

GENERAL OPERATING RULES
Jackson Hole Airport
Jackson, Wyoming
Effective December 18, 2019

These General Operating Rules (the “Rules”) are promulgated by the Jackson Hole Airport Board (the “Board”) pursuant to its authority under Wyoming Statute §16-3-101 *et. seq.* and Town of Jackson Ordinance 12-16-210.C. These Rules supersede any and all previous rules, policies or standards promulgated by the Board with respect to the subject matter hereof.

These Rules shall apply to any use of or operation on the Jackson Hole Airport by any Person, whether such use or operation existed on the effective date of this Rule or is initiated after such date. All Persons on any part of the Airport shall be governed by these Rules and by any subsequent additions and/or amendments as may be adopted by the Board.

SECTION 1: DEFINITIONS

Abandoned and Derelict Aircraft: Aircraft that have been out of annual inspection for more than three (3) months or otherwise considered un-airworthy or are unlikely to be made airworthy in the next three (3) months.

Accident: An occurrence associated with the operation of an Aircraft that takes place between the time any person boards the Aircraft with the intention of flight and all such persons have disembarked, and in which any person suffers death or serious injury, or in which the Aircraft receives substantial damage.

Aircraft: A device that is used or intended to be used for flight in the air.

Airport: The Jackson Hole Airport located in Teton County, Wyoming.

Airport Operations Area (AOA): Any area of the Airport used for the landing, taking off, taxiing or other surface movement of Aircraft as identified in the Airport Certification Manual.

Airport Certification Manual (ACM): The document containing the requirements for the Airport under 14 C.F.R. Part 139, including the Airport Emergency Plan, Wildlife Hazard Management Plan and Snow and Ice Control Plan as approved by the Federal Aviation Administration, as it now exists or as it may hereafter be amended.

Airport Security Program: The document outlining the security requirements and procedures at the Airport as required by Transportation Security Administration, and as may be amended.

Board: The Jackson Hole Airport Board, which is a body corporate and a joint powers board organized under the laws of Wyoming, and which owns and is charged with operation of the Airport.

Commercial Activity: The trading, buying, leasing, hiring, or selling of services, goods, or property of any kind, or any revenue producing activity.

DWL: Dual Wheel Load as defined by the Federal Aviation Administration.

Executive Director: The person appointed by the Board and charged with the responsibility for the planning, finance, operation and maintenance of the Airport under the direction of the Board.

Maintenance: The inspection, overhaul, repair, preservation, and replacement of equipment and/or parts, but excludes preventive maintenance.

NTSB: The National Transportation Safety Board.

Hazardous Materials: Any substance that is or at any time becomes defined as hazardous waste, hazardous substance, hazardous material, toxic, pollutant, contaminant, petroleum, petroleum product or oil under any applicable federal, state or local statute, regulations, rule or ordinance.

FAA: The Federal Aviation Administration of the United States

Operator: Those persons, companies, entities, or organizations that engage in commercial activity at the Airport.

Person: Any individual person, business firm, or body politic, or any other group or association of persons who have any contact with or bear any relationship to the Airport or its operation.

Preventive Maintenance: The simple or minor preservation operations and replacement of small standard parts not involving complex assembly operation.

Vehicle: Any Motor Vehicle as defined by Wyoming Statute §31-1-101

If not defined herein above, and if FAA has adopted a definition for a term, such definition shall apply to the use of such term in these Rules.

SECTION 2: GENERAL RULES

2.1 The Executive Director shall act as the Board's representative, and under its direction shall provide for the supervision of the use and operation of, and activity upon, the Airport by any and all users. The powers and duties of the Executive Director may be delegated by him/her to other Board employees from time to time. In the absence of a duly designated Executive Director, the Board shall appoint an interim representative to execute its instructions.

2.2 Aircraft landing, taking off, taxiing or otherwise operating at the Airport shall conform to all pertinent FAA regulations and all Board Rules. Any person not complying with applicable FAA regulations and/or Airport Rules may be removed or restricted from the Airport upon order from the Executive Director or his/her designate for as long as may be deemed

necessary in order to insure the enforcement of these Rules, safeguard Airport property and protect the public.

2.3 All persons shall use the Airport at their own risk.

2.4 The Board reserves the right to modify, delete or add to these Rules at its sole discretion.

2.5 The Executive Director may (a) prohibit any type of Airport-related operations when, in her/his judgment, conditions are such that continued operations would be unsafe; (b) deny the use of the Airport to any person when such use would be in violation of these Rules; (c) issue Notice to Airmen (NOTAM) to, among other things, close or open the Airport or any portion thereof.

2.6 No Aircraft shall be based at the Airport unless a written agreement with respect to its tie down or hangaring has been obtained from a Fixed Base Operator or the Board and all required fees, rents, or other charges have been paid.

2.7 Any Aircraft that does not carry a current FAA airworthiness certificate is prohibited from operating at the Airport. Sky diving at the Airport is prohibited without the prior permission from the Executive Director following a safety study.

2.8 Aircraft exceeding 200,000 lbs DWL are prohibited from operating at the Airport without prior approval of the Executive Director.

2.9 Fees and charges for the conduct of certain activities on and from the Airport are established from time-to-time by the Airport Rates and Charges Resolution adopted by the Board. Such Rates and Charges Resolution may be revised at any time by the Board at its sole discretion. No Person shall conduct any activity upon the Airport for which a fee or charge has been established by the Board without the payment of such fee or charge.

SECTION 3: AIRCRAFT OPERATIONS

3.1 The Airport is a controlled airport with an FAA Level I Tower. During all hours of Tower operation, all Aircraft operating at the Airport shall communicate with the Tower for ground and air control. During hours of Tower operation, all take-offs, landings, and taxiing shall be at the direction of the Tower and confined to only those runways, taxiways, and aprons as designated by the Airport and communicated through Tower personnel and NOTAMS.

3.2 Starting, running, or operating an Aircraft by persons other than licensed pilots, mechanics, or student pilots (accompanied by an instructor if not certified to solo) is prohibited.

3.3 Run-up of jet or turbo-prop engines for purposes other than takeoff preparation is prohibited except in those areas designated by the Executive Director, a Fixed Base Operator on its leased property (in a designated area acceptable to the Board) or other Airport tenant whose business activity requires engine run-up, and then only in an Airport approved area.

3.4 Any person who operates an Aircraft on the Airport must exercise due care to assure propeller and/or jet blast will not cause injury to persons, scatter debris, or damage property on the Airport or adjacent properties.

3.5 Aircraft, both based and transient, must be parked or stored only in designated areas as established by the Executive Director, or in leased areas, and may not be parked anywhere on the Airport in a position blocking access to ramps, taxiways, runways or in a manner blocking ingress or egress of Airport tenants. Aircraft violating this regulation may be moved to another designated area or removed from the Airport entirely by the Executive Director at the risk and expense of the Aircraft owner, with or without the owner's consent if the owner refuses to comply with the Airport's request to move the Aircraft.

3.6 The Aircraft owner/operator shall arrange to promptly remove any disabled Aircraft and any parts thereto, first from Airport operating and movement areas, and then from the Airport itself, unless directed to do otherwise by the Executive Director, FAA, NTSB, or Airport Operations. If the Aircraft is not removed as directed, or is unreasonably delayed, the Executive Director may have the Aircraft moved at the sole, cost, risk and expense of the Aircraft owner.

SECTION 4: AIRCRAFT ACCIDENTS

4.1 Any Person operating an Aircraft who is involved in an Accident on the Airport must notify Airport Operations immediately and comply with all applicable provisions of FAA and NTSB regulations. Aircraft operators involved in an Accident on the Airport must submit a written report, if required, to the Executive Director within 24 hours of the Accident, or as soon thereafter as possible. The report shall include the names and addresses of those involved, registration of the Aircraft involved, pilot license of the pilots involved, and any other information relevant to the Accident.

4.2 An Aircraft involved in an Accident may not be moved from the scene of the Accident until Airport Operations has given the clearance to do so, in conjunction with FAA and the NTSB.

4.3 Damage to airfield lighting, visual guidance systems, or navigational aids will be considered an Airport incident and shall be orally reported immediately to the Tower and Airport Operations by the pilot in command of the Aircraft causing the damage. The pilot in command of the Aircraft at the time of the incident must also file a written report to Airport Operations within 24 hours.

4.4 In the event of damage to Airport property from any type of accident, the owner and/or operator of the Aircraft involved shall be responsible to the Board for such damage, the amount and related expense to be ascertained by the Executive Director. Any and all costs associated with repairs, lost revenues or other related items shall be paid by the Aircraft owner and/or operator. Should the Aircraft owner or operator fail or refuse to pay the amount of the Board's claim for damage, the Board may institute necessary legal proceedings for collection of the claim.

SECTION 5: MATERIALS STORAGE AND HANDLING

5.1 The use of flammable liquids in the cleaning of Aircraft, Aircraft engines, or other equipment or vehicle parts is prohibited unless these cleaning operations are conducted on designated areas or facilities approved by the Executive Director for that purpose and are performed in accordance with the Teton County Building Code, the Uniform Fire Code as adopted by Teton County, and any applicable Airport regulations or standards, as amended.

5.2 Open flame operations are prohibited unless conducted by an approved Airport commercial activity meeting all applicable Airport regulations and standards, as well as all applicable federal, state, and local requirements.

5.3 Flammable liquids, gases, explosives, signal flares, or other hazardous materials shall be stored in containers specifically designed and built to meet the respective storage requirements of each type of hazardous material. Any storage of hazardous materials must be reported to and authorized by the Executive Director. Any hazardous material storage not meeting these or other applicable regulations will be removed and disposed of by the Airport at the owner's sole cost, risk and expense.

5.4 The storage of empty lubricating oil drums or containers on the Airport is prohibited unless in designated areas authorized by the Executive Director. Petroleum products such as waste oil, hydraulic fluid, contaminated fuels, as well as other types of hazardous materials shall not be discharged onto Airport property except in traps, pans, and containers specifically provided for such purposes. Every reasonable effort should be made to eliminate spills and contamination.

5.5 The storage of hazardous waste at the Airport, other than that generated at the Airport, is prohibited. Any hazardous waste generated at the Airport shall be removed to an authorized disposal site or facility within ninety (90) days of being generated by the parties utilizing the hazardous materials.

5.6 Glycol may only be stored in containers approved by the Executive Director, with such containers being located only in areas approved by the Executive Director and which are designed and constructed to contain spills of the entire contents of the containers located in such containment areas.

SECTION 6: FUELING AND FUEL STORAGE

6.1 The Board has exercised its "proprietary exclusive" authority under applicable FAA guidance to exclusively purchase, store and sell aviation fuel on the Airport to fixed base operators through its ownership and operation of the sole above-ground fuel facility on the Airport. No other fuel storage facilities shall be permitted on the Airport, except those which are approved by the Executive Director and are intended to provide heating fuel to structures.

6.2 No person other than a fixed base operator having a lease or agreement with the Board shall be permitted to sell aviation fuel into Aircraft on the Airport.

6.3 Each fixed base operator on the Airport shall be permitted to use the Board's fuel facility by purchasing fuel therefrom for into-plane delivery and sales, pursuant to agreements with the Board and subject to the Airport's applicable Minimum Standards.

6.4 Nothing in this Section 6 shall be construed to prohibit self-fueling of any Aircraft, to the extent such activity is protected under any FAA rule or policy regarding self-fueling.

6.5 All fuel storage and handling on the Airport shall be in accordance with all applicable federal, state and local governmental laws, rules and codes as they now exist or as they may hereafter be amended.

6.6 Aircraft may not be fueled inside any building on the Airport.

SECTION 7: AIRCRAFT MAINTENANCE

7.1 The repair, maintenance, painting and washing of Aircraft on the Airport shall be conducted only in those areas where such activity is specifically authorized by lease or other agreement with the Board, or in other areas identified by the Executive Director for such activities.

7.2 All repair, painting and washing of Aircraft shall be performed only in accordance with applicable federal, state and local laws, regulations, codes and/or ordinances.

7.3 Self-maintenance by an owner/operator of their own Aircraft must be done in accordance with the requirements set forth by Federal Aviation Regulations Part 91, 135, or 121.

7.4 Any Person violating this section, including the performing of unauthorized maintenance and/or maintenance in an unauthorized area, must immediately cease such activity or move their maintenance operation to an authorized area, as the case may be. Such Persons may be held liable for any damage resulting from such activity in addition to any penalties that may be incurred.

SECTION 8: AIRPORT MOTOR VEHICLE TRAFFIC AND PARKING CONTROL

8.1 General Rules

8.1.1 All Vehicles operated on any part of the Airport shall obey all posted traffic control signs, including but not limited to those pertaining to vehicle speed, vehicle movement, restricted entry and parking.

8.1.2 All Vehicles operating on or within the Air Operations Area (AOA) of the Airport must comply with the standards established by the Airport's Driver's Training Program as required for badging and access to the AOA, as may be amended.

8.1.3 Subject to all requirements of the Airport Security Program, any Personal Vehicles used by based Aircraft owners may gain direct access to their hangar or tie-down are prohibited from any movement upon the taxiway, runway or the air carrier portion of the ramp.

8.2 Commercial Vehicles on Ramp

8.2.1 Commercial ground transportation vehicles carrying passengers and/or cargo for hire to Aircraft on the Ramp, other than to those Aircraft owned or operated by the vehicle owner or operator, must first enter into an agreement to do so with the Board.

8.2.2 Unless excepted in Section 8.2.1 above, commercial ground transportation vehicles which operate on the Ramp must meet the standards and regulations as set forth in the Board's Ground Transportation Rules

8.3 **Accidents or Emergency.** In the event of an accident or emergency involving a Vehicle where emergency vehicles are summoned, access to the scene of the emergency shall be denied to all Vehicles or persons except those whose duties require their presence.

8.4 Parking.

8.4.1 The Board is not responsible for damage or theft of Vehicle while it is parked on the Airport. Vehicle owners and operators who park on the Airport do so at their own risk, and the Board does not accept bailment of any Vehicles or its contents.

8.4.2 In areas of the Airport where payment for parking is required, all Vehicle operators shall pay for parking at the posted rate prior to the Vehicle departing the Airport.

8.4.3 The Board reserves the right to tow or move any Vehicle (a) parked outside of a designated parking space, and (b) any Vehicle leaking fluids, at the owner's cost, expense and risk. Any Vehicle parked so as to impede snow removal operations on the Airport is subject to tow or movement at the Vehicle owner's risk.

8.4.4 Vehicles shall be parked on the Airport in accordance with all posted parking signs and pavement markings.

SECTION 9: COMMERCIAL ACTIVITIES

9.1 No person shall use the Airport or Terminal as a base for commercial aeronautical activities, or conduct any aviation business or concession on the Airport without meeting the requirements of the Board's Minimum Standards for Aeronautical Activities, and without entering into a written agreement with the Board authorizing such activities.

9.2 No person shall solicit funds for any purpose on the Airport without the prior written consent of the Executive Director.

9.3 No person shall post, display, distribute advertisements, circulars, signs or other printed or written matter that relates to commercial activities or have commercial purposes at the Airport without the prior written consent of the Board, except within leased buildings with the permission of the lessee. Signs located and displayed on the outside of any Airport building must first be approved by the Executive Director.

SECTION 10: AIRPORT SECURITY AND RESTRICTED AREAS

10.1 All users of the Airport must abide by the Airport Security Program (ASP). Any violations resulting in fines or penalties to the Board as a result of security breaches or regulation infractions that are attributed to individuals or organizations will be charged back to those individuals or organizations in addition to any other penalties that may be assessed by the Board.

10.2 The Airport Operations Area of the Airport is closed to the public, except as provided for in the ASP or with the permission of the Executive Director. All fenced areas of the Airport are considered restricted areas for the general public and are signed and marked accordingly. Any person entering into these areas except through openings and gates set up expressly to afford access to commercial operations open to the public will be regarded as trespassing and will be prosecuted as such.

10.3 No Person shall tamper or interfere with, compromise, modify, or attempt to circumvent any security system, measure, or procedure implemented at the Airport.

10.4 No Person shall enter or be present in a Restricted Area without complying with the systems, measures, procedures, screening and/or inspection being applied to control access to or presence in such areas.

10.5 No Person shall use or allow any other person to use or cause to be used any Board issued or approved access medium or identification medium in any manner other than that for which it was authorized and issued.

10.6 This Section 10 does not apply to Persons authorized to perform compliance testing as may be otherwise authorized by ordinance, statute, or applicable laws and federal regulations.

SECTION 11: ACCOMMODATION OF FIRST AMENDMENT ACTIVITY

11.1 **Activities Covered by this Rule:** As used in this Rule Section 11, the following terms shall be defined as follows:

11.1.1 "Distribution" shall mean the distribution of literature and materials for the exposition of ideas and opinions in the exercise of freedom of speech, association, assembly; and religion.

11.1.2 "Solicitation" shall mean the solicitation of funds on behalf of not-for-profit organizations for charitable, philanthropic, patriotic, political, or religious purposes.

11.1.3 "Demonstration" shall mean any gathering of persons for the purpose of expressing a group opinion to observers through use of their speech, signs, and/or expressive conduct.

11.1.4 "AADS" means the Assistant Airport Director – Security.

11.2 Purpose of this Rule:

11.2.1 To insure the free and orderly flow of pedestrian traffic into and through the passenger terminal at the Airport, and of passenger and vehicular traffic outside the terminal;

11.2.2 To protect persons using the Airport from repeated communications or encounters that might be perceived as harassment or intimidation;

11.2.3 To protect travelers from being an unwilling captive audience;

11.2.4 To maintain security by restricting the activities allowed hereunder to public-use, non-secured areas in the Airport and by implementing additional restrictions where necessitated by increased security threats;

11.2.5 To accommodate the requests of persons and groups to engage in such activities by providing designated areas within the Airport; and

11.2.6 To protect the integrity of the Board's contractual relationships with concessionaires and lessees at the Airport.

11.3 Permit Application Process:

11.3.1 Any person or group seeking to engage in Distribution, Solicitation, or Demonstration at the Airport must first obtain a written permit from the Assistant Airport Director – Security (the "AADS"). To obtain a permit, the applicant shall submit to the AADS a written permit application. The application shall be on a form provided by the AADS, which shall set forth the location where such permit application shall be filed. The application shall contain the following:

A. The full name, mailing address, telephone number, fax number, and email address of the person(s) or group(s) sponsoring and/or conducting the proposed activities;

B. The full name, mailing address, telephone number, fax number, and email address of:

(1) The person who will supervise and be responsible for the conduct of the proposed activities (“the Responsible Person”), and

(2) If for purposes of Distribution or Solicitation, each person who will participate in such activities at the Airport under the permit sought

C. A copy of any material proposed for Distribution at the Airport, solely for informational purposes, and not for exercising any judgment on its contents; provided that the Board shall not grant a permit for the distribution of any material that is indecent or violates any federal, state or local law or regulation.

D. A brief description of the proposed activities, including the method of communication and which type of permit is requested, i.e., whether for Distribution, Solicitation, or Demonstration.

E. The date(s) and time(s) of the proposed activities; provided that a permit will not be issued for a period in excess of thirty (30) days, nor for any time between the hours of 10:00 p.m. and 6:00 a.m. In addition, the application shall state the number of persons who are requested to participate at any one time (i.e., if an organization requests a permit for 20 persons, but plans to have only 5 persons present at a time).

F. Where a permit for Solicitation is requested, the application must include as an attachment reliable documentary evidence of the not-for-profit status of the charitable, philanthropic, patriotic, political, or religious organization sponsoring and/or conducting the solicitation.

G. An undertaking by the applicant(s) to indemnify and hold harmless the Board, the Airport, the Airports' tenants and lessees, and all their respective officials, officers, employees and agents, against any claims that arise or are made against any of the foregoing in connection with the activities of the permit holder(s) or its agents at the Airport.

11.3.2 Within five (5) business days after the AADS receives a permit application, the AADS shall issue the permit or provide a written response explaining the reasons for any denial, which shall be limited to the following:

A. Non-compliance with the permit application requirements set forth in Section 11.3.1 above, in which case the Board response shall explain the nature of the problem. If an applicant files another application to comply with the requirements of Section 11.3.1, the five-business-day review period shall start over.

B. Insufficient space available in the areas designated for such activities at the time(s) requested, in which case the AADS shall offer the applicant, in writing, a substitute date(s) or time(s) for the permit and/or shall issue a permit for a smaller number of persons or a permit allowing participation by a limited number of persons at any given time.

C. Any alert level higher than "Elevated" (Yellow) on the Homeland Security Advisory System issued by the United States Department of Homeland Security, with regard to security conditions for operations at the Airport. In such cases, based on the totality of the security situation, including the availability of security resources at the Airport in light of increased demands and requirements by the federal government, the AADS may deny a permit request for demonstrations, distributions, or solicitations in their entirety, or may limit the size or scope of such activities and/or designate alternate sites for the conduct of those outside the core area of the Airport. Where a permit is denied in its entirety, where feasible, the Board shall designate a location for the posting of written information as an alternative means of disseminating the information covered by the permit request.

11.3.3 Each permit issued shall include the name of the person who is entitled to use it, and each permit may be used only by the person to whom it is issued. The Board shall proscribe the form of identification that each permit holder shall be required to wear and display conspicuously on his or her person while engaged in the permit activities.

11.4 Permit Denial Appeal Process

Any person whose permit request is denied in full or in part may appeal the decision to the Executive Director of the Airport by means of a letter stating the grounds therefor, within five (5) business days of receiving a response from the AADS. The Executive Director shall review the initial permit decision and the appeal and shall issue a written decision affirming the denial or challenged limitation, or granting or modifying the permit as requested, within five (5) business days of receipt of such appeal. This decision shall be sent by certified mail to the responsible person at the address provided, with a copy by email and/or fax when provided, and shall be effective upon such service. It shall constitute a final decision of the Board, and may be appealed to an appropriate court, as provided by law.

11.5 Permitted Location for Permit Activities

11.5.1 The AADS shall designate areas within the Airport's terminal where permitted distribution and solicitation may be located (as set forth on the Airport's plans in **Exhibit 1** to this Rule) and areas on the sidewalks outside the Airport's terminal where permitted demonstrations may be located. All distributions, solicitations, and demonstrations that take place on Airport property shall be limited to these designated

areas, unless the AADS expressly designates and issues a permit for an alternative location under Section 11.3.2 of this Rule.

11.5.2 Each permit issued shall specify the designated area in which the covered activities may take place: provided that, the AADS may move such permitted activities from one designated area to another, upon written notice to the applicant/permit holder, when, in the judgement of the AADS, such relocations are or become necessary to the safe and efficient operation of the Airport.

11.5.3 In addition, under no circumstances shall any distribution, solicitation, or demonstration take place in any of the following locations:

A. In any secure area.

B. Beyond the security checkpoint through which passengers and visitors are required to pass when moving toward Aircraft gate positions, or within fifty (50) feet thereof.

C. In any parking areas, roadways, restroom facilities, elevators, terminal doors (or within twenty (20) feet thereof), stairways, vestibules, and storage areas.

D. Within twenty (20) feet of any ticket or baggage check-in counter.

E. Within twenty (20) feet of any baggage pick-up or collection areas.

F. Within twenty (20) feet of, or within, any areas used by a concessionaire or lessee pursuant to a contract, agreement, or lease with the Board, except with the express permission of the concessionaire or lessee.

11.5.4 If an emergency closure of the Airport or any part of the Airport is ordered, all persons holding permits under this Rule shall immediately cease all activities thereunder for the duration of the emergency closure, upon notice by the AADS.

11.6 Conduct of the Permitted Activities

In conducting the activities governed by this Rule, no person or group is permitted to:

11.6.1 Obstruct, delay, interfere with the free movement of, coerce, intimidate, impede, hamper, or physically grasp at any person, including but not limited to travelers, visitors, persons who work at the Airports, and persons checking or picking up baggage.

11.6.2 Assist or offer to assist any person in the carrying or handling of baggage.

11.6.3 Obstruct, delay or interfere with any vehicle.

11.6.4 State or represent that he or she or the organization is a representative of or otherwise affiliated with the Board, the Airport, Airport stakeholders, or an airline.

11.6.5 Fail to wear any required identification prescribed by the Board at any time while engaged in the permitted activities.

11.6.6 Use a sound or voice amplification device, or any noisemaker or musical instrument, since such noise may interfere with or impede the transaction of business by airlines, concessionaires, and lessees, or the safe, orderly, efficient operation of the Airport.

11.6.7 Except for holders of a permit for Solicitation under this Rule, receive or accept any donation, contribution, gift or payment of money.

11.6.8 Conduct any credit/debit card transaction or electronic funds transfer or any enrollment for any credit/debit transaction or electronic funds transfer. This prohibition specifically includes, but is not limited to, holders of permits for solicitation.

11.6.9 Erect any table, chair, or other structure and/or use any wheeled or stationary device, unless approved in the permit.

11.6.10 Store or keep any literature or other materials anywhere on the premises of the Airport, except in a carry bag, which must be carried or harnessed onto a person; so as not to extend beyond the person's body width.

11.6.11 Carry any banners or signs that are posted on poles or sticks of any type or that exceed the following size limitation: two feet x three feet. Banners or signs may be held by a person or worn on an individual's person, so long as such banners or signs do not protrude beyond the person's front or back or exceed the person's body width.

11.6.12 Violate any federal, state or local law, regulation or Rule.

11.7 **Violations**

11.7.1 For purposes of this section, an "offense" shall mean one or more of the following:

- A. A false or misleading material statement or omission on a permit application.
- B. Engaging in any of the activities covered by this Rule in a location outside the area designated in the permit.
- C. Engaging in any of the activities covered by this Rule without a valid permit.
- D. Violating any of the provisions governing conduct set forth in Section 11.6 of this Rule.
- E. Failing to cease or alter permit activities during an emergency or increased security threat, as required in Section 11.5.4 of this Rule.

11.7.2 Any offense that in the judgment of the AADS is substantial and/or did or may result in a threat to the health, safety, comfort or security of patrons and workers at the Airport shall result in:

- A. The immediate temporary suspension of the permit, where applicable, of the individual or group who or which committed the offense; and/or,
- B. Institution of proceedings for revocation of the permit, where applicable, under Section 11.8 below; and/or,
- C. Prosecution for violation of the Town of Jackson Municipal Code, or other applicable law, including but not limited to Town Code Sections 12-16-040, 12-16-050 and/or 12-16-120.

11.8 Permit Revocation Hearing Process

11.8.1 Within one business day of a permit suspension under Section 11.7.2A above and/or where the AADS determines an offense has occurred and a permit should be revoked, the AADS shall provide written notice thereof, by certified mail to the address provided, with a copy by email and/or fax when provided, to the responsible person (as described in Section 11.3.1 B (1) hereof) and to the person(s) committing the offense, where different. The hearing shall be set for a date within five (5) business days of the date such notice is mailed, and the permit holder shall be entitled to a continuance of up to five (5) business days upon request. The hearing shall be held before the Executive Director, or his/her designee, serving as hearing officer.

11.8.2 At the hearing, the AADS shall present evidence, including from one or more witnesses with personal knowledge of the offense. The responsible person, or his or her designee, may present documentary evidence and/or witness testimony related to the alleged offense; may be represented by counsel; and may cross-examine any witness called by the AADS. Strict rules of evidence shall not apply. All testimony must be recorded,

by tape or other appropriate means, and the hearing officer must preserve this record and copies of all documents related to the hearing. To revoke a permit, the AADS must show, by a preponderance of the evidence that the offense occurred. If the responsible party does not appear for the hearing and has not requested or has already received a continuance, then the hearing officer may revoke the permit by default.

11.8.3 Within five (5) business days following the hearing, the hearing officer shall issue a written decision stating whether the permit shall be revoked and the grounds therefor. This decision shall be sent by certified mail to the responsible person at the address provided, with a copy by email or fax when provided, and shall be effective upon such service. It shall constitute a final decision of the Board, and may be appealed to an appropriate court, as provided by law. If there was insufficient evidence for a permit revocation, any temporary emergency suspension still in effect shall be dissolved and the permit reinstated. If the decision is to revoke the permit, and the permit holder(s) is/are still engaged in distribution, solicitation, or demonstration at the Airport, the AADS may serve a copy of the decision on the persons engaged in such activities and the permit revocation shall be effective immediately.

11.8.4 Any person or organization whose permit is revoked shall not be entitled to apply for a new permit under this Rule for a period of three months following the date of the hearing officer's revocation decision.

SECTION 12: OTHER ENVIRONMENTAL COMPLIANCE

12.1 The operators of all Aircraft based at the Airport and/or utilizing hangars or tie downs at the Airport for a period in excess of seven (7) days shall familiarize themselves with the Airport's Noise Abatement Rule and Revised Noise Abatement Plan, including the voluntary Airport curfew, and should the Board adopt a Fly Quiet Program, with such Program.

12.2 The operators of all Aircraft operating at the Airport shall comply with any applicable requirement, liability or obligation arising under any applicable federal, state or local statute, law, regulation, ordinance, code, permit, order, decision or judgment relating to environmental matters, including, but not limited to the Federal Clean Air Act, Water Pollution Control Act, Resource Conservation and Recovery Act; Comprehensive Environmental Response Compensation and Liability Act; Hazardous Substances Transportation Act; and Toxic Substances Control Act; and the Wyoming Environmental Quality Act.

12.3 The operators of all Aircraft operating at the Airport shall comply with any applicable requirement of the National Parks Air Tour Management Act of 2000.

12.4 No outdoor lighting on the Airport shall be utilized in a manner which would inhibit safe Aircraft operations or visibility in the normal use of the Airport. Any such lighting found to impair pilot visibility will be immediately removed by the Person responsible at the direction of Airport Operations. All lighting shall be shielded so as to comply with Dark Skies best practices. If the Person placing or using such lighting is unable or unwilling to comply with the foregoing,

the lighting may be removed by the Airport at the sole, cost, risk and expense of the Person responsible.

SECTION 13: SMOKING

13.1 Town of Jackson Ordinance 8.34.020 makes it unlawful to smoke or carry lighted tobacco in any form in any enclosed public facilities owned or controlled by the Jackson Hole Airport Board.

13.2 In addition, it shall be unlawful to smoke or carry lighted tobacco in any form on any part of the Airport except in those areas designated by the Executive Director as smoking areas that are identified as such by appropriate signage.

13.3 For purposes of this Section 13, smoke or smoking shall mean the act of burning any tobacco product, weed, filler or plant of any kind in a cigarette, cigarette paper, cigar, pipe or in any other device including e-cigarette or other vaping devices.

SECTION 14: PRIORITY In the event of any conflict between these Rules and (a) the Ordinance of the Town of Jackson, including but not limited to Chapter 12.16 thereof, (b) Wyoming Statutes, or (c) FAA Regulations, the provision of the Ordinance, Statute or Regulation shall control.