiency

Airport facilities shall be managed to maximize operational safety and efficiency while protecting future development opportunities.

Section 4.7 Environmental Responsibility

Airport operations shall minimize environmental impacts through responsible management of stormwater, hazardous materials, spill prevention, waste disposal, and regulatory compliance.

ARTICLE 5: AIRPORT MANAGEMENT AUTHORITY

Section 5.1 Board of Commissioners

The Henry County Board of Commissioners shall establish Airport policy and retain all legislative authority concerning Airport governance.

Section 5.2 County Manager

The County Manager shall provide executive oversight of Airport operations and ensure implementation of Board policy.

Section 5.3 County Attorney

The County Attorney shall advise the Board, County Manager, Airport Director, and County departments regarding legal matters affecting Airport operations, leases, contracts, regulatory compliance, litigation, enforcement, procurement, and risk management.

Section 5.4 Airport Director

The Airport Director serves as the chief administrative officer responsible for the day-to-day management of Airport operations.

Subject to Board policy and County administrative oversight, the Airport Director is authorized to:

- administer this Manual;
- issue operational directives;
- supervise Airport personnel;
- manage leases;
- issue permits;
- inspect Airport facilities;
- oversee commercial operations;
- coordinate FAA and GDOT matters;
- enforce Airport Rules and Regulations;
- administer contracts delegated to the Airport;
- oversee Airport maintenance;
- coordinate emergency operations;
- issue Notices of Violation;
- suspend operational privileges when immediate safety concerns exist; and
- perform such additional duties as assigned by the County Manager or Board of Commissioners.

ARTICLE 6: INTERPRETATION

Section 6.1 Liberal Construction

This Manual shall be liberally construed to promote aviation safety, protect Airport property, preserve federal funding eligibility, and further the public interest.

Section 6.2 Conflicts

In the event of conflict among Airport governance documents, the following order of precedence shall apply:

1. Federal law;
2. FAA Grant Assurances;
3. Georgia law;
4. Henry County ordinances;
5. Board resolutions;
6. This Airport Governance Manual;
7. Airport leases;
8. Commercial operating permits;
9. Airport administrative procedures;
10. Airport operational directives.

Section 6.3 Severability

If any provision of this Manual is declared invalid or unenforceable by a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

Section 6.4 Reservation of Rights

Nothing contained herein shall be interpreted as creating a contractual right where none otherwise exists; limiting the governmental authority of Henry County; waiving sovereign immunity; creating a private cause of action against the County; limiting the County's police powers; impairing the County's contractual rights; or limiting remedies otherwise available under law or equity.

ARTICLE 7: EFFECTIVE DATE

This Manual shall become effective upon adoption by the Henry County Board of Commissioners and shall supersede all prior Airport Rules and Regulations, Minimum Standards, policies, and administrative procedures to the extent they are inconsistent with this Manual.

All existing leases, permits, operating agreements, licenses, and commercial authorizations shall thereafter be interpreted and administered in a manner consistent with this Manual unless expressly provided otherwise by the Board of Commissioners or applicable law.

CHAPTER 2: DEFINITIONS, INTERPRETATION, AND RULES OF CONSTRUCTION

ARTICLE 1: PURPOSE

Section 2.1.1 Purpose

The purpose of this Chapter is to establish uniform definitions and rules of construction applicable throughout this Airport Governance Manual. Unless the context clearly indicates otherwise, the terms defined herein shall have the meanings assigned to them whenever used in this Manual, Airport leases, commercial operating permits, licenses, Airport directives, policies, administrative procedures, and other documents issued pursuant to this Manual. Where a term is not specifically defined herein, it shall be interpreted according to its common aviation meaning, applicable Federal Aviation Administration ("FAA") guidance, Georgia law, or the ordinary and customary meaning of the term.

ARTICLE 2: RULES OF CONSTRUCTION

Section 2.2.1 General Rules

Unless the context clearly requires otherwise:

- (a) Words importing the singular include the plural, and the plural includes the singular.
- (b) Words importing one gender include every gender.
- (c) The word "shall" is mandatory.
- (d) The word "may" is permissive and grants discretion.
- (e) The word "includes" or "including" means "including, without limitation."
- (f) References to statutes or regulations include any future amendments or successor provisions.
- (g) References to FAA Orders, Advisory Circulars, policies, and guidance include subsequent revisions unless expressly stated otherwise.
- (h) References to one Article, Chapter, or Section refer to this Manual unless otherwise indicated.
- (i) Headings are provided solely for convenience and shall not affect interpretation; and

(j) Examples contained in this Manual are illustrative only and shall not limit the application of any provision.

ARTICLE 3: GENERAL DEFINITIONS

Section 2.3.1

For purposes of this Manual, the following terms shall have the meanings set forth below.

Abandoned Aircraft

An aircraft that remains upon Airport property without authorization or in violation of an applicable lease, permit, agreement, or written directive of the Airport Director.

Aeronautical Activity

Any activity that involves, facilitates, supports, or is directly related to the operation of aircraft or that has been recognized by the FAA as an aeronautical activity.

Aeronautical Use

The use of land, buildings, hangars, ramps, aprons, or other Airport facilities for activities recognized by the FAA as aeronautical.

Aircraft

Any device used or intended to be used for flight in the air, including airplanes, helicopters, gliders, gyroplanes, balloons, unmanned aircraft where authorized, and any successor aircraft classification recognized by federal law.

Aircraft Movement Area

Those portions of the Airport designated for the taxiing, takeoff, or landing of aircraft.

Airport

Atlanta Speedway Airport (FAA Identifier: HMP), together with all real property, improvements, easements, facilities, buildings, runways, taxiways, ramps, utilities, equipment, and appurtenances owned or controlled by Henry County.

Airport Director

The individual appointed by Henry County to administer and manage the Airport and exercise those powers delegated by the Board of Commissioners or County Manager.

Airport Layout Plan (ALP)

The FAA-approved Airport Layout Plan and all amendments thereto.

Airport Operations Area (AOA)

The secured portion of the Airport designated for aircraft movement, aircraft parking, fueling, maintenance, loading, or other aviation-related activities where access is restricted.

Airport Sponsor

Henry County, Georgia, acting in its capacity as owner and operator of Atlanta Speedway Airport.

Airside

That portion of the Airport devoted primarily to aircraft operations, including movement areas, aprons, ramps, hangars, and taxiways.

Apron

A paved area designated for aircraft parking, loading, unloading, fueling, servicing, or maintenance.

Board

The Henry County Board of Commissioners.

Commercial Aeronautical Activity

Any aeronautical activity conducted for compensation, hire, consideration, revenue, or commercial benefit.

Commercial Operating Permit

Written authorization issued by the County permitting a person or entity to conduct specified commercial activities at the Airport.

County

Henry County, Georgia.

County Attorney

The attorney appointed to serve as the legal advisor to Henry County.

County Manager

The chief administrative officer appointed by the Board of Commissioners.

FAA

The Federal Aviation Administration.

FAA Grant Assurances

The contractual obligations imposed upon Airport Sponsors as a condition of accepting federal Airport Improvement Program funding or other federal airport grants.

Fixed Base Operator (FBO)

A commercial aeronautical operator authorized by the County to provide multiple aviation services meeting the Minimum Standards established by this Manual.

Fueling Operations

The storage, dispensing, transfer, sale, handling, transportation, or management of aviation fuel.

General Aviation

All civil aviation operations other than scheduled commercial air carrier service or military aviation.

Hangar

Any structure designed primarily for the storage, maintenance, repair, or protection of aircraft.

Hazardous Materials

Any substance regulated under applicable federal, state, or local environmental laws, including petroleum products, chemicals, solvents, fuels, oils, batteries, paints, compressed gases, or hazardous waste.

Lease

Any written agreement granting a possessory interest in Airport property.

Lessee

Any person or entity holding a lease, permit, license, easement, concession, or occupancy agreement with the County.

Minimum Standards

The minimum operational, financial, insurance, staffing, equipment, and facility requirements established by this Manual for commercial aeronautical activities.

NOTAM

A Notice to Air Missions issued by the FAA.

Notice of Violation

A written notice issued by the Airport Director identifying a violation of this Manual or any Airport lease, permit, agreement, directive, or applicable law.

Operator

Any individual or entity conducting aviation activities upon Airport property.

Person

Any individual, corporation, partnership, limited liability company, governmental entity, association, trust, estate, or other legal entity.

Premises

Any real property, building, hangar, office, ramp, apron, tie-down area, or other Airport facility subject to a lease, permit, or occupancy agreement.

Rules and Regulations

The Airport Rules and Regulations contained within this Manual and all amendments adopted by the Board.

Self-Fueling

Fueling an aircraft by its owner or operator using fuel obtained independently of an Airport-authorized fuel provider pursuant to a valid self-fueling permit.

Specialized Aviation Service Operator (SASO)

A commercial operator authorized to provide one or more specific aeronautical services but not functioning as a full-service Fixed Base Operator.

Tenant

Any person or entity lawfully occupying Airport property.

Through-the-Fence (TTF)

Direct access between property outside Airport boundaries and Airport operational areas pursuant to a written agreement approved by the County.

Tie-Down

A designated outdoor aircraft parking location assigned by lease, permit, or license.

Unattended Aircraft

An aircraft left without a qualified person responsible for its immediate custody or control.

Vehicle

Any motorized device operating upon Airport property, including automobiles, trucks, motorcycles, utility vehicles, construction equipment, fueling vehicles, and specialized aviation support equipment.

Visitor

Any individual entering Airport property who is not an employee, tenant, contractor, permit holder, or authorized operator.

ARTICLE 4: INCORPORATION OF FEDERAL STANDARDS**Section 2.4.1**

Where terms used in this Manual are specifically defined by FAA regulations; FAA Orders; FAA Advisory Circulars; FAA Airport Compliance Manual; FAA Grant Assurances; FAA Airport Improvement Program guidance; Transportation Security Administration regulations; or Georgia Department of Transportation Aviation guidance, those definitions shall govern.

ARTICLE 5: CONFLICTS OF DEFINITIONS**Section 2.5.1**

In the event of any conflict between a definition contained in this Manual and a definition contained in another Airport document, the definition contained in this Manual shall control unless federal or state law requires otherwise.

ARTICLE 6: CONTINUING INTERPRETATION**Section 2.6.1**

The Airport Director, in consultation with the County Attorney when appropriate, may issue written interpretive guidance concerning the application of definitions contained herein. Such guidance shall not amend this Manual but may be relied upon in administering Airport operations until superseded by formal amendment adopted by the Board.

ARTICLE 7: RESERVED TERMS

Section 2.7.1

The Board reserves the authority to adopt additional defined terms or modify existing definitions as necessary to address changes in aviation law, Airport operations, technological developments, FAA guidance, or industry best practices. Any such amendments shall be adopted in accordance with Chapter 1 of this Manual.

CHAPTER 3: AIRPORT GOVERNANCE, ADMINISTRATIVE AUTHORITY, AND DELEGATION OF POWERS

ARTICLE 1: PURPOSE

Section 3.1.1 Purpose

This Chapter establishes the governance structure for Atlanta Speedway Airport ("Airport"), defines the respective responsibilities of the Henry County Board of Commissioners, County Manager, County Attorney, Airport Director, and other County officials, and establishes the delegation of administrative authority necessary to ensure the safe, efficient, lawful, and financially responsible operation of the Airport.

Nothing contained herein shall be construed to diminish the authority of the Henry County Board of Commissioners as the governing authority of Henry County or as the Airport Sponsor under applicable federal law.

ARTICLE 2: OWNERSHIP AND AIRPORT SPONSOR

Section 3.2.1 Ownership

Atlanta Speedway Airport is owned in fee simple by Henry County, Georgia.

All Airport property, improvements, easements, rights-of-way, utilities, runways, taxiways, aprons, buildings, equipment, and appurtenances are public assets held in trust for the benefit of the citizens of Henry County and the aviation public.

Section 3.2.2 Airport Sponsor

Henry County serves as the Airport Sponsor for purposes of all federal and state aviation programs. As Airport Sponsor, the County shall: (a) comply with all applicable FAA Grant Assurances; (b) preserve the Airport for public aeronautical use; (c) maintain the Airport in a safe and serviceable condition; (d) administer Airport revenues in accordance with applicable federal law; (e) avoid unlawful exclusive rights; (f) maintain economic nondiscrimination among similarly situated users; (g) preserve Airport property for compatible aeronautical development; and (h) administer Airport property in the public interest.

ARTICLE 3: BOARD OF COMMISSIONERS

Section 3.3.1 Legislative Authority

The Henry County Board of Commissioners retains all legislative authority concerning Airport governance.

The Board shall establish Airport policy and may adopt, amend, or repeal:

- Airport Rules and Regulations;
- Minimum Standards;
- Airport fees and charges;
- leasing policies;
- commercial operating policies;
- Airport development policies;
- Airport capital improvement programs;
- Airport budgets;
- Airport Master Plans;
- Airport Layout Plan submissions;
- Airport property transactions;
- Airport concessions;
- Airport contracts requiring Board approval;
- this Airport Governance Manual.

Section 3.3.2 Reserved Powers

The following powers are reserved exclusively to the Board unless otherwise authorized by law:

- (a) acquisition or disposition of Airport property;
- (b) approval of Airport leases requiring Board approval;
- (c) adoption of rates and charges;
- (d) acceptance of FAA or GDOT grants;
- (e) issuance of Airport revenue obligations;
- (f) adoption of Airport ordinances;
- (g) approval of major Airport capital projects;
- (h) approval of Airport development agreements;
- (i) amendment of this Manual.

Section 3.3.3 Policy Oversight

The Board shall periodically review Airport operations to ensure continued compliance with federal law, Georgia law, FAA Grant Assurances; Henry County Ordinances, Policies, and Procedures, Airport financial objectives, and Airport development objectives.

ARTICLE 4: COUNTY MANAGER

Section 3.4.1 Executive Administration

The County Manager shall provide executive oversight of Airport operations on behalf of the Board. The County Manager shall ensure that Airport administration remains consistent with Board policy, Henry County administrative policies, approved budgets, and applicable law.

Section 3.4.2 Administrative Authority

The County Manager may:

- (a) supervise the Airport Director;
- (b) coordinate Airport operations with other County departments;
- (c) review Airport budgets;
- (d) recommend policy changes to the Board;
- (e) authorize administrative procedures consistent with this Manual;
- (f) oversee implementation of Board directives.

ARTICLE 5: COUNTY ATTORNEY

Section 3.5.1 Legal Advisor

The County Attorney shall serve as legal counsel to the Board, County Manager, Airport Director, and County departments regarding Airport matters.

Section 3.5.2 Duties

The County Attorney shall provide legal services including, but not limited to: lease preparation and review, contract review, procurement advice, FAA compliance guidance, grant compliance, litigation management, condemnation matters, property transactions, environmental compliance, enforcement proceedings, collections, administrative hearings, ordinance drafting, interpretation of this Manual, and representation before state and federal courts and administrative agencies.

Section 3.5.3 Legal Sufficiency

All leases, operating agreements, commercial permits, concessions, easements, licenses, development agreements, and other legal instruments shall be subject to legal review by the County Attorney prior to execution unless otherwise authorized by County policy.

ARTICLE 6: AIRPORT DIRECTOR

Section 3.6.1 Appointment

The Airport Director shall be appointed in accordance with County personnel policies and procedures.

Section 3.6.2 Administrative Officer

The Airport Director shall serve as the administrative officer responsible for the day-to-day operation of the Airport.

Section 3.6.3 General Responsibilities

The Airport Director shall administer Airport operations including, but not limited to airfield operations, airport safety and security, airport maintenance, tenant relations, real property leasing, commercial permitting, environmental compliance, FAA coordination, GDOT coordination, budgeting, Airport development, operational planning, and emergency response coordination.

Section 3.6.4 Administrative Authority

Unless otherwise prohibited by law, the Airport Director may:

1. issue Airport directives;
2. administer this Manual;
3. approve routine operational requests;
4. issue commercial permits where authorized;
5. assign tie-downs;
6. administer waiting lists;
7. conduct inspections;
8. issue Notices of Violation;
9. require corrective action;
10. temporarily suspend operations presenting an immediate threat to safety;
11. coordinate Airport emergencies;
12. establish operating procedures consistent with this Manual;
13. require operational reports;
14. collect operational data;
15. administer Airport contracts delegated to the Director;
16. coordinate construction activities;

17. issue NOTAM requests through appropriate FAA procedures when necessary;
18. protect Airport property.

Section 3.6.5 Limitation of Authority

The Airport Director shall not amend Board rules and regulations, amend this Manual, waive FAA Grant Assurances, execute leases requiring Board approval, dispose of County property, create exclusive rights, waive fees without authorization, settle litigation without County approval, or waive sovereign immunity.

ARTICLE 7: DELEGATION OF AUTHORITY

Section 3.7.1 General Delegation

Except where reserved by law or Board action, administrative authority necessary to operate the Airport is delegated to the Airport Director.

Section 3.7.2 Written Delegations

The County Manager may issue written delegations expanding or limiting administrative authority provided such delegation is consistent with Board policy.

Section 3.7.3 Emergency Authority

During emergencies affecting life, safety, Airport operations, or Airport property, the Airport Director may take immediate action reasonably necessary to protect persons and property.

Emergency actions shall be reported to the County Manager as soon as practicable.

ARTICLE 8: ETHICS AND CONFLICTS OF INTEREST

Section 3.8.1 Ethical Conduct

County officials, employees, contractors, tenants, and commercial operators shall conduct themselves in a manner that promotes public confidence in the integrity of Airport administration. The Henry County Ethics Code and the Henry County Personnel Policies and Procedures shall govern the conduct of County officials, employees, contractors, tenants, and commercial operators, as applicable.

ARTICLE 9: RECORDS AND TRANSPARENCY

Section 3.9.1 Public Records

Airport records shall be maintained in accordance with the Georgia Open Records Act, County records retention schedules, and applicable federal requirements.

Section 3.9.2 Confidential Information

Nothing in this Manual shall require disclosure of records exempt from public disclosure under applicable law, including protected security information, confidential commercial information, attorney-client privileged communications, or records otherwise made confidential by statute.

ARTICLE 10 : NON-DELEGABLE OBLIGATIONS

Section 3.10.1 FAA Compliance

Nothing in this Chapter shall authorize any official or employee to take action inconsistent with the County's obligations under FAA Grant Assurances, federal aviation law, or applicable grant agreements.

Section 3.10.2 Sovereign Immunity

Nothing contained in this Manual shall be construed as a waiver of the sovereign immunity, governmental immunity, official immunity, or other legal protections afforded to Henry County, its elected officials, officers, employees, or agents under the Constitution and laws of the State of Georgia.

ARTICLE 11: CONTINUING AUTHORITY

Section 3.11.1 Administrative Directives

The Airport Director, in conjunction with the County Manager, may issue written administrative directives, standard operating procedures, technical bulletins, forms, and guidance documents necessary to implement this Manual, provided such documents do not conflict with Board-adopted policies or applicable law.

Section 3.11.2 Periodic Review

The Airport Director shall periodically review this Manual and recommend amendments to the County Manager and Board of Commissioners as necessary to maintain compliance with changes in federal law, state law, FAA guidance, GDOT requirements, operational best practices, and Airport development needs.

CHAPTER 4: AIRPORT ACCESS, USE, AND GENERAL OPERATING RULES

ARTICLE 1: PURPOSE

Section 4.1.1 Purpose

This Chapter establishes the general operating rules governing access to, entry upon, and use of Atlanta Speedway Airport ("Airport"). These Rules and Regulations are adopted to promote aviation safety, preserve Airport property, ensure efficient Airport operations, protect the public health, safety, and welfare, and maintain the County's compliance with applicable federal and state law. These Rules apply to every person entering or using Airport property unless specifically exempted by federal law, state law, or written authorization issued by the County.

ARTICLE 2: APPLICABILITY

Section 4.2.1 Persons Subject to these Rules

These Rules apply to:

- (a) all tenants;
- (b) lessees;
- (c) sublessees;
- (d) commercial operators;
- (e) Fixed Base Operators (FBOs);
- (f) Specialized Aviation Service Operators (SASOs);
- (g) pilots;
- (h) aircraft owners;
- (i) aircraft operators;
- (j) passengers;
- (k) contractors;
- (l) consultants;
- (m) vendors;

- (n) visitors;
- (o) governmental agencies operating at the Airport; and
- (p) every other person entering Airport property.

Section 4.2.2 Acceptance

Entry upon Airport property constitutes acceptance of these Rules and Regulations. Persons refusing to comply may be denied access, removed from Airport property, or subjected to enforcement under this Manual.

ARTICLE 3: RIGHT OF ACCESS

Section 4.3.1 Public Airport

Atlanta Speedway Airport is a public-use airport. The Airport is open to lawful aeronautical activities subject to federal law, Georgia law, FAA Rules and Regulations, this Manual, Airport directives, applicable leases, commercial operating permits, safety and security requirements, and operational limitations.

Section 4.3.2 Restricted Access

The County may restrict access to any portion of the Airport whenever reasonably necessary to protect:

- aviation safety;
- Airport security;
- construction activities;
- emergency operations;
- environmental remediation;
- governmental investigations;
- FAA compliance;
- public health; or
- Airport infrastructure.

Section 4.3.3 Temporary Closure

The Airport Director may temporarily close all or part of the Airport when necessary because of any or all of the following:

- (a) unsafe conditions;
- (b) aircraft accidents;
- (c) weather;
- (d) construction;
- (e) emergency response;
- (f) security threats;
- (g) runway maintenance;
- (h) wildlife hazards; or
- (i) any condition affecting the safe operation of the Airport.

ARTICLE 4: GENERAL CONDUCT

Section 4.4.1 Compliance Required

All persons shall comply with the following:

- (a) this Manual;
- (b) Airport directives;
- (c) posted signage;
- (d) lawful instructions of Airport personnel;
- (e) FAA regulations;
- (f) applicable NOTAMs;
- (g) lease provisions;
- (h) permit conditions; and
- (i) all applicable federal, state, and local laws.

Section 4.4.2 Disorderly Conduct

No person shall engage in conduct that interferes with the safe, orderly, or efficient operation of the Airport, including but not limited to: fighting, threatening behavior, harassment, disorderly conduct, obstruction of Airport personnel, unauthorized demonstrations that interfere with Airport operations, vandalism or intentional disruption of aviation and/or aeronautical activities.

Section 4.4.3 Damage to Property

No person shall damage, deface, destroy, misuse, or remove County property without authorization. Any person causing damage shall be liable for all repair and replacement costs, together with any consequential damages incurred by the County.

ARTICLE 5: AIRPORT ACCESS CONTROL

Section 4.5.1 Restricted Areas

Only authorized persons with proper and appropriate credentials may enter the following areas of the Airport Property:

- (a) the Air Operations Area (AOA);
- (b) movement areas;
- (c) fuel storage facilities;
- (d) maintenance compounds;
- (e) electrical facilities;
- (f) communications facilities;
- (g) security-controlled areas; or
- (h) any area designated as restricted.

Any person found within one of the Restricted Areas listed above without the proper and appropriate credentials and authorization shall be immediately escorted off the Airport Property, subject to a temporary or permanent ban from usage of the Airport Property, and/or any other applicable civil or criminal remedies available to the County.

Section 4.5.2 Gate Access

Electronic gate credentials remain the property of Henry County.

Credential holders shall prevent unauthorized use, immediately report lost or stolen credentials, refrain from loaning credentials, permit use only by authorized individuals. The County may revoke credentials at any time for operational, security, or administrative reasons.

Section 4.5.3 Tailgating

No person shall permit unauthorized vehicles or individuals to enter secured areas by following another vehicle or person through an access-controlled gate.

ARTICLE 6: VEHICLE OPERATIONS

Section 4.6.1 Authorized Vehicles

Vehicles operating within the AOA shall:

- (a) be properly maintained;
- (b) display any required Airport authorization;
- (c) comply with Airport driving procedures;
- (d) yield to aircraft at all times.

Section 4.6.2 Driver Qualifications

The Airport Director may require driver training, safety instruction, testing, or permits before authorizing operation within restricted areas.

Section 4.6.3 Speed Limits

Vehicles shall not exceed posted speed limits. Where no speed limit is posted, drivers shall operate at a reasonable and prudent speed considering aircraft operations, weather, visibility, pedestrians, and other conditions.

Section 4.6.4 Aircraft Right-of-Way

Aircraft in motion shall have the right-of-way over all motor vehicles. Nothing herein relieves aircraft operators of their responsibility to exercise due care.

ARTICLE 7: PEDESTRIAN SAFETY

Section 4.7.1 General

Pedestrians shall remain within designated public areas unless authorized to enter restricted areas.

Section 4.7.2 Escort Requirements

Visitors entering restricted areas shall be escorted by an authorized individual unless otherwise approved by the Airport Director.

ARTICLE 8: AIRCRAFT OPERATIONS

Section 4.8.1 Compliance

Aircraft operations shall comply with:

- (a) FAA regulations;
- (b) applicable operating limitations;
- (c) published Airport information;
- (d) NOTAMs;
- (e) Airport directives.

Section 4.8.2 Parking

Aircraft shall park only in authorized locations assigned or approved by the Airport. Improperly parked aircraft may be relocated at the owner's expense when necessary to protect Airport operations or safety.

Section 4.8.3 Disabled Aircraft

The owner or operator of a disabled aircraft shall promptly remove the aircraft when directed by the Airport Director. If the owner fails to do so, the County may remove or cause removal of the aircraft, with all associated costs recoverable from the owner or operator.

ARTICLE 9: PROHIBITED ACTIVITIES

Unless specifically authorized by the County, no person shall:

- (a) conduct commercial activity;
- (b) sell goods or services;
- (c) solicit business;
- (d) distribute advertising materials;
- (e) post signs;
- (f) conduct events;

- (g) camp overnight;
- (h) discharge firearms except as authorized by law;
- (i) ignite open fires;
- (j) possess or use fireworks;
- (k) release balloons or sky lanterns;
- (l) hunt or trap wildlife;
- (m) interfere with navigational aids;
- (n) obstruct runways, taxiways, aprons, or emergency access routes;
- (o) store hazardous materials except as authorized;
- (p) dispose of waste except in approved containers;
- (q) intentionally feed wildlife;
- (r) use Airport property for non-aeronautical purposes without authorization.

ARTICLE 10: WILDLIFE MANAGEMENT

Section 4.10.1 Wildlife Hazards

Persons shall not intentionally attract birds or wildlife that create hazards to aircraft operations.

Section 4.10.2 Reporting

Wildlife hazards shall be promptly reported to Airport management.

Section 4.10.3 Animal Control

Animals shall remain under the owner's control at all times. Service animals shall be permitted as required by applicable law.

ARTICLE 11: EMERGENCY OPERATIONS

Section 4.11.1 Compliance

During emergencies, all persons shall immediately comply with directions issued by:

- Airport personnel;
- law enforcement;

- fire personnel;
- emergency medical personnel; or
- other authorized emergency responders.

Section 4.11.2 Emergency Access

No person shall obstruct emergency vehicles, emergency access routes, or emergency operations.

Section 4.11.3 Accident Reporting

Any aircraft accident, vehicle accident, fuel spill, fire, hazardous materials release, injury, or significant property damage occurring on Airport property shall be immediately reported to Airport management.

ARTICLE 12: INSPECTION AUTHORITY

Section 4.12.1 Right of Inspection

To ensure compliance with this Manual, the County reserves the right, consistent with applicable law and the terms of any lease or permit, to inspect:

- (a) leased premises;
- (b) hangars;
- (c) aircraft storage areas;
- (d) commercial facilities;
- (e) fueling facilities;
- (f) vehicles operating in restricted areas; and
- (g) records required by this Manual.

Section 4.12.2 Refusal of Inspection

Refusal to permit a lawful inspection may constitute a violation of this Manual and may result in enforcement action.

ARTICLE 13: ENFORCEMENT

Section 4.13.1 General

Violation of this Chapter constitutes a violation of the Airport Governance Manual. The County may pursue one or more remedies, including:

- (a) verbal warnings;
- (b) written notices of violation;
- (c) corrective action orders;
- (d) suspension of Airport privileges;
- (e) revocation of permits;
- (f) lease enforcement;
- (g) removal from Airport property;
- (h) recovery of damages and costs;
- (i) referral for criminal prosecution where applicable; and
- (j) any other remedy authorized by law or this Manual.

Section 4.13.2 Cumulative Remedies

The remedies provided in this Chapter are cumulative and shall not preclude the County from exercising any other remedy available under law, equity, contract, lease, permit, ordinance, or this Manual.

ARTICLE 14: NO WAIVER

Section 4.14.1 Reservation of Rights

Failure by the County to enforce any provision of this Chapter shall not constitute a waiver of its right to enforce the same or any other provision in the future. No waiver shall be effective unless made in writing by the Board of Commissioners or other official expressly authorized by law.

ARTICLE 15: INCORPORATION

Section 4.15.1

This Chapter shall be incorporated by reference into every Airport lease, commercial operating permit, license, concession agreement, access agreement, and other authorization issued by Henry County for the use or occupancy of Airport property unless expressly stated otherwise.

CHAPTER 5: AIRFIELD OPERATIONS, AIRCRAFT MOVEMENT, RAMP SAFETY, AND AIRCRAFT PARKING

ARTICLE 1: PURPOSE

Section 5.1.1 Purpose

This Chapter establishes the operational rules governing aircraft movement, airfield safety, ramp operations, aircraft parking, taxiing, fueling movement, and related activities at Atlanta Speedway Airport ("Airport"). These provisions are intended to promote the safe, orderly, and efficient use of Airport facilities, preserve compliance with applicable Federal Aviation Administration ("FAA") requirements, and protect Airport infrastructure.

ARTICLE 2: GENERAL OPERATIONAL REQUIREMENTS

Section 5.2.1 Compliance with Federal Regulations

All aircraft operations conducted at the Airport shall comply with:

- (a) Title 14 of the Code of Federal Regulations;
- (b) FAA Orders;
- (c) FAA Advisory Circulars;
- (d) published Airport information;
- (e) NOTAMs;
- (f) Air Traffic Control instructions, where applicable;
- (g) this Manual; and
- (h) all applicable federal, state, and local laws.

Section 5.2.2 Careless or Reckless Operations

No person shall operate an aircraft in a careless, reckless, or negligent manner that endangers persons or property. Nothing contained in this Chapter relieves any pilot in command of the responsibility imposed by federal law for the safe operation of an aircraft.

Section 5.2.3 Airport Director Authority

The Airport Director may establish operational procedures necessary to:

- (a) protect aviation safety;
- (b) preserve Airport facilities;
- (c) coordinate construction;
- (d) manage congestion;
- (e) protect emergency operations;
- (f) comply with FAA requirements; or
- (g) address temporary operational conditions.

Operational directives shall not conflict with this Manual or applicable federal law.

ARTICLE 3: AIRCRAFT MOVEMENT AREAS

Section 5.3.1 Authorized Use

Only aircraft and authorized vehicles may enter movement areas. Unauthorized entry into any movement area is prohibited.

Section 5.3.2 Right-of-Way

Aircraft in motion shall have priority over all vehicles and pedestrians except where otherwise directed by Air Traffic Control or Airport personnel. Emergency vehicles responding to emergencies shall be afforded appropriate access while coordinating with aircraft operations.

Section 5.3.3 Taxi Operations

Aircraft shall taxi only: (a) upon designated taxiways, (b) on approved ramps, and/or (c) in areas specifically authorized by Airport management. Taxiing through hangars, tie-down areas, vehicle parking lots, or unauthorized areas is prohibited except when specifically approved.

Section 5.3.4 Engine Run-Up Areas

Engine run-ups shall be conducted only in locations approved by the Airport Director. Run-up procedures shall avoid:

- (a) excessive propeller wash;
- (b) jet blast impacts;

- (c) foreign object damage (FOD);
- (d) injury to persons;
- (e) damage to aircraft; or
- (f) damage to Airport facilities.

ARTICLE 4: AIRCRAFT PARKING

Section 5.4.1 Authorized Parking

Aircraft shall park only in locations assigned or approved by the Airport. Parking assignments do not create a property interest and remain subject to reassignment when operationally necessary.

Section 5.4.2 Parking Requirements

Aircraft owners and operators shall ensure that parked aircraft:

- (a) are properly secured;
- (b) are adequately chocked or tied down when appropriate;
- (c) do not obstruct taxiways or aprons;
- (d) do not interfere with emergency access;
- (e) display current registration information where required; and
- (f) remain in an airworthy or otherwise authorized condition.

Section 5.4.3 Improperly Parked Aircraft

The Airport Director may require relocation of improperly parked aircraft. If the owner or operator fails to comply within the specified time, the County may relocate the aircraft or cause it to be relocated at the owner's sole expense. The County shall not be liable for reasonable actions taken to protect Airport safety or operations, except as otherwise provided by law.

Section 5.4.4 Abandoned Aircraft

Aircraft abandoned upon Airport property may be removed in accordance with applicable federal and Georgia law. The owner shall remain responsible for all:

- (a) storage costs;
- (b) towing expenses;
- (c) administrative expenses;

- (d) legal expenses where recoverable; and
- (e) damages caused by the aircraft.

ARTICLE 5: RAMP OPERATIONS

Section 5.5.1 General Safety

Ramp operations shall be conducted with due regard for:

- (a) aircraft movement;
- (b) pedestrian safety;
- (c) fueling activities;
- (d) emergency vehicle access;
- (e) weather conditions; and
- (f) visibility.

Section 5.5.2 Foreign Object Debris (FOD)

Every operator shall maintain leased areas free from Foreign Object Debris. Any person observing hazardous debris shall promptly remove it if safe to do so or immediately notify Airport personnel. Commercial operators shall conduct routine FOD inspections of areas under their control.

Section 5.5.3 Propeller and Jet Blast

Aircraft shall not be positioned so as to direct propeller wash or jet blast toward:

- (a) persons;
- (b) vehicles;
- (c) buildings;
- (d) fuel facilities;
- (e) hangars;
- (f) parked aircraft; or
- (g) loose materials.

Section 5.5.4 Marshaling

Where required by the Airport Director or prudent under the circumstances, aircraft shall be marshaled by trained personnel using recognized aviation hand signals or approved marshalling equipment.

ARTICLE 6: TIE-DOWNS AND TRANSIENT PARKING

Section 5.6.1 Tie-Down Areas

Tie-down areas shall be used solely for aircraft parking unless otherwise authorized. No person shall use tie-down areas for:

- (a) storage of equipment;
- (b) storage of vehicles;
- (c) commercial operations without authorization; or
- (d) non-aeronautical purposes.

Section 5.6.2 Aircraft Security

Owners shall ensure aircraft are properly secured whenever unattended. Failure to properly secure an aircraft may constitute a violation of this Manual.

Section 5.6.3 Transient Parking

Transient parking shall be assigned by Airport personnel or the Fixed Base Operator where applicable. Transient aircraft remaining beyond authorized periods may be relocated or charged applicable fees.

ARTICLE 7: AIRCRAFT MAINTENANCE ON THE RAMP

Section 5.7.1 Minor Maintenance

Routine servicing and minor maintenance may be performed in approved locations provided such work:

- (a) does not obstruct aircraft movement;
- (b) does not create environmental hazards;
- (c) complies with fire safety requirements;
- (d) complies with FAA regulations; and

(e) does not interfere with Airport operations.

Section 5.7.2 Major Maintenance

Major aircraft maintenance, engine overhauls, painting, dismantling, or long-term repair projects shall be conducted only within approved maintenance facilities unless specifically authorized by the Airport Director.

Section 5.7.3 Hazardous Materials

Maintenance personnel shall properly manage fuels, oils, solvents, batteries, paints, and hazardous materials. Any release shall be immediately reported. Any person or persons responsible for any release of hazardous materials at on the Airport Property shall be responsible for any cleanup (including environmental), mitigation requirements, and/or damages caused by such release.

ARTICLE 8: DISABLED AIRCRAFT

Section 5.8.1 Owner Responsibility

The owner or operator of a disabled aircraft shall promptly coordinate with Airport management regarding removal.

Section 5.8.2 Emergency Removal

Where a disabled aircraft creates a hazard to Airport operations, the Airport Director may authorize immediate removal. Reasonable costs incurred by the County shall be reimbursed by the responsible party to the extent permitted by law.

ARTICLE 9: NOISE ABATEMENT

Section 5.9.1 General Policy

The County encourages all pilots to operate aircraft in a manner that reasonably minimizes unnecessary noise while maintaining safe flight operations.

Section 5.9.2 Voluntary Procedures

The Airport Director may publish voluntary noise abatement procedures consistent with FAA guidance. Nothing herein shall authorize restrictions prohibited by the Airport Noise and Capacity Act or other applicable federal law.

ARTICLE 10: HAZARDOUS CONDITIONS

Section 5.10.1 Reporting Requirements

All persons shall promptly report hazardous conditions, including, but not limited to the following:

- (a) pavement damage;
- (b) lighting failures;
- (c) wildlife hazards;
- (d) disabled aircraft;
- (e) fuel spills;
- (f) FOD;
- (g) unauthorized persons on the movement area; or
- (h) any condition affecting aviation safety.

Section 5.10.2 Temporary Restrictions

The Airport Director may temporarily restrict aircraft movement whenever necessary to address hazardous conditions until corrective action has been completed.

ARTICLE 11: AIRCRAFT ACCIDENTS AND INCIDENTS

Section 5.11.1 Preservation of Scene

Following an aircraft accident or serious incident, no person shall move aircraft, wreckage, cargo, or debris except:

- (a) to protect life;
- (b) to prevent additional property damage;
- (c) when directed by the FAA, National Transportation Safety Board (NTSB), law enforcement, or emergency responders; or
- (d) when immediate removal is necessary to eliminate an imminent hazard.

Section 5.11.2 Notification

Aircraft accidents or serious incidents shall be immediately reported to:

- (a) Airport Management;

- (b) emergency services, if applicable; and
- (c) any federal agency required by law.

ARTICLE 12: AIRFIELD INSPECTIONS

Section 5.12.1 Airport Inspections

The Airport Director shall establish procedures for routine inspections of:

- (a) runways;
- (b) taxiways;
- (c) aprons;
- (d) lighting systems;
- (e) navigational aids under County responsibility;
- (f) signage;
- (g) safety areas; and
- (h) other operational facilities.

Inspection records shall be maintained in accordance with FAA requirements and County record retention policies.

ARTICLE 13: OPERATIONAL CLOSURES

Section 5.13.1 Authority

The Airport Director may temporarily close any runway, taxiway, apron, or operational area whenever necessary to protect safety or facilitate maintenance, construction, emergency response, or regulatory compliance. Reasonable efforts shall be made to coordinate closures with the FAA and provide advance notice to Airport users when practicable.

ARTICLE 14: ENFORCEMENT

Section 5.14.1 Violations

Violation of this Chapter constitutes a violation of the Airport Governance Manual and may result in enforcement action pursuant to Chapter 12 of this Manual.

Section 5.14.2 Cost Recovery

Any person whose actions result in damage to Airport pavement, lighting, navigational equipment, signage, fencing, utilities, or other Airport infrastructure shall reimburse the County for all repair, replacement, engineering, consultant, legal, administrative, and other recoverable costs resulting from such damage.

Section 5.14.3 Reservation of Rights

The remedies provided in this Chapter are cumulative and shall not limit any remedy available to Henry County under law, equity, contract, lease, permit, or this Manual.

CHAPTER 6: COMMERCIAL AERONAUTICAL OPERATIONS

ARTICLE 1: PURPOSE

Section 6.1.1 Purpose

The purpose of this Chapter is to establish the policies, procedures, and minimum operational requirements governing all commercial aeronautical activities conducted at Atlanta Speedway Airport ("Airport"). These provisions are intended to:

- (a) promote the safe and efficient operation of the Airport;
- (b) preserve fair and equal access to Airport facilities;
- (c) prevent the granting of unlawful exclusive rights;
- (d) ensure compliance with applicable Federal Aviation Administration ("FAA") Grant Assurances;
- (e) establish objective and uniform standards for commercial operators;
- (f) protect Airport property and infrastructure; and
- (g) promote orderly economic development of the Airport.

Commercial aeronautical activities shall be conducted only in accordance with this Manual, applicable leases, permits, and all federal, state, and local laws.

ARTICLE 2: APPLICABILITY

Section 6.2.1 Persons Subject to this Chapter

This Chapter applies to every person or entity conducting, offering, advertising, or holding itself out as providing commercial aeronautical services at or from the Airport. No person may conduct commercial aeronautical activities without prior written authorization from Henry County.

Section 6.2.2 Commercial Activity Defined

Commercial activity includes any aeronautical service performed for compensation, hire, fee, barter, reimbursement, commission, or any other valuable consideration, whether received directly or indirectly. The receipt of compensation shall create a rebuttable presumption that the activity is commercial.

ARTICLE 3: NONDISCRIMINATION AND EXCLUSIVE RIGHTS

Section 6.3.1 Economic Nondiscrimination

Commercial aeronautical operators meeting the requirements of this Manual shall be afforded reasonable and nondiscriminatory access to the Airport, subject to available space, operational limitations, safety considerations, and the County's development objectives.

Section 6.3.2 Exclusive Rights Prohibited

The County shall not grant any person an exclusive right to conduct an aeronautical activity prohibited by applicable federal law. Nothing contained herein prohibits the County from:

- (a) limiting the number of operators because of available space;
- (b) imposing reasonable Minimum Standards;
- (c) reserving the right to perform services itself;
- (d) managing Airport property for efficiency and safety; or
- (e) determining that additional commercial development is not presently feasible.

ARTICLE 4: COMMERCIAL OPERATING PERMIT

Section 6.4.1 Permit Required

Except as otherwise provided herein, no person shall engage in commercial aeronautical activity without first obtaining:

- (a) an Airport Commercial Operating Permit;
- (b) any required lease;
- (c) applicable business licenses;
- (d) insurance approval; and
- (e) any other approvals required by law.

Section 6.4.2 Permit Does Not Create Property Right

A Commercial Operating Permit authorizes only the activities expressly approved therein. Issuance of a permit does not create:

- (a) a leasehold interest;
- (b) an easement;

- (c) a vested property right;
- (d) an exclusive operating right; or
- (e) any guarantee of future renewal.

Section 6.4.3 Annual Renewal

Commercial Operating Permits shall expire annually unless otherwise provided by the Airport Director and shall be renewed only upon continued compliance with this Manual.

ARTICLE 5: APPLICATION REQUIREMENTS

Section 6.5.1 Required Information

Applicants shall submit a complete application containing, at a minimum:

- (a) legal name and organizational documents;
- (b) principal place of business;
- (c) ownership information;
- (d) responsible management personnel;
- (e) proposed services;
- (f) proposed operating location;
- (g) proposed hours of operation;
- (h) staffing plan;
- (i) inventory of equipment;
- (j) proof of insurance;
- (k) financial information demonstrating the ability to conduct operations;
- (l) emergency contact information;
- (m) environmental compliance information;
- (n) any additional information reasonably requested by the Airport Director.

Section 6.5.2 Review

Applications shall be reviewed by the Airport Director, who may consult with the County Attorney, Risk Management, the Financial Services Department, Henry County Public Safety

Departments, FAA or GDOT representatives, or other governmental agencies. The Airport Director shall make a recommendation to the approving authority as required by County policy.

ARTICLE 6: CLASSES OF COMMERCIAL OPERATORS

The County recognizes the following commercial operator classifications:

Section 6.6.1 Fixed Base Operators (FBO)

A Full-Service Fixed Base Operator shall satisfy all Minimum Standards applicable to FBOs and may provide one or more of the following:

- aviation fuel sales;
- aircraft parking;
- line services;
- aircraft storage;
- hangar leasing;
- aircraft maintenance;
- aircraft rental;
- flight instruction;
- aircraft sales;
- pilot supplies;
- concierge services; and
- other approved aeronautical services.

Section 6.6.2 Specialized Aviation Service Operators (SASO)

A Specialized Aviation Service Operator may provide one or more specialized aeronautical services approved by the County, including, but not limited to:

- aircraft maintenance;
- avionics;
- aircraft detailing;
- aircraft painting;
- flight training;

- aerial photography;
- aerial surveying;
- aircraft management;
- charter management support;
- specialized maintenance;
- aircraft storage; or
- other approved services.

Section 6.6.3 Independent Flight Instructors

Independent flight instructors may operate only pursuant to a Commercial Operating Permit and shall comply with all applicable insurance and operational requirements established by this Manual.

Section 6.6.4 Aircraft Maintenance Providers

Maintenance providers shall conduct only those activities authorized by their permit and shall comply with all applicable FAA certification requirements.

Section 6.6.5 Mobile Commercial Operators

Mobile commercial operators shall be permitted only upon written approval of the Airport Director and only under conditions that do not interfere with Airport operations or existing lease obligations.

ARTICLE 7: OPERATIONAL REQUIREMENTS

Section 6.7.1 General

Commercial operators shall:

- (a) maintain qualified personnel;
- (b) conduct operations safely;
- (c) comply with all FAA requirements;
- (d) maintain leased premises;
- (e) cooperate with Airport management;
- (f) comply with environmental regulations;

(g) promptly correct deficiencies identified by the County.

Section 6.7.2 Equipment

Each operator shall maintain sufficient equipment necessary to safely perform the services offered. Equipment shall be properly maintained, suitable for aviation use, operated by qualified personnel, and replaced when unsafe.

Section 6.7.3 Hours of Operation

Each commercial operator shall maintain the operating hours required by its lease, permit, or the Airport Minimum Standards. Changes in hours require prior approval of the Airport Director.

ARTICLE 8: INSURANCE

Section 6.8.1 Required Coverage

Commercial operators shall maintain insurance meeting or exceeding the minimum limits established by the County. Coverage shall include, where applicable:

- (a) Commercial General Liability;
- (b) Aviation Liability;
- (c) Hangar keepers Legal Liability;
- (d) Automobile Liability;
- (e) Workers' Compensation;
- (f) Employer's Liability;
- (g) Environmental Liability, where applicable.

Section 6.8.2 Additional Insured

Henry County shall be named as an additional insured where required by lease, permit, or contract. Certificates of insurance shall be filed with the Airport before operations commence.

ARTICLE 9: ENVIRONMENTAL RESPONSIBILITIES

Commercial operators shall:

- (a) prevent fuel spills;
- (b) maintain spill response equipment;
- (c) properly dispose of hazardous waste;

- (d) comply with Spill Prevention, Control, and Countermeasure (SPCC) requirements when applicable;
- (e) immediately report releases; and
- (f) cooperate with environmental investigations.

ARTICLE 10: RECORDKEEPING

Commercial operators shall maintain records concerning:

- (a) insurance;
- (b) aircraft serviced;
- (c) fuel sales;
- (d) employee training;
- (e) safety inspections;
- (f) environmental compliance; and
- (g) financial reports, if required by lease or permit.

Such records shall be retained for not less than five (5) years unless a longer period is required by law or contract. The County may inspect such records upon reasonable notice to verify compliance with this Manual, lease obligations, fee calculations, or applicable law.

ARTICLE 11: INSPECTIONS

The Airport Director may inspect commercial facilities during normal business hours, or at any reasonable time in the event of an emergency, to determine compliance with this Manual, lease requirements, permit conditions, environmental regulations, fire safety codes, and FAA requirements. Failure to permit a lawful inspection may constitute grounds for enforcement action.

ARTICLE 12: FEES AND CHARGES

Commercial operators shall timely pay:

- (a) rents;
- (b) landing fees, if applicable;
- (c) flowage fees;

- (d) permit fees;
- (e) utility charges;
- (f) common area maintenance charges;
- (g) late fees;
- (h) any other fees established by the Board of Commissioners.

Failure to pay any amount due may result in suspension or revocation of operating privileges in addition to any other remedies available to the County.

ARTICLE 13: TRANSFER AND ASSIGNMENT

A Commercial Operating Permit is personal to the permit holder and shall not be assigned, transferred, sublicensed, or otherwise conveyed without the prior written approval of the County. Any unauthorized assignment is void. A change in ownership or control of a permit holder may be treated as an assignment requiring County approval.

ARTICLE 14: SUSPENSION AND REVOCATION

The Airport Director may recommend suspension or revocation of a Commercial Operating Permit for any or all of the following circumstances:

- (a) material misrepresentation in the application;
- (b) violation of this Manual;
- (c) violation of a lease or permit;
- (d) failure to maintain insurance;
- (e) nonpayment of fees;
- (f) repeated safety violations;
- (g) environmental violations;
- (h) fraud;
- (i) criminal conduct materially affecting Airport operations; or
- (j) loss of required FAA certifications or licenses.

Except in cases involving an immediate threat to public safety, the permit holder shall receive written notice of the alleged violation and an opportunity to cure or be heard in accordance with Chapter 15 of this Manual.

ARTICLE 15: INDEMNIFICATION

As a condition of operating at the Airport, each commercial operator shall defend, indemnify, and hold harmless Henry County, its elected officials, officers, employees, and agents from and against all claims, damages, liabilities, losses, costs, and expenses, including reasonable attorneys' fees, arising out of or related to the operator's negligent acts, omissions, or willful misconduct, to the fullest extent permitted by Georgia law. Nothing contained herein shall be construed as a waiver of the County's sovereign immunity or as expanding the liability of the County beyond that permitted by law.

ARTICLE 16: ENFORCEMENT

Violation of this Chapter constitutes a violation of the Airport Governance Manual and may result in one or more of the following:

- (a) written warning;
- (b) corrective action order;
- (c) administrative penalty where authorized;
- (d) suspension of operating privileges;
- (e) revocation of permits;
- (f) termination of leases pursuant to applicable lease provisions;
- (g) recovery of damages, costs, and attorneys' fees where authorized;
- (h) injunctive relief;
- (i) any other remedy available at law or in equity.

The remedies provided in this Chapter are cumulative and the exercise of one remedy shall not preclude the County from pursuing any additional remedy authorized by law, contract, or this Manual.

CHAPTER 7: AIRPORT MINIMUM STANDARDS FOR COMMERCIAL AERONAUTICAL ACTIVITIES

ARTICLE 1: PURPOSE, AUTHORITY, AND POLICY

Section 7.1.1 Purpose

These Airport Minimum Standards ("Minimum Standards") establish the minimum qualifications, operational requirements, financial capability, staffing, equipment, facilities, and performance standards required for persons and entities conducting commercial aeronautical activities at Atlanta Speedway Airport ("Airport").

These Standards are intended to:

- (a) promote aviation safety;
- (b) ensure quality aviation services;
- (c) encourage orderly Airport development;
- (d) preserve fair competition;
- (e) protect Airport property and infrastructure;
- (f) maintain compliance with FAA Grant Assurances;
- (g) prevent unjust discrimination while avoiding the grant of exclusive rights;
- (h) ensure commercial operators possess the financial and operational capability necessary to provide reliable services; and
- (i) protect the long-term economic viability of the Airport.

Section 7.1.2 Legal Authority

These Minimum Standards are adopted pursuant to the authority of the Henry County Board of Commissioners as owner and sponsor of Atlanta Speedway Airport and shall be administered consistent with:

- Federal Aviation Act;
- FAA Grant Assurances;
- FAA Order 5190.6B (or successor);

- applicable FAA Advisory Circulars;
- Georgia law;
- Henry County Code of Ordinances; and
- this Airport Governance Manual.

Section 7.1.3 Applicability

These Minimum Standards apply to every commercial aeronautical operator conducting business upon Airport property unless specifically exempted by written action of the Board or otherwise required by federal law.

ARTICLE 2: GENERAL REQUIREMENTS

Section 7.2.1 Commercial Authorization

No commercial aeronautical activity may commence until the operator has obtained:

- (a) an executed lease or written occupancy agreement, where required;
- (b) a Commercial Operating Permit;
- (c) all applicable federal, state, and local licenses;
- (d) insurance approval;
- (e) any required environmental approvals; and
- (f) any additional approvals required by the Airport Director.

Section 7.2.2 Financial Responsibility

Each applicant shall demonstrate adequate financial capability to establish, maintain, and safely operate the proposed business. The Airport Director may require evidence including any or all of the following documentation, as applicable:

- audited financial statements;
- bank references;
- financing commitments;
- business plans;
- projected operating budgets; or
- other documentation reasonably necessary to evaluate financial responsibility.

Section 7.2.3 Business Experience

Applicants shall demonstrate sufficient aviation experience, technical expertise, and managerial competence to provide the proposed services in a safe and professional manner.

ARTICLE 3: GENERAL OPERATIONAL STANDARDS

Section 7.3.1 Safety

Every commercial operator shall conduct operations in accordance with recognized aviation industry standards and all applicable FAA requirements.

Section 7.3.2 Compliance

Every commercial operator must remain in continuous compliance with the following:

- Airport Rules and Regulations;
- this Manual;
- lease requirements;
- FAA regulations;
- OSHA requirements;
- EPA regulations;
- Georgia Environmental Protection Division requirements;
- applicable fire codes.

Section 7.3.3 Premises

Maintain all leased premises in a clean, orderly, attractive, and safe condition.

Section 7.3.4 Utilities

Provide and maintain utility services required for the operator's facilities unless otherwise provided by lease.

Section 7.3.5 Waste Disposal

Every commercial operator shall properly dispose of petroleum products, oils, solvents, hazardous waste, batteries, tires, refuse, and recyclable materials. Failure to properly dispose of

such products may result in the temporary or permanent suspension of the operator's use of the Airport. Should the County be required to remedy any of the operator's improper disposal, said operator shall be responsible for compensating the County for the costs of such disposal.

ARTICLE 4: INSURANCE REQUIREMENTS

Every operator shall maintain insurance throughout the term of its lease or permit. Minimum coverage shall include, as applicable:

- Commercial General Liability;
- Aviation Liability;
- Hangar keepers Legal Liability;
- Automobile Liability;
- Workers' Compensation;
- Employer's Liability;
- Environmental Pollution Liability.

Insurance limits shall be established periodically by the Board based upon recommendations of Risk Management and the County Attorney. Henry County shall be named as an Additional Insured whenever permitted by law and appropriate to the coverage provided.

ARTICLE 5: STAFFING REQUIREMENTS

Section 7.5.1 Qualified Personnel

Commercial operators shall employ a sufficient number of qualified personnel to safely perform the services offered.

Section 7.5.2 Management

Each operator shall designate a manager responsible for daily operations, regulatory compliance, employee supervision, safety, and emergency coordination. Each operator shall provide the name and contact information of such designated manager to the Airport Manager and provide updated contact information of such designated manager on a quarterly basis. Failure to provide such information may result in the temporary or permanent suspension of Airport use privileges.

Section 7.5.3 Training

Employees shall receive documented training concerning:

- airfield safety;

- Airport driving rules;
- emergency procedures;
- fuel handling, when applicable;
- environmental compliance;
- customer service;
- hazardous materials awareness.

Training records shall be maintained for not less than five (5) years.

ARTICLE 6: FIXED BASE OPERATORS (FBO)

Section 7.6.1 Scope of Services

A Full-Service Fixed Base Operator shall provide, at a minimum, the following services:

- (a) aviation fuel sales;
- (b) aircraft parking;
- (c) line services;
- (d) aircraft towing;
- (e) aircraft storage;
- (f) customer service;
- (g) pilot lounge;
- (h) restroom facilities;
- (i) flight planning area;
- (j) public telephone or equivalent communications;
- (k) aircraft ground power where appropriate; and
- (l) after-hours emergency contact.

Section 7.6.2 Facilities

Each FBO shall maintain facilities sufficient to support the services provided, including, but not limited to:

- office space;

- customer reception area;
- aircraft apron;
- aircraft parking;
- fuel storage facilities;
- equipment storage;
- vehicle parking.

Section 7.6.3 Fuel Storage

Fuel storage systems must comply with NFPA standards, EPA regulations, SPCC requirements, Georgia environmental regulations, and County Fire Department requirements.

Section 7.6.4 Equipment

Each FBO shall maintain operational equipment including:

- aircraft tugs;
- tow bars;
- fire extinguishers;
- fueling vehicles;
- spill response equipment;
- radios capable of communicating on Airport frequencies, when required;
- marshalling equipment;
- wheel chocks; and
- cones.

Section 7.6.5 Hours of Operation

Unless otherwise approved by the Airport Director, a Full-Service FBO shall maintain regular business hours sufficient to serve the operational needs of the Airport and shall provide after-hours service through an established call-out procedure.

ARTICLE 7: SPECIALIZED AVIATION SERVICE OPERATORS (SASO)

Specialized Aviation Service Operators shall maintain facilities, equipment, insurance, personnel, and qualifications appropriate to the specific services authorized under their Commercial Operating Permit. No SASO may expand services beyond those approved without obtaining prior written approval from the Airport Director and, where applicable, amendment of its permit or lease.

ARTICLE 8: FLIGHT TRAINING OPERATIONS

Flight training providers shall:

- (a) employ appropriately certificated instructors;
- (b) maintain FAA-compliant aircraft;
- (c) provide adequate office facilities;
- (d) maintain student records;
- (e) carry required insurance;
- (f) comply with FAA certification requirements.

Ground instruction may be conducted only in approved facilities on the Airport.

ARTICLE 9: AIRCRAFT MAINTENANCE OPERATIONS

Aircraft Maintenance Operations providers shall:

- (a) possess all required FAA certificates;
- (b) perform work in approved maintenance facilities;
- (c) properly store parts and equipment;
- (d) safely dispose of hazardous materials;
- (e) maintain maintenance records; and
- (f) comply with manufacturer requirements.

Major structural repairs and aircraft painting shall require facilities approved by the Airport Director for those purposes.

ARTICLE 10: AIRCRAFT RENTAL

Aircraft rental operators shall maintain properly certificated aircraft, maintain maintenance records, verify pilot qualifications, maintain renter insurance where required and establish written rental procedures, which shall be provided to the Airport Director on an annual basis.

ARTICLE 11: AIRCRAFT SALES

Aircraft sales operators shall:

- (a) maintain a bona fide place of business;
- (b) maintain appropriate office facilities;
- (c) comply with all applicable licensing requirements;
- (d) maintain records of sales transactions.

Aircraft sales operators shall provide written documentation of the above requirements to the Airport Director on an annual basis.

ARTICLE 12: AERIAL SERVICES

Operators conducting aerial photography, aerial surveying, agricultural aviation, pipeline patrol, utility inspection, banner towing (if authorized), or similar specialized operations shall comply with all applicable FAA regulations and any operational limitations imposed by the Airport Director.

ARTICLE 13: AIRCRAFT STORAGE

Commercial operators storing aircraft shall:

- (a) maintain assigned parking;
- (b) ensure aircraft security;
- (c) maintain tie-down equipment;
- (d) prevent deterioration of stored aircraft; and
- (e) remove abandoned aircraft when directed.

Commercial operators storing aircraft shall provide evidence of the airworthiness of such aircraft to the Airport Director on a quarterly basis. Failure to provide such evidence may result in the temporary or permanent suspension of the operators' privileges at the Airport.

ARTICLE 14: LEASEHOLD DEVELOPMENT

Applicants proposing development shall submit:

- conceptual site plan;
- architectural drawings;
- utility plans;
- drainage plans;
- landscaping plan;
- construction schedule;
- engineer's cost estimate;
- proof of financing.

Construction shall not commence until all County approvals and required FAA airspace determinations have been obtained.

ARTICLE 15: ENVIRONMENTAL COMPLIANCE

Every commercial operator shall:

- (a) maintain spill response materials;
- (b) report spills immediately;
- (c) maintain hazardous waste records;
- (d) comply with applicable SPCC plans;
- (e) cooperate with environmental inspections;
- (f) prevent stormwater contamination; and
- (g) promptly remediate environmental damage caused by the operator.

ARTICLE 16: SECURITY

Commercial Operators shall, at a minimum, maintain security of leased premises, control employee access, safeguard gate credentials, report security incidents immediately, and comply with Airport Security Procedures.

ARTICLE 17: RECORDKEEPING

Commercial operators shall maintain records concerning:

- insurance;
- employee training;
- fuel sales;
- environmental compliance;
- maintenance;
- leases;
- permits;
- financial reports required by lease.

Such records shall be made available to the County upon reasonable notice for purposes of compliance verification or audit.

ARTICLE 18: PERFORMANCE STANDARDS

Commercial operators shall continuously provide services meeting professional aviation industry standards. Failure to maintain qualified personnel, required equipment, adequate facilities, adequate insurance, financial responsibility, and/or regulatory compliance may constitute grounds for suspension or revocation of operating authority.

ARTICLE 19: DEFICIENCIES

When the Airport Director determines that an operator is not complying with these Minimum Standards, the Director may issue written notice identifying the deficiency and establishing a reasonable period for corrective action. If the deficiency presents an immediate threat to safety, security, or environmental compliance, the Director may impose temporary operational restrictions pending correction.

ARTICLE 20: WAIVERS

The Board of Commissioners may grant a written waiver from a specific Minimum Standard upon finding that:

- (a) the waiver is consistent with FAA Grant Assurances;
- (b) aviation safety will not be compromised;

- (c) the waiver will not create an unlawful exclusive right;
- (d) the waiver serves the best interests of the Airport.

Any waiver shall be narrowly construed, shall state its duration and conditions, and may be revoked upon a finding that the basis for the waiver no longer exists, or that continued application is contrary to the interests of the Airport.

ARTICLE 21: ENFORCEMENT

Violation of these Minimum Standards constitutes a violation of the Airport Governance Manual. The County may pursue one or more remedies, including:

- (a) written warning;
- (b) corrective action order;
- (c) suspension of operating privileges;
- (d) revocation of Commercial Operating Permit;
- (e) lease enforcement;
- (f) recovery of damages and costs;
- (g) termination of lease in accordance with its terms;
- (h) injunctive relief; and
- (i) any other remedy authorized by law or this Manual.

The remedies set forth herein are cumulative and shall not be construed to limit any rights or remedies available to Henry County under law, equity, contract, or this Manual.

CHAPTER 8: AIRPORT LEASING, PROPERTY MANAGEMENT, AND DEVELOPMENT STANDARDS

ARTICLE 1: PURPOSE AND POLICY

Section 8.1.1 Purpose

The purpose of this Chapter is to establish uniform policies governing the leasing, licensing, occupancy, development, management, and use of real property and improvements owned by Henry County at Atlanta Speedway Airport ("Airport"). Airport property is a public asset held in trust for aeronautical purposes. Accordingly, all leases, licenses, permits, easements, and occupancy agreements shall be administered to:

- (a) preserve the Airport for present and future aviation use;
- (b) maximize the safe and efficient use of Airport property;
- (c) comply with FAA Grant Assurances;
- (d) promote orderly Airport development;
- (e) ensure financial self-sufficiency of the Airport to the greatest extent practicable;
- (f) prevent unjust discrimination;
- (g) avoid the creation of exclusive rights; and
- (h) protect the County's proprietary interests.

Section 8.1.2 Airport Property

All Airport property, whether improved or unimproved, remains the property of Henry County unless lawfully conveyed by the Board of Commissioners. No lease or permit shall be construed as conveying fee ownership or any interest greater than expressly granted in the written agreement.

ARTICLE 2: LEASING AUTHORITY

Section 8.2.1 Authority of the Board

The Henry County Board of Commissioners retains exclusive authority to approve, execute, amend, renew, assign, or terminate Airport leases when required by County policy or Georgia

law. The Airport Director may negotiate proposed lease terms subject to review by the County Manager and County Attorney prior to Board consideration.

Section 8.2.2 Legal Review

Every Airport lease, amendment, extension, option, concession agreement, easement, or development agreement shall be reviewed and approved as to legal form by the County Attorney prior to execution.

Section 8.2.3 Consistency with Airport Master Plan

No lease shall be approved unless the proposed use is consistent with:

- (a) the Airport Master Plan, if adopted;
- (b) the Airport Layout Plan (ALP);
- (c) FAA-approved development plans;
- (d) current or anticipated aviation needs;
- (e) applicable zoning and land use regulations.

ARTICLE 3: TYPES OF AGREEMENTS

The County may utilize one or more of the following agreements:

Section 8.3.1 Ground Lease

The County may utilize a ground lease to authorize the development of Airport property for approved aeronautical purposes.

Section 8.3.2 Building Lease

The County may utilize a building lease to authorize the occupancy of County-owned improvements.

Section 8.3.3 Hangar Lease

The County may utilize a hangar lease to authorize the occupancy of Airport hangars owned by the County.

Section 8.3.4 Tie-Down Agreement

The County may utilize Tie-Down agreements to authorize the outdoor storage of aircraft.

Section 8.3.5 Commercial Lease

The County may utilize commercial leases to authorize commercial aeronautical activities at the Airport.

Section 8.3.6 Temporary Occupancy Agreement

The County may utilize a temporary occupancy agreement to provide limited-term occupancy pending the execution of a long-term or permanent agreement.

Section 8.3.7 License Agreement

The County may utilize a license agreement to grant limited rights to use Airport property without creating a possessory interest.

Section 8.3.8 Easements

Utility, access, drainage, and other easements may be granted only when consistent with Airport operations and approved by the Board.

ARTICLE 4: LEASE APPLICATIONS

Applicants shall submit the following information to the Airport Director on the Lease Application:

- (a) legal name and organizational documents;
- (b) ownership information;
- (c) description of proposed use;
- (d) conceptual site plan;
- (e) financial capability documentation;
- (f) proposed development schedule;
- (g) insurance information;
- (h) proposed staffing;
- (i) requested lease term;

- (j) anticipated capital investment;
- (k) FAA compliance information;
- (l) environmental information; and
- (m) any additional information reasonably requested by the Airport Director.

Applications shall be evaluated based upon operational compatibility, financial capability, aviation experience, development objectives, and consistency with Airport planning documents.

ARTICLE 5: DEVELOPMENT REQUIREMENTS

Section 8.5.1 Development Obligations

Where development is required by lease, the lessee shall diligently commence and complete construction within the time specified in the lease. Failure to satisfy development milestones may constitute an event of default unless extended in writing by the County.

Section 8.5.2 Plans and Specifications

Construction plans shall be prepared by licensed professionals where required by law and submitted to the Airport Director for review. Approval by the County does not relieve the lessee of responsibility for design, engineering, code compliance, or construction quality.

Section 8.5.3 FAA Coordination

Whenever required, the lessee shall obtain all applicable FAA determinations, including notice under 14 C.F.R. Part 77, before commencing construction. The lessee shall provide copies of all FAA determinations to the Airport Director.

Section 8.5.4 Permits

The lessee shall obtain all permits required by applicable law prior to commencement of construction.

ARTICLE 6: USE OF LEASED PREMISES

Leased premises shall be used solely for the purposes authorized by the lease.

No lessee shall:

- (a) conduct unauthorized commercial activity;
- (b) create a nuisance;

- (c) obstruct Airport operations;
 - (d) store hazardous materials except as authorized;
 - (e) permit unlawful activity; or
 - (f) use the premises for residential occupancy unless expressly authorized by the Board.
- Any material change in use requires prior written approval.

ARTICLE 7: MAINTENANCE RESPONSIBILITIES

Unless otherwise provided in the lease, the lessee shall maintain leased premises in good order, including, but not limited to buildings, paved areas, fencing, landscaping, utilities serving the premises, signs, lighting, and drainage facilities. Maintenance shall be performed in accordance with applicable codes and industry standards.

ARTICLE 8: CAPITAL IMPROVEMENTS

Buildings and permanent improvements constructed upon Airport property shall become the property of Henry County upon expiration or termination of the lease unless the lease expressly provides otherwise. The County may require removal of improvements if necessary to facilitate Airport development or eliminate unsafe conditions.

ARTICLE 9: ASSIGNMENT AND SUBLEASING

No lease may be assigned, transferred, mortgaged, pledged, or subleased without the prior written approval of the Board of Commissioners. A transfer of ownership or controlling interest in a lessee may constitute an assignment requiring County approval. Unauthorized assignments are void and constitute a material default.

ARTICLE 10: RENTAL RATES AND ADJUSTMENTS

Airport rental rates shall be established by the Board of Commissioners in accordance with:

- (a) FAA Revenue Use Policy;
- (b) fair market value principles, where applicable;
- (c) Airport financial objectives;
- (d) current appraisals when required;
- (e) applicable grant assurances.

Leases may include periodic rent adjustments based upon the Consumer Price Index, independent appraisal, scheduled escalation, market revaluation, or other methods approved by the Board.

ARTICLE 11: AIRPORT REVENUES

All revenues generated from Airport property shall be used in a manner consistent with applicable federal law governing Airport revenue. No lease shall permit diversion of Airport revenue in violation of FAA Grant Assurances.

ARTICLE 12: INSURANCE

Every lessee must maintain insurance meeting the requirements established by the County. Such coverage must remain in force throughout the lease term. Failure to maintain required insurance constitutes a material default.

ARTICLE 13: ENVIRONMENTAL COMPLIANCE

Lessees shall:

- (a) comply with environmental laws;
- (b) prevent contamination;
- (c) maintain spill response materials;
- (d) promptly report releases;
- (e) remediate contamination caused by the lessee;
- (f) cooperate with environmental inspections.

The lessee shall be responsible for all environmental conditions caused by its operations, including any required environmental cleanup or remediation.

ARTICLE 14: INSPECTION RIGHTS

The County reserves the right, upon reasonable notice except in emergencies, to enter leased premises to:

- (a) inspect facilities;
- (b) verify compliance;
- (c) perform utilities maintenance;
- (d) protect public safety;

- (e) conduct environmental inspections;
- (f) verify lease compliance.

Such inspections shall be conducted in a manner that minimizes disruption of the lessee's operations.

ARTICLE 15: DEFAULT

The following constitute events of default unless otherwise provided by lease:

- (a) failure to pay rent;
- (b) unauthorized assignment;
- (c) abandonment;
- (d) violation of this Manual;
- (e) failure to maintain insurance;
- (f) material breach of lease;
- (g) insolvency where it materially affects performance;
- (h) repeated safety violations;
- (i) unauthorized commercial activity; or
- (j) unlawful use of Airport property.

Except where immediate action is necessary to protect safety or comply with law, the County shall provide written notice of default and an opportunity to cure within the time specified in the lease or, if none is specified, within a reasonable period.

ARTICLE 16: TERMINATION

The County may terminate a lease upon:

- (a) uncured default;
- (b) expiration of the lease term;
- (c) mutual agreement;
- (d) condemnation;
- (e) destruction of leased improvements when provided by lease;
- (f) failure to satisfy required development obligations; or

(g) any other basis authorized by the lease or applicable law.

Termination shall not relieve the lessee of obligations accrued prior to termination.

ARTICLE 17: SURRENDER OF PREMISES

Upon expiration or termination, the lessee shall peacefully surrender possession of the premises in a clean, safe, and orderly condition, ordinary wear and tear excepted. The County may require removal of personal property, equipment, temporary structures, or debris remaining upon the premises. Property not removed within the time prescribed by the lease may be deemed abandoned and disposed of in accordance with applicable law. If lessee does not remove or dispose of such property, the County may dispose of such property, and the costs of such disposal shall be the responsibility of lessee.

ARTICLE 18: HOLDOVER TENANCY

A lessee remaining in possession after expiration without written authorization shall be deemed a holdover tenant. Unless otherwise agreed in writing:

- (a) the tenancy shall be month-to-month;
- (b) rent shall be 150 percent of the immediately preceding monthly rental rate;
- (c) the County may terminate the holdover occupancy upon thirty (30) days' written notice or such shorter period as permitted by law.

Nothing herein obligates the County to permit a holdover tenancy.

ARTICLE 19: INDEMNIFICATION

Each lessee shall indemnify, defend, and hold harmless Henry County, its elected officials, officers, employees, and agents from claims, damages, liabilities, costs, and expenses, including reasonable attorneys' fees, arising from the lessee's use or occupancy of Airport property to the fullest extent permitted by Georgia law. Nothing herein shall be construed as a waiver of sovereign immunity.

ARTICLE 20: REMEDIES

The remedies available to the County include, but are not limited to:

- (a) termination of the lease;
- (b) recovery of unpaid rent;
- (c) recovery of damages;

- (d) specific performance where appropriate;
- (e) injunctive relief;
- (f) eviction or dispossessory proceedings as permitted by Georgia law;
- (g) recovery of attorneys' fees and costs where authorized by contract or law;
- (h) suspension or revocation of permits associated with the lease; and
- (i) any other remedy available at law or in equity.

The remedies provided herein are cumulative and the exercise of one remedy shall not preclude the County from pursuing any other available remedy.

ARTICLE 21: LEASE INTERPRETATION

In the event of a conflict between this Chapter and an individual Airport lease, the lease shall govern only to the extent expressly authorized by the Board of Commissioners and not inconsistent with federal law, FAA Grant Assurances, or mandatory provisions of this Airport Governance Manual. Nothing in this Chapter shall be interpreted to diminish the County's authority as Airport Sponsor or to authorize any use of Airport property inconsistent with applicable federal or state law.

CHAPTER 9: FUELING OPERATIONS, FIRE SAFETY, AND ENVIRONMENTAL COMPLIANCE

ARTICLE 1: PURPOSE

Section 9.1.1 Purpose

The purpose of this Chapter is to establish uniform standards governing aviation fueling operations, fuel storage, fire prevention, environmental protection, hazardous materials management, and spill response at Atlanta Speedway Airport ("Airport"). These provisions are intended to:

- (a) protect life and property;
- (b) ensure safe fueling operations;
- (c) protect airfield infrastructure;
- (d) prevent environmental contamination;
- (e) comply with applicable federal, state, and local laws;
- (f) satisfy applicable Federal Aviation Administration ("FAA") Grant Assurances;
- (g) comply with applicable Environmental Protection Agency ("EPA") regulations;
- (h) comply with National Fire Protection Association ("NFPA") standards; and
- (i) preserve the operational integrity of the Airport.

ARTICLE 2: APPLICABILITY

Section 9.2.1 Persons Subject to this Chapter

This Chapter applies to every person or entity that:

- (a) stores aviation fuel;
- (b) dispenses aviation fuel;
- (c) transports aviation fuel;
- (d) conducts mobile fueling operations;
- (e) performs aircraft fueling;

- (f) maintains fueling equipment;
- (g) stores hazardous materials on Airport property; or
- (h) otherwise conducts activities involving petroleum products or regulated substances.

Section 9.2.2 Governing Standards

Fueling operations shall comply with all applicable requirements of:

- FAA regulations and guidance;
- EPA regulations;
- Georgia Environmental Protection Division (EPD);
- NFPA 407, Standard for Aircraft Fuel Servicing;
- NFPA 30, Flammable and Combustible Liquids Code;
- applicable fire codes;
- Airport Rules and Regulations; and
- this Manual.

ARTICLE 3: AUTHORIZATION TO CONDUCT FUELING

Section 9.3.1 Commercial Fueling

No person shall engage in commercial fueling operations without an approved Commercial Operating Permit, any required lease or license agreement, required environmental approvals, required insurance, and the approval of the Airport Director.

Section 9.3.2 Self-Fueling

Aircraft owners may self-fuel their own aircraft only when:

- (a) the activity is specifically authorized by Airport policy;
- (b) the owner complies with all applicable safety standards;
- (c) approved equipment is used;
- (d) fuel is lawfully obtained; and
- (e) all environmental requirements are satisfied.

Self-fueling shall not be used to circumvent the County's Commercial Operating Permit requirements.

ARTICLE 4: FUEL STORAGE

Section 9.4.1 Storage Facilities

All Fuel storage facilities on Airport Property or on parcels subject to a through-the-fence agreement shall:

- (a) comply with NFPA standards;
- (b) comply with EPA regulations;
- (c) comply with Georgia EPD requirements;
- (d) be approved by the Fire Marshal;
- (e) comply with applicable building codes; and
- (f) comply with County development standards.

Section 9.4.2 Secondary Containment

Fuel storage tanks shall include secondary containment where required by applicable law. Containment systems shall be inspected regularly and maintained in proper operating condition.

Section 9.4.3 Security

Fuel storage facilities shall remain secured against unauthorized access. Fuel storage areas shall include appropriate warning signs and emergency contact information.

ARTICLE 5: AIRCRAFT FUELING OPERATIONS

Section 9.5.1 Safe Fueling Practices

Aircraft fueling shall be conducted only by trained personnel using approved equipment. Fueling personnel shall remain in attendance throughout fueling operations.

Section 9.5.2 Prohibited Activities

During fueling operations, the following are prohibited:

- (a) smoking;
- (b) open flames;

- (c) welding;
- (d) grinding;
- (e) operation of spark-producing equipment; and
- (f) any activity presenting an ignition hazard.

Section 9.5.3 Engine Operations

Aircraft engines shall not be started during fueling except where specifically authorized by applicable FAA procedures or manufacturer guidance.

Section 9.5.4 Occupied Aircraft

Fueling of occupied aircraft shall comply with applicable FAA, NFPA, and aircraft manufacturer requirements. Emergency exits shall remain available whenever passengers remain aboard during fueling.

ARTICLE 6: MOBILE FUELING EQUIPMENT

Section 9.6.1 Fuel Trucks

All fuel service vehicles shall:

- (a) comply with DOT requirements;
- (b) comply with NFPA standards;
- (c) be properly licensed;
- (d) be inspected regularly; and
- (e) remain mechanically safe.

Section 9.6.2 Fire Extinguishers

Each fueling vehicle shall carry properly maintained fire extinguishers meeting applicable code requirements.

Section 9.6.3 Maintenance

Fueling equipment shall be inspected, tested, and maintained in accordance with manufacturer recommendations and applicable regulations.

Defective equipment shall be immediately removed from service.

ARTICLE 7: SPILL PREVENTION

Section 9.7.1 General Duty

Every fuel operator must take all reasonable measures to prevent spills and releases.

Section 9.7.2 Spill Kits

Appropriate spill response materials must remain immediately available wherever fueling operations occur.

Section 9.7.3 Employee Training

All employees involved in fueling must receive documented training concerning:

spill prevention;

(b) spill response;

(c) emergency notification;

(d) environmental regulations; and

(e) hazardous materials handling.

Training records shall be maintained by the operator and provided on an annual basis to the Airport Director.

ARTICLE 8: SPILL RESPONSE

Section 9.8.1 Immediate Response

Any fuel spill shall be immediately controlled using appropriate spill response procedures.

Section 9.8.2 Notification

The party responsible for any fuel spill shall immediately notify:

(a) Airport Management;

(b) emergency responders when appropriate; and

(c) applicable environmental agencies when required by law.

Section 9.8.3 Cleanup

The party responsible for the fuel spill responsible shall promptly clean and remediate any release in accordance with applicable environmental regulations. Failure to promptly remediate may result in County intervention with all costs recoverable from the responsible party.

ARTICLE 9: HAZARDOUS MATERIALS

Section 9.9.1 Storage

Hazardous materials shall be properly labeled, properly stored, secured against unauthorized access, and maintained in approved containers. The owner and/or user of such hazardous material must first receive permission from the Board of Commissioners, the FAA, the Georgia Department of Natural Resources, and any other regulatory agency or body with oversight of such hazardous materials.

Section 9.9.2 Disposal

Hazardous waste shall be disposed of only through lawful disposal methods. No hazardous substance shall be discharged into storm drains, sanitary sewers without authorization, soil, Airport pavement, waterways, or in any manner contrary to federal, state, or local law.

ARTICLE 10: STORMWATER PROTECTION

Operators shall implement reasonable best management practices to prevent pollutants from entering stormwater systems. Wash water, fuels, oils, solvents, and chemicals shall not be discharged into Airport drainage facilities except as authorized by applicable permits.

ARTICLE 11: FIRE SAFETY

Section 9.11.1 Fire Prevention

Fueling facilities shall maintain appropriate fire protection equipment required by applicable fire codes.

Section 9.11.2 Emergency Access

Fuel storage areas shall remain accessible to emergency responders at all times.

Section 9.11.3 Fire Department Inspections

Fueling facilities shall be subject to periodic inspection by the Henry County Fire Department and Airport Director. Deficiencies shall be corrected within the time specified by the inspecting authority.

ARTICLE 12: ENVIRONMENTAL INSPECTIONS

The Airport Director may conduct inspections of fueling facilities and hazardous material storage areas to verify compliance with:

- (a) this Manual;
- (b) lease requirements;
- (c) environmental regulations;
- (d) fire codes;
- (e) FAA requirements.

All Operators shall cooperate fully with all lawful inspections.

ARTICLE 13: RECORDKEEPING

Fuel operators shall maintain records including:

- (a) fuel deliveries;
- (b) tank inspections;
- (c) spill reports;
- (d) employee training;
- (e) equipment maintenance;
- (f) environmental inspections;
- (g) waste disposal manifests; and
- (h) required regulatory reports.

Records shall be retained for a minimum of five (5) years unless a longer period is required by law.

ARTICLE 14: EMERGENCY RESPONSE PLANS

Commercial fuel operators shall maintain written emergency response procedures addressing:

- (a) fuel spills;
- (b) fires;
- (c) explosions;
- (d) severe weather;
- (e) fuel system failures;
- (f) hazardous material releases; and
- (g) emergency notifications.

The commercial fuel operator's emergency procedures must be reviewed with its employees at least annually, and such procedures and record of employee review must be provided to the Airport Director on an annual basis.

ARTICLE 15: LIABILITY AND COST RECOVERY

Any person causing a fuel spill, fire, explosion, environmental contamination, or damage to Airport property shall be responsible for any and all emergency response costs, environmental remediation, consultant fees, engineering costs, testing costs, legal expenses where recoverable repair or replacement of damaged Airport property, regulatory penalties assessed against the County resulting from the person's actions, to the extent permitted by law.

Nothing in this Chapter shall be construed as a waiver of Henry County's sovereign immunity.

ARTICLE 16: SUSPENSION OF FUELING OPERATIONS

The Airport Director may immediately suspend fueling operations that present an imminent threat to public safety, aviation safety, environmental protection, or Airport property. Except in emergencies, written notice shall be provided to the fuel operator identifying the violations and the corrective actions required before operations may resume.

ARTICLE 17: ENFORCEMENT

Violation of this Chapter constitutes a violation of the Airport Governance Manual. The County may pursue one or more of the following remedies:

- (a) written warning;
- (b) corrective action order;

- (c) suspension of fueling privileges;
- (d) suspension or revocation of Commercial Operating Permit;
- (e) lease enforcement;
- (f) recovery of damages and cleanup costs;
- (g) injunctive relief;
- (h) termination of lease where authorized;
- (i) referral to appropriate regulatory agencies; and
- (j) any other remedy available under law, equity, contract, or this Manual.

The remedies provided herein are cumulative and shall not preclude Henry County from pursuing any additional remedy authorized by law.

ARTICLE 18: NO WAIVER

Failure by the County to enforce any provision of this Chapter shall not constitute a waiver of its right to enforce the same or any other provision in the future. No waiver shall be effective unless approved in writing by the Henry County Board of Commissioners or other official expressly authorized by law.

CHAPTER 10: HANGAR MANAGEMENT, AIRCRAFT STORAGE, AND TIE-DOWN STANDARDS

ARTICLE 1: PURPOSE

Section 10.1.1 Purpose

The purpose of this Chapter is to establish uniform standards governing the leasing, management, use, maintenance, occupancy, and operation of aircraft hangars, tie-down areas, transient parking, and aircraft storage facilities at Atlanta Speedway Airport ("Airport"). These standards are intended to:

- (a) preserve Airport property;
- (b) promote aviation safety;
- (c) maximize the availability of aircraft storage;
- (d) ensure compliance with FAA Grant Assurances and Airport Revenue Use Policy;
- (e) protect public health and safety;
- (f) prevent unauthorized or non-aeronautical use of Airport facilities; and
- (g) promote the efficient administration of Airport assets.

ARTICLE 2: APPLICABILITY

Section 10.2.1 Persons Subject to this Chapter

This Chapter applies to:

- (a) all hangar tenants;
- (b) aircraft owners;
- (c) subtenants authorized by the County;
- (d) tie-down permit holders;
- (e) transient aircraft operators;
- (f) commercial operators utilizing hangars;
- (g) any person storing aircraft or aeronautical equipment on Airport property.

Section 10.2.2 Governing Authority

Hangar occupancy shall be governed by:

- (a) this Airport Governance Manual;
- (b) the applicable lease or license agreement;
- (c) Airport Rules and Regulations;
- (d) FAA policies governing airport hangar use;
- (e) all applicable federal, state, and local laws.

ARTICLE 3: AUTHORIZED USE OF HANGARS

Section 10.3.1 Aeronautical Purpose

Airport hangars are intended primarily for the storage, maintenance, repair, and servicing of operational aircraft and related aeronautical equipment. Each hangar shall be occupied and used principally for aeronautical purposes consistent with applicable FAA policy.

Section 10.3.2 Authorized Activities

Subject to the terms of the applicable lease and Airport approval, authorized hangar activities include:

- (a) aircraft storage;
- (b) routine aircraft maintenance;
- (c) preventive maintenance authorized by FAA regulations;
- (d) aircraft inspections;
- (e) avionics installation;
- (f) storage of aircraft parts and tools;
- (g) aircraft restoration projects actively progressing toward completion; and
- (h) other aeronautical activities approved by the Airport Director.

Section 10.3.3 Prohibited Uses

Unless expressly authorized in writing by the County, no hangar shall be used for:

- (a) residential occupancy;
- (b) sleeping accommodations;

- (c) permanent office use unrelated to aviation;
- (d) manufacturing unrelated to aviation;
- (e) storage of household goods;
- (f) storage of recreational vehicles;
- (g) storage of boats;
- (h) storage of automobiles not directly supporting aviation activities;
- (i) warehousing of commercial inventory unrelated to aviation; and
- (j) unlawful activities.

ARTICLE 4: AIRCRAFT STORAGE REQUIREMENTS

Section 10.4.1 Operational Aircraft

Hangars leased for aircraft storage shall contain an operational aircraft unless otherwise approved by the Airport Director. An aircraft shall be considered operational if it is capable of safe flight or is undergoing active maintenance or restoration with a reasonable expectation of return to service.

Section 10.4.2 Registration

Aircraft stored within Airport hangars shall maintain current:

- (a) FAA registration;
- (b) ownership documentation;
- (c) airworthiness certification, where applicable.

The Airport Director may require documentation verifying ownership or lawful possession on an annual basis.

Section 10.4.3 Aircraft Movement

Aircraft shall not remain inoperative for extended periods without written approval of the Airport Director. Aircraft determined to be abandoned or derelict may be removed in accordance with applicable law.

ARTICLE 5: STORAGE OF PROPERTY

Section 10.5.1 Aeronautical Equipment

Hangars may contain equipment reasonably necessary for:

- (a) aircraft maintenance;
- (b) aircraft servicing;
- (c) aircraft operation; or
- (d) pilot support activities.

Section 10.5.2 Incidental Storage

Incidental storage of non-aeronautical property shall be permitted only to the extent it does not interfere with the primary aeronautical purpose of the hangar.

Section 10.5.3 Excess Storage

The Airport Director may require removal of excessive personal property or materials that interfere with aircraft storage, create safety hazards, or violate FAA policy.

ARTICLE 6: FIRE SAFETY

Section 10.6.1 General Requirements

All Hangars shall comply with applicable fire codes, building codes, NFPA standards, and Airport fire safety procedures.

Section 10.6.2 Flammable Materials

Flammable liquids, combustible materials, compressed gases, and hazardous materials shall be stored only in quantities and manners authorized by applicable codes.

Section 10.6.3 Fire Protection

Fire extinguishers required by applicable code shall remain readily accessible, fully charged, and properly maintained. Emergency exits shall remain unobstructed at all times.

ARTICLE 7: MAINTENANCE OF HANGARS

Section 10.7.1 Tenant Responsibilities

Unless otherwise provided by lease, each tenant shall maintain leased premises in a clean, orderly, and safe condition. Tenants shall promptly repair damage caused by their negligence or misuse.

Section 10.7.2 County Responsibilities

The County shall maintain structural components of County-owned hangars except where the damage results from the tenant's acts or omissions.

Section 10.7.3 Alterations

No structural alteration, modification, or installation shall be made without prior written approval of the County. Any approved improvements shall comply with applicable building codes and Airport construction standards.

ARTICLE 8: INSPECTIONS

Section 10.8.1 Inspection Authority

The Airport Director may inspect hangars upon reasonable notice to determine compliance with:

- (a) lease provisions;
- (b) Airport Rules and Regulations;
- (c) Fire codes;
- (d) environmental requirements;
- (e) FAA policies; and
- (f) this Manual.

Immediate entry may occur without prior notice where necessary to address emergencies or imminent threats to life, safety, or property.

Section 10.8.2 Tenant Cooperation

Tenants shall cooperate with lawful inspections and shall promptly correct deficiencies identified by the County.

ARTICLE 9: TIE-DOWNS AND OUTDOOR AIRCRAFT STORAGE

Section 10.9.1 Assignment

Tie-down spaces shall be assigned by the Airport Director. Assignments create only a revocable license to occupy the assigned space and do not convey any leasehold or property interest.

Section 10.9.2 Aircraft Security

All aircraft stored outdoors must be properly secured, adequately tied down, chocked where appropriate, and maintained in a condition that does not create a hazard.

Section 10.9.3 Maintenance in Tie-Down Areas

Only routine servicing and preventive maintenance may be conducted in tie-down areas unless otherwise authorized. Activities creating excessive debris, environmental hazards, or operational interference are prohibited.

ARTICLE 10: WAITING LISTS

Section 10.10.1 Establishment

The Airport Director shall maintain waiting lists for hangars, tie-downs, and covered aircraft storage.

Section 10.10.2 Administration

Waiting lists shall be administered in a fair, objective, and nondiscriminatory manner. Priority may be established based upon factors including:

- (a) date of application;
- (b) aircraft ownership;
- (c) operational needs of the Airport;
- (d) availability of appropriate facilities.

Nothing in this Section creates a contractual right to receive a hangar assignment.

ARTICLE 11: TRANSIENT AIRCRAFT STORAGE

Transient aircraft may occupy designated parking areas for periods established by Airport policy. Aircraft remaining beyond authorized periods without approval may be relocated at the owner's expense. The County may assess transient parking fees established by the Board of Commissioners.

ARTICLE 12: ABANDONED PROPERTY

Aircraft, equipment, vehicles, or personal property abandoned upon Airport property may be removed in accordance with Georgia law. The owner shall remain liable for:

- (a) storage costs;
- (b) towing expenses;
- (c) administrative costs;
- (d) disposal costs; and
- (e) damages resulting from the abandoned property.

ARTICLE 13: DEFAULT

The following constitute defaults under this Chapter:

- (a) unauthorized occupancy;
- (b) nonpayment of rent;
- (c) unauthorized subleasing;
- (d) prohibited hangar use;
- (e) failure to maintain required insurance;
- (f) repeated safety violations;
- (g) refusal of lawful inspections;
- (h) environmental violations; or
- (i) abandonment of leased premises.

Except where immediate action is necessary to protect public safety or Airport operations, the County shall provide written notice and a reasonable opportunity to cure.

ARTICLE 14: TERMINATION OF OCCUPANCY

Upon termination or expiration of a lease or license, the tenant shall:

- (a) remove all personal property unless otherwise directed;
- (b) surrender possession of the premises in good condition, ordinary wear and tear excepted;
- (c) return all access devices and keys; and
- (d) satisfy all outstanding financial obligations.

Property remaining after the applicable removal period may be deemed abandoned and disposed of in accordance with applicable law.

ARTICLE 15: LIABILITY AND INDEMNIFICATION

Each tenant shall be responsible for all damage to Airport property resulting from the tenant's acts or omissions. To the fullest extent permitted by Georgia law, each tenant shall indemnify, defend, and hold harmless Henry County, its elected officials, officers, employees, and agents from claims, damages, liabilities, costs, and expenses arising out of the tenant's use or occupancy of Airport property. Nothing contained herein shall be construed as a waiver of Henry County's sovereign immunity or governmental immunity.

ARTICLE 16: ENFORCEMENT

Violation of this Chapter constitutes a violation of the Airport Governance Manual. The County may pursue one or more of the following remedies:

- (a) written warning;
- (b) corrective action order;
- (c) suspension of occupancy privileges;
- (d) reassignment of storage space;
- (e) lease enforcement;
- (f) termination of lease or license;
- (g) removal of aircraft or personal property where authorized;
- (h) recovery of damages, costs, and attorneys' fees where permitted by law or contract;
- (i) any other remedy available under law, equity, or this Manual.

The remedies provided in this Chapter are cumulative and shall not preclude the County from exercising any other remedy available by law or contract.

ARTICLE 17: FAA COMPLIANCE

This Chapter shall be interpreted and administered in a manner consistent with applicable FAA Grant Assurances, the FAA Airport Compliance Manual (Order 5190.6B, as amended), FAA policies governing airport hangar use, and all other applicable federal aviation requirements. If any provision of this Chapter conflicts with mandatory federal law or FAA policy applicable to the Airport, the federal requirement shall control to the extent of the conflict, and the remaining provisions shall continue in full force and effect.

CHAPTER 11: THROUGH-THE-FENCE OPERATIONS, ACCESS AGREEMENTS, AND OFF-AIRPORT AERONAUTICAL ACCESS

ARTICLE 1: PURPOSE

Section 11.1.1 Purpose

The purpose of this Chapter is to establish the policies, procedures, and standards governing Through-the-Fence ("TTF") operations at Atlanta Speedway Airport ("Airport"). These provisions are intended to preserve the Airport's long-term viability, ensure compliance with Federal Aviation Administration ("FAA") Grant Assurances, protect Airport infrastructure, and provide fair and uniform standards for owners of property adjacent to the Airport seeking aeronautical access. Henry County recognizes that Through-the-Fence access may provide economic and operational benefits when properly regulated; however, such access constitutes a revocable privilege and not a vested property right.

Section 11.1.2 Authority

This Chapter is adopted pursuant to the proprietary powers of Henry County as owner and sponsor of Atlanta Speedway Airport and shall be interpreted consistently with:

- (a) FAA Grant Assurances;
- (b) FAA Order 5190.6B, Airport Compliance Manual (or successor);
- (c) applicable FAA Advisory Circulars;
- (d) the Airport Layout Plan ("ALP");
- (e) applicable Georgia law; and
- (f) this Airport Governance Manual.

ARTICLE 2: DEFINITIONS

Section 11.2.1 Through-the-Fence (TTF) Access

"Through-the-Fence Access" means the authorized movement of aircraft between privately owned property adjacent to the Airport and Airport movement areas through an approved access point.

Section 11.2.2 Through-the-Fence Operator

A person or entity that owns, leases, or occupies property adjacent to the Airport and has been granted a Through-the-Fence Access Agreement by Henry County.

Section 11.2.3 Adjacent Property

Property located outside the Airport boundary that directly abuts Airport property or otherwise qualifies for access as approved by the County.

Section 11.2.4 Access Point

A County-approved gate, taxiway connection, or other physical location through which aircraft may enter or exit Airport property.

ARTICLE 3: GENERAL POLICY

Section 11.3.1 No Right of Access

Ownership of property adjacent to the Airport does not create any legal right to access Airport property. All Through-the-Fence access is subject to the sole discretion of the Henry County Board of Commissioners.

Section 11.3.2 Compatibility

Through-the-Fence access shall be permitted only when the County determines that the proposed access:

- (a) promotes aviation purposes;
- (b) is consistent with the Airport Master Plan;
- (c) is consistent with the Airport Layout Plan;
- (d) does not interfere with Airport development;
- (e) complies with FAA requirements; and
- (f) serves the best interests of the Airport.

Section 11.3.3 Revocable Privilege

A Through-the-Fence Agreement constitutes a revocable license or contractual privilege and shall not be construed as an easement, a dedication, a property interest, an exclusive right, or a permanent right of access.

ARTICLE 4: ELIGIBILITY

Applicants for a Through-the-Fence Agreement must demonstrate the following:

- (a) ownership or lawful control of adjacent property;
- (b) legal authority to conduct proposed activities;
- (c) financial capability;
- (d) compliance with Airport development requirements;
- (e) ability to maintain required insurance; and
- (f) a willingness to comply with this Manual and all applicable agreements.

The County may deny any application that is inconsistent with Airport planning, safety, security, or federal obligations.

ARTICLE 5: APPLICATION PROCESS

All Applicants for a Through-the-Fence Agreement must submit the following:

- (a) completed application forms;
- (b) legal description of the property;
- (c) survey prepared by a licensed surveyor;
- (d) site plan;
- (e) proposed aircraft access route;
- (f) proposed improvements;
- (g) description of intended aeronautical use;
- (h) proof of insurance;
- (i) environmental information; and
- (j) any additional information requested by the Airport Director.

Applications shall be reviewed by the Airport Director, the County Manager, the County Attorney, and other departments as appropriate before consideration by the Board of Commissioners.

ARTICLE 6: THROUGH-THE-FENCE ACCESS AGREEMENTS

Section 11.6.1 Written Agreement Required

No Through-the-Fence access shall be permitted without a written agreement approved by the Board of Commissioners.

Section 11.6.2 Required Provisions

Each Through-the-Fence Agreement must include, at a minimum, the following:

- (a) legal description of the property;
- (b) approved access location;
- (c) permitted aeronautical uses;
- (d) maintenance responsibilities;
- (e) insurance requirements;
- (f) indemnification provisions;
- (g) fee obligations;
- (h) security requirements;
- (i) environmental obligations; and
- (j) default and termination provisions.

Section 11.6.3 Non-Transferability

Through-the-Fence Agreements may not be assigned, transferred, or conveyed without the prior written approval of the Board of Commissioners. A change in ownership or controlling interest may require execution of a new agreement.

ARTICLE 7: OPERATIONAL REQUIREMENTS

Through-the-Fence operators shall:

- (a) comply with all Airport Rules and Regulations;
- (b) comply with all FAA regulations;
- (c) use only approved access routes;
- (d) avoid interference with Airport operations;
- (e) maintain aircraft in a safe operating condition;

- (f) promptly report accidents and incidents; and
- (g) cooperate with Airport personnel.

Aircraft shall not taxi across Airport property except along routes specifically approved by the Airport Director.

ARTICLE 8: ACCESS FACILITIES

Any gate, pavement, fencing, lighting, markings, signage, or other facilities necessary to provide Through-the-Fence access shall be constructed only after approval by the County. Unless otherwise provided by agreement, all costs associated with design, permitting, construction, maintenance, repair, replacement, and removal shall be borne by the Through-the-Fence operator. Improvements located on Airport property shall become the property of Henry County unless otherwise provided in the agreement.

ARTICLE 9: SECURITY REQUIREMENTS

Through-the-Fence operators must maintain all gates in a secure condition, prevent unauthorized Airport access, immediately report security breaches, comply with Airport security procedures, and permit inspection of access facilities. The County may temporarily suspend access whenever necessary to address security concerns.

ARTICLE 10: INSURANCE

Each Through-the-Fence operator shall maintain insurance in amounts established by the County, including, as applicable, the following insurance coverage:

- (a) Commercial General Liability;
- (b) Aviation Liability;
- (c) Automobile Liability;
- (d) Property Damage Liability.

Henry County shall be named as an additional insured where appropriate. Failure to maintain required insurance constitutes a material default.

ARTICLE 11: ENVIRONMENTAL RESPONSIBILITIES

Through-the-Fence operators shall comply with all environmental laws, prevent contamination of Airport property, promptly report spills or releases, remediate contamination caused by the operator, and cooperate with environmental inspections. The operator shall be responsible for all costs associated with environmental damage caused by its operations.

ARTICLE 12: FEES

The Board of Commissioners may establish the following fees and charges for any Through-the-Fence Agreement:

- (a) annual access fees;
- (b) administrative fees;
- (c) inspection fees;
- (d) maintenance fees;
- (e) capital recovery charges; and
- (f) any other reasonable fees necessary to ensure that Through-the-Fence operators contribute an equitable share of Airport operating and capital costs.

Failure to timely pay required fees constitutes a default under the Through-the-Fence Agreement.

ARTICLE 13: INSPECTIONS

The Airport Director may inspect Through-the-Fence facilities, access points, and related improvements upon reasonable notice, or immediately in the event of an emergency, to verify compliance with this Manual, the terms and conditions of the Through-the-Fence Agreement, Airport security requirements, environmental regulations, and FAA requirements. Failure to permit a lawful inspection may result in enforcement action.

ARTICLE 14: DEFAULT

The following constitute defaults under a Through-the-Fence Agreement:

- (a) failure to maintain insurance;
- (b) unauthorized access;
- (c) nonpayment of fees;
- (d) violation of Airport Rules and Regulations;
- (e) material breach of the agreement;
- (f) environmental violations;
- (g) repeated safety violations; or
- (h) unauthorized commercial activities.

Except where immediate action is necessary to protect public safety, Airport security, or FAA compliance, the County shall provide written notice of default and a reasonable opportunity to cure.

ARTICLE 15: TERMINATION

The County may suspend or terminate a Through-the-Fence Agreement upon:

- (a) expiration of the agreement;
- (b) uncured default;
- (c) failure to maintain eligibility;
- (d) Airport expansion or redevelopment requiring removal of the access point;
- (e) changes in FAA policy or federal law requiring termination;
- (f) mutual agreement of the parties;
- (g) any other grounds provided in the agreement.

Termination shall not relieve the operator of obligations accrued prior to termination.

ARTICLE 16: INDEMNIFICATION

To the fullest extent permitted by Georgia law, each Through-the-Fence operator shall defend, indemnify, and hold harmless Henry County, its elected officials, officers, employees, agents, and representatives from and against all claims, damages, liabilities, losses, costs, and expenses, including reasonable attorneys' fees, arising out of or related to the operator's use of Airport property or access to the Airport, except to the extent caused by the sole negligence or willful misconduct of the County. Nothing contained herein shall be construed as a waiver of the sovereign immunity, governmental immunity, or official immunity afforded to Henry County under the Constitution and laws of the State of Georgia.

ARTICLE 17: NO VESTED RIGHTS

Nothing contained in this Chapter or any Through-the-Fence Agreement shall create a vested right to continued Airport access. The County expressly reserves the right to modify, relocate, suspend, or terminate Through-the-Fence access when reasonably necessary to:

- (a) comply with FAA requirements;
- (b) preserve Airport safety;
- (c) accommodate Airport development;

- (d) protect public health or safety;
- (e) maintain Airport security; or
- (f) serve the best interests of the Airport.

ARTICLE 18: ENFORCEMENT

Violation of this Chapter or a Through-the-Fence Agreement constitutes a violation of the Airport Governance Manual. The County may pursue one or more of the following remedies:

- (a) written warning;
- (b) corrective action order;
- (c) suspension of access privileges;
- (d) temporary closure of an access point;
- (e) termination of the Through-the-Fence Agreement;
- (f) recovery of damages, costs, engineering expenses, consultant fees, attorneys' fees where authorized by law or contract, and environmental remediation costs;
- (g) injunctive relief;
- (h) any other remedy available under law, equity, contract, or this Manual.

The remedies provided in this Chapter are cumulative and shall not preclude Henry County from pursuing any other remedy authorized by law.

ARTICLE 19: FAA COMPLIANCE

This Chapter shall be interpreted and administered in a manner consistent with all applicable FAA Grant Assurances, the FAA Airport Compliance Manual (Order 5190.6B, as amended), FAA policies regarding Through-the-Fence operations, and other applicable federal aviation requirements. If any provision of this Chapter conflicts with mandatory federal law or FAA policy, the federal requirement shall control to the extent of the conflict, and the remaining provisions shall remain in full force and effect.

CHAPTER 12: AIRPORT SECURITY, SAFETY MANAGEMENT, EMERGENCY RESPONSE, AND INCIDENT REPORTING

ARTICLE 1: PURPOSE

Section 12.1.1 Purpose

The purpose of this Chapter is to establish the policies, procedures, and operational standards governing Airport security, safety management, emergency preparedness, incident reporting, and coordinated emergency response at Atlanta Speedway Airport ("Airport"). These provisions are intended to:

- (a) protect life, health, and property;
- (b) promote aviation safety;
- (c) preserve Airport infrastructure;
- (d) safeguard Airport users and employees;
- (e) protect the operational integrity of the Airport;
- (f) ensure compliance with applicable federal and state law;
- (g) support coordination with public safety agencies; and
- (h) promote rapid, organized, and effective emergency response.

Section 12.1.2 Scope

This Chapter applies to:

- (a) Airport employees;
- (b) tenants;
- (c) commercial operators;
- (d) contractors;
- (e) aircraft owners;
- (f) pilots;

- (g) visitors;
- (h) governmental agencies operating on Airport property; and
- (i) every person entering Airport property.

ARTICLE 2: AIRPORT SECURITY PROGRAM

Section 12.2.1 Security Responsibility

Airport security is a shared responsibility of Henry County, Airport tenants, commercial operators, contractors, and Airport users. Every person using the Airport shall exercise reasonable care to protect Airport facilities and report suspicious activity.

Section 12.2.2 Security Objectives

The Airport Security Program shall seek to:

- (a) deter unauthorized access;
- (b) protect aircraft and facilities;
- (c) protect Airport infrastructure;
- (d) prevent criminal activity;
- (e) safeguard Airport personnel; and
- (f) preserve continuity of operations.

Section 12.2.3 Airport Director

The Airport Director shall administer Airport security and may issue written security procedures consistent with this Manual and applicable law.

ARTICLE 3: ACCESS CONTROL

Section 12.3.1 Restricted Areas

The following areas may be designated as restricted:

- (a) Air Operations Area (AOA);
- (b) movement areas;
- (c) fueling facilities;
- (d) maintenance compounds;

- (e) utility facilities;
- (f) communications equipment rooms;
- (g) Airport operations facilities; or
- (h) any additional area designated by the Airport Director.

Section 12.3.2 Authorized Access

Only authorized persons may enter restricted areas. The Airport Director may establish credentialing procedures and require identification badges, electronic access devices, gate codes, or other security measures.

Section 12.3.3 Gate Security

Every person granted gate access shall:

- (a) secure gates immediately after use;
- (b) prevent unauthorized entry;
- (c) immediately report damaged gates or fencing; and
- (d) protect access credentials from unauthorized use.

Lost or stolen credentials shall be reported immediately.

Section 12.3.4 Unauthorized Entry

Unauthorized entry into restricted areas constitutes a violation of this Manual and may result in removal from Airport property, suspension of Airport privileges, civil enforcement, criminal prosecution where applicable, or any combination thereof.

ARTICLE 4: IDENTIFICATION CREDENTIALS

Section 12.4.1 Airport Credentials

The Airport Director may issue identification credentials for Airport employees, tenants, contractors, commercial operators, and other authorized persons. All credentials remain the property of Henry County and shall be surrendered immediately upon request or upon termination of authorization.

Section 12.4.2 Misuse

No person shall:

- (a) alter an Airport credential;
- (b) loan a credential;
- (c) duplicate a credential;
- (d) use another person's credential; or
- (e) allow unauthorized use of any credential.

Misuse may result in immediate revocation.

ARTICLE 5: SECURITY INCIDENTS

Section 12.5.1 Reporting Requirement

Any person observing suspicious activity, unauthorized persons, attempted theft, vandalism, trespassing, security breaches, damaged fencing, damaged gates, suspicious packages, or any condition affecting Airport security shall immediately notify Airport Management or law enforcement.

Section 12.5.2 Preservation of Evidence

Persons reporting security incidents shall preserve the scene to the extent reasonably possible without jeopardizing life or safety until appropriate authorities arrive.

ARTICLE 6: SAFETY MANAGEMENT

Section 12.6.1 General Duty

Every person operating upon Airport property shall conduct activities in a manner that promotes aviation safety.

Section 12.6.2 Hazard Identification

Any and all Airport users shall promptly report:

- (a) pavement defects;
- (b) lighting failures;
- (c) wildlife hazards;
- (d) fuel spills;

- (e) unsafe construction activities;
- (f) damaged signage;
- (g) Foreign Object Debris (FOD);
- (h) unsafe aircraft operations; or
- (i) any condition affecting safe Airport operations.

Section 12.6.3 Corrective Actions

The Airport Director may require corrective action whenever unsafe conditions exist. Failure to timely comply may result in enforcement action.

ARTICLE 7: AIRPORT EMERGENCY PLAN

Section 12.7.1 Emergency Planning

The Airport Director shall maintain an Airport Emergency Plan appropriate for the Airport's operational characteristics and applicable FAA guidance.

Section 12.7.2 Emergency Coordination

The Airport Emergency Plan shall coordinate response with:

- (a) Henry County Fire Rescue;
- (b) Henry County Police Department;
- (c) Henry County Emergency Management Agency;
- (d) Emergency Medical Services;
- (e) FAA;
- (f) National Transportation Safety Board (NTSB), where applicable;
- (g) Georgia Department of Transportation; or
- (h) other responding agencies.

ARTICLE 8: EMERGENCY RESPONSE

Section 12.8.1 General

During emergencies, Airport personnel may take reasonable actions necessary to:

- (a) protect life;
- (b) protect Airport property;
- (c) preserve evidence;
- (d) restore Airport operations; or
- (e) prevent additional damage.

Section 12.8.2 Incident Command

Emergency operations shall utilize the National Incident Management System (NIMS) and the Incident Command System (ICS), as appropriate. Nothing in this Chapter shall diminish the statutory authority of responding public safety agencies.

Section 12.8.3 Emergency Closures

The Airport Director may temporarily close all or part of the Airport whenever necessary because of the following incidents or occurrences:

- (a) aircraft accidents;
- (b) severe weather;
- (c) security threats;
- (d) hazardous materials;
- (e) fire;
- (f) utility failures;
- (g) natural disasters; or
- (h) any condition presenting an immediate threat to safety.

ARTICLE 9: AIRCRAFT ACCIDENTS AND INCIDENTS

Section 12.9.1 Notification

Aircraft accidents and serious incidents shall be immediately reported to Airport Management, emergency responders, the FAA, when required, and NTSB, when required.

Section 12.9.2 Scene Preservation

Except where necessary to rescue injured persons, eliminate immediate hazards, prevent further damage, or comply with lawful directions of emergency responders, no person shall disturb aircraft wreckage or accident scenes until released by the appropriate investigating authority.

ARTICLE 10: FIRE PREVENTION

Section 12.10.1 General

Every person shall comply with applicable fire prevention regulations while on Airport property.

Section 12.10.2 Reporting

Any fire shall be immediately reported to emergency services and Airport Management.

Section 12.10.3 Fire Equipment

Fire extinguishers and emergency equipment shall remain unobstructed and available for immediate use. No person shall tamper with fire protection equipment except during authorized testing, maintenance, or emergencies.

ARTICLE 11: SEVERE WEATHER

Section 12.11.1 Weather Monitoring

Airport personnel shall monitor significant weather conditions affecting Airport operations.

Section 12.11.2 Protective Measures

The Airport Director may suspend operations or require protective actions during the following incidents, events, or occurrences:

- (a) tornado warnings;
- (b) severe thunderstorms;
- (c) lightning events;
- (d) flooding;
- (e) snow or ice;
- (f) high winds; or
- (g) other hazardous weather conditions.

ARTICLE 12: BUSINESS CONTINUITY

Section 12.12.1 Continuity of Operations

The Airport Director shall maintain procedures for restoring Airport operations following emergencies. Priorities shall include, but not be limited to, life safety, restoration of aircraft operations, restoration of utilities, protection of Airport property, and presumption of commercial activities.

ARTICLE 13: TRAINING

Section 12.13.1 Airport Personnel

Airport employees shall receive periodic training concerning:

- (a) emergency procedures;
- (b) Airport security;
- (c) incident reporting;
- (d) hazardous materials awareness;
- (e) fire prevention; and
- (f) severe weather response.

Section 12.13.2 Commercial Operators

Commercial operators shall ensure employees receive training appropriate to their operational responsibilities. Training records shall be maintained and made available to the County upon reasonable request.

ARTICLE 14: INCIDENT REPORTING

Section 12.14.1 Reportable Incidents

The following shall be reported immediately to Airport Management:

- (a) aircraft accidents;
- (b) personal injuries;
- (c) fires;
- (d) hazardous material releases;
- (e) fuel spills;

- (f) security incidents;
- (g) criminal activity;
- (h) property damage;
- (i) wildlife strikes; or
- (j) operational disruptions.

Section 12.14.2 Written Reports

The Airport Director may require written incident reports containing the following information:

- (a) date and time;
- (b) location;
- (c) persons involved;
- (d) witnesses;
- (e) description of events;
- (f) corrective actions taken; and
- (g) photographs or supporting documentation, when available.

ARTICLE 15: INVESTIGATIONS

Section 12.15.1 Airport Investigations

The Airport Director may investigate incidents affecting Airport operations, safety, security, or County property. Such investigations shall not interfere with investigations conducted by the FAA, NTSB, law enforcement, or other agencies having jurisdiction.

Section 12.15.2 Cooperation

All Airport users shall reasonably cooperate with authorized investigations and provide access to records or information required to determine compliance with this Manual, subject to applicable law.

ARTICLE 16: LIABILITY AND COST RECOVERY

Any person whose negligent or wrongful acts result in an emergency response, damage to Airport property, environmental contamination or incidents, operational disruption the Airport, or extraordinary public safety expenditures, shall be responsible, to the extent permitted by law, for

reimbursing Henry County for recoverable costs, including repair costs, cleanup expenses, engineering services, consultant fees, and attorneys' fees where authorized by law or contract. Nothing contained herein shall be construed as a waiver of the sovereign immunity, governmental immunity, or official immunity afforded to Henry County.

ARTICLE 17: ENFORCEMENT

Violation of this Chapter constitutes a violation of the Airport Governance Manual. The County may pursue one or more of the following remedies:

- (a) verbal or written warning;
- (b) corrective action order;
- (c) suspension of Airport access privileges;
- (d) revocation of access credentials;
- (e) suspension or revocation of permits;
- (f) lease enforcement;
- (g) removal from Airport property;
- (h) recovery of damages and costs;
- (i) referral for criminal prosecution where applicable; and
- (j) any other remedy authorized by law, equity, contract, or this Manual.

The remedies provided herein are cumulative and shall not preclude Henry County from exercising any additional rights or remedies available under law.

ARTICLE 18: FEDERAL COMPLIANCE

This Chapter shall be interpreted and administered in a manner consistent with applicable FAA Grant Assurances, FAA Advisory Circulars, applicable Department of Homeland Security guidance, the National Incident Management System (NIMS), and all other governing federal and state requirements. If any provision of this Chapter conflicts with mandatory federal law or regulation, the federal requirement shall control to the extent of the conflict, and the remaining provisions shall remain in full force and effect.

CHAPTER 13: ENFORCEMENT, COMPLIANCE, ADMINISTRATIVE PROCEDURES, APPEALS, AND PENALTIES

ARTICLE 1: PURPOSE

Section 13.1.1 Purpose

The purpose of this Chapter is to establish uniform procedures for enforcing this Airport Governance Manual, ensuring compliance with Airport policies, protecting Airport property, preserving aviation safety, and providing fair administrative procedures for persons affected by enforcement actions. These provisions are intended to:

- (a) promote voluntary compliance;
- (b) protect Airport operations;
- (c) preserve public safety;
- (d) ensure due process;
- (e) provide consistent enforcement;
- (f) protect the proprietary rights of Henry County as Airport Sponsor; and
- (g) preserve all remedies available under federal law, Georgia law, contract, and equity.

ARTICLE 2: AUTHORITY

Section 13.2.1 Proprietary Authority

Henry County exercises its proprietary authority as owner and sponsor of Atlanta Speedway Airport to regulate the use of Airport property and enforce this Manual. Nothing in this Chapter shall be construed to diminish the authority of any federal, state, or local agency having independent jurisdiction.

Section 13.2.2 Administration

The Airport Director shall administer this Chapter and may issue written administrative procedures consistent with this Manual. The Airport Director may delegate enforcement responsibilities to authorized Airport personnel.

ARTICLE 3: COMPLIANCE

Section 13.3.1 Duty to Comply

Every person entering or using Airport property shall comply with:

- (a) this Airport Governance Manual;
- (b) Airport Rules and Regulations;
- (c) lease agreements;
- (d) permits and licenses;
- (e) written directives issued by the Airport Director;
- (f) applicable federal law;
- (g) Georgia law; and
- (h) Henry County ordinances.

Section 13.3.2 Continuing Obligation

Compliance with this Manual is a continuing condition of every lease, permit, commercial operating authorization, license, agreement, credential, and Airport privilege.

ARTICLE 4: INSPECTION AUTHORITY

Section 13.4.1 General Authority

The Airport Director may conduct inspections of Airport property, leased premises, commercial operations, construction projects, fueling facilities, aircraft storage areas, and other Airport activities to determine compliance.

Section 13.4.2 Access

Persons subject to inspection shall provide reasonable access to premises, records, equipment, and facilities necessary to verify compliance. Nothing herein authorizes entry into areas protected by law without lawful authority.

Section 13.4.3 Records

The Airport Director may request records reasonably necessary to determine compliance, including:

- (a) insurance certificates;
- (b) permits;

- (c) maintenance records;
- (d) employee training records;
- (e) environmental reports;
- (f) lease documents;
- (g) FAA certifications.

ARTICLE 5: NOTICE OF VIOLATION

Section 13.5.1 Written Notice

Except where immediate action is necessary to protect life, safety, security, or Airport operations, enforcement actions shall begin with a written Notice of Violation. The Notice shall include:

- (a) identification of the responsible party;
- (b) description of the violation;
- (c) applicable provisions violated;
- (d) corrective action required;
- (e) deadline for compliance; and
- (f) potential consequences of noncompliance.

Section 13.5.2 Method of Service

Notice may be served by:

- (a) personal delivery;
- (b) certified mail;
- (c) recognized overnight delivery service;
- (d) electronic mail where authorized by agreement; or
- (e) any other method reasonably calculated to provide actual notice.

ARTICLE 6: CORRECTIVE ACTION

The Airport Director may require corrective actions including:

- (a) repair of damaged facilities;
- (b) removal of unauthorized improvements;

- (c) cleanup of environmental contamination;
- (d) restoration of Airport property;
- (e) additional employee training;
- (f) correction of unsafe conditions;
- (g) submission of compliance documentation.

Corrective actions shall be completed within the time established by the Airport Director unless extended for good cause.

ARTICLE 7: EMERGENCY ENFORCEMENT

Section 13.7.1 Immediate Action

Where an activity presents an imminent threat to aviation safety, public health, Airport security, Airport infrastructure, environmental protection, or compliance with federal law, the Airport Director may immediately suspend the activity without prior notice.

Section 13.7.2 Subsequent Review

A person affected by an emergency suspension may request administrative review in accordance with Article 10 of this Chapter.

ARTICLE 8: SUSPENSION AND REVOCATION

The Airport Director may recommend suspension or revocation of:

- (a) commercial operating permits;
- (b) Airport access credentials;
- (c) fueling privileges;
- (d) tie-down assignments;
- (e) hangar occupancy;
- (f) Through-the-Fence privileges;
- (g) Airport driving privileges; or
- (h) other Airport authorizations.

Except where immediate action is necessary, written notice and an opportunity to respond shall be provided.

ARTICLE 9: COST RECOVERY

Any person responsible for violating this Manual shall reimburse Henry County, to the extent permitted by law, for costs incurred in any of the following circumstances:

- (a) emergency response;
- (b) environmental cleanup;
- (c) property restoration;
- (d) engineering services;
- (e) consultant services;
- (f) inspections;
- (g) towing or removal of property;
- (h) storage costs;
- (i) attorneys' fees where authorized by law or contract;
- (j) court costs; or
- (k) other reasonable expenses directly resulting from the violation.

ARTICLE 10: ADMINISTRATIVE REVIEW

Section 13.10.1 Request for Review

A person receiving a Notice of Violation, suspension, revocation, or other enforcement action may submit a written request for administrative review to the Airport Director within ten (10) business days of receipt of the notice, unless a different period is specified by law or contract.

Section 13.10.2 Review Process

The Airport Director shall review:

- (a) applicable facts;
- (b) relevant documents;
- (c) applicable law;
- (d) the person's written response;
- (e) recommendations of Airport staff.

The Airport Director may affirm, modify, or rescind the enforcement action.

Section 13.10.3 County Manager Review

Where authorized by County policy, a party aggrieved by the Airport Director's decision may request review by the County Manager within ten (10) business days after issuance of the Director's written decision. The County Manager's decision shall constitute the final administrative determination unless review by the Board of Commissioners is required by law, County ordinance, or the applicable lease or agreement.

ARTICLE 11: BOARD REVIEW

When required by Georgia law, County ordinance, lease, contract, or Board policy, the Board of Commissioners may review enforcement actions involving:

- (a) lease termination;
- (b) major development agreements;
- (c) Through-the-Fence Agreements;
- (d) commercial operating agreements; or
- (e) other matters reserved to the Board.

Nothing herein limits the Board's authority to hear matters within its jurisdiction.

ARTICLE 12: PENALTIES

Violation of this Manual may result in one or more of the following:

- (a) written warning;
- (b) corrective action order;
- (c) suspension of Airport privileges;
- (d) revocation of permits;
- (e) termination of leases or agreements;
- (f) removal from Airport property;
- (g) recovery of damages;
- (h) recovery of costs;
- (i) injunctive relief;
- (j) civil action;
- (k) any other remedy authorized by law or contract.

Penalties shall be proportional to the nature, severity, frequency, and consequences of the violation.

ARTICLE 13: NO EXCLUSIVE REMEDY

The remedies provided in this Manual are cumulative. The exercise of one remedy shall not preclude Henry County from pursuing any additional administrative, contractual, equitable, or legal remedy available under applicable law.

ARTICLE 14: NO WAIVER

Failure by Henry County to enforce any provision of this Manual shall not constitute a waiver of the County's right to enforce that provision or any other provision in the future. No waiver shall be effective unless approved in writing by the Henry County Board of Commissioners or another official expressly authorized by law.

ARTICLE 15: SOVEREIGN IMMUNITY

Nothing contained in this Manual shall be construed as:

- (a) a waiver of the sovereign immunity of Henry County;
- (b) a waiver of governmental immunity;
- (c) a waiver of official immunity;
- (d) an assumption of duties beyond those imposed by law; or
- (e) a limitation upon any immunity, defense, privilege, or protection afforded to Henry County or its elected officials, officers, employees, or agents under the Constitution and laws of the State of Georgia.

ARTICLE 16: CONFLICT WITH LAW

If any provision of this Manual conflicts with applicable federal law, Georgia law, FAA Grant Assurances, or valid court orders, the controlling law shall govern to the extent of the conflict, and the remaining provisions shall remain in full force and effect.

ARTICLE 17: SEVERABILITY

If any section, subsection, sentence, clause, or provision of this Manual is declared invalid or unenforceable by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Manual, which shall continue in full force and effect.

ARTICLE 18: EFFECTIVE DATE

This Airport Governance Manual shall become effective upon adoption by resolution of the Henry County Board of Commissioners. All prior Airport rules, policies, procedures, minimum standards, and regulations inconsistent with this Manual are hereby repealed or superseded to the extent of the inconsistency. The Airport Director is authorized to implement administrative procedures consistent with this Manual and to take all actions reasonably necessary to administer and enforce its provisions.

BOARD OF COMMISSIONERS MEETING

Meeting Date:

July 21, 2026

Action Type:

Action Requested by BOC

Department Requesting Agenda Item:

Airport

Attachments/Exhibits for Agenda Item:

1. KHMP Minimum Standards 7-21-2026
2. KHMP Rules and Regulations 7-21-2026
3. KHMP Tie-Down Lease Agreement 7-21-2026
4. KHMP T-Hangar Lease Agreement 7-21-2026
5. KHMP Large Hangar Lease Agreement 7-21-2026
6. KHMP Through the Fence Agreement 7-21-2026

Presenter:

Lynn Planchon

Agenda Item:

Resolution adopting the Atlanta Speedway Airport (HMP) Airport Governance Manual; Establishing the Official Rules, Policies, Minimum Standards, and Administrative Regulations governing the operation, management, development, leasing, commercial activities, safety, security, and administration of Atlanta Speedway Airport; Authorizing implementation; providing for an effective date; and for other lawful purposes. (Presenter: Lynn Planchon, Airport Director)(Exhibit 2)

Background/Summary:

The Atlanta Speedway Airport (HMP) Airport Governance Manual establishes the operational requirements designed to promote the safe, orderly, and efficient use of the Atlanta Speedway Airport by all airport users, tenants, operators, contractors, and visitors.

The Minimum Standards for Commercial Aeronautical Activities establish fair, reasonable, and non-discriminatory requirements for entities conducting commercial aeronautical services at the Airport, thereby protecting the public investment in airport facilities while encouraging quality aviation services.

The updated leasing requirements provide standardized terms and conditions governing the leasing and use of airport property, hangars, tie-down areas, commercial facilities, and other airport assets, while protecting the interests of Henry County and ensuring equitable treatment of airport tenants.

The Manual has been developed to provide consistent administrative procedures, improve operational efficiency, enhance airport security, protect County assets, and support the continued growth and development of the Atlanta Speedway Airport.

Financial Implications/Considerations:

Additional Comments/Recommendation:

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