



January 17, 2017

Public Comment
SIGN IN SHEET
6:00 PM

The Public Comment Sessions at this meeting is limited to a total of 40 minutes, 4 minutes per person. Please be advised that citizens not utilizing their full four [4] minutes may not "donate" their remaining time to another speaker.

PLEASE PRINT

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Everyone speaking before Council will be required to do so in a civil manner. Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commission appointed by Council should do so in an appropriate manner.



**PUBLIC HEARING
SIGN IN SHEET
OCONEE COUNTY COUNCIL MEETING
DATE: January 17, 2017 6:00 p.m.**

Ordinance 2016-38 "AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS PERTAINING TO COMMUNICATION TOWERS, ONLY; AND OTHER MATTERS RELATED THERETO"

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

~~Everyone speaking before Council will be required to do so in a civil manner.~~

~~Council will not tolerate personal attacks on individual council members, county staff or any person or group. Racial slurs will not be permitted. Council's number one priority is to conduct business for the citizens of this county. All citizens who wish to address Council and all Boards and Commissions appointed by Council should do so in an appropriate manner.~~

Public comment during a public hearing is not limited to five minutes per person.

Sign up sheets will be available thirty minutes prior to the hearing for those interested in addressing Council.

Written comments may be submitted at any time prior to the hearing for inclusion in the official record of the meeting.

Please submit written comments to the Clerk to Council, 415 South Pine Street, Walhalla, South Carolina, 29691.

Please PRINT your name

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**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

COUNCIL MEETING DATE: 1-17-2017
COUNCIL MEETING TIME: 6:00 PM

ITEM TITLE [Brief Statement]:

Third Reading of Ordinance 2016-38: OCONEE COUNTY ORDINANCE 2016-38 "AN ORDINANCE AMENDING ARTICLE IV OF CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS PERTAINING TO COMMUNICATION TOWERS; AND OTHER MATTERS RELATED THERETO."

BACKGROUND DESCRIPTION:

Ordinance 2016-38 will amend Chapter 32 Article 4 of the Oconee Code of Ordinances in the following particulars:

1. Updates definition of "Antenna" as suggested by telecommunications consultant.
2. Updates definition of "Communication Tower" as suggested by consultant.
3. Removes definitions of various "Districts" and references zoning ordinance.
4. Makes more clear the definition of "Height" of a tower.
5. Changes "Planning Director" to "Community Development Director" throughout.
6. Amends Section 32-133 (a) to allow Community Development Director to administratively process and approve applications for Communication tower placement for towers seventy-five (75) feet or less in height.
7. Amends Section 32-133 (b) to make clear the preference for co-location of towers and stealth designs, when appropriate.
8. Amend Section 32-133 (b) to remove the prohibited placement zone of 1000 feet of the right-of-way of Scenic U.S. Highway 11.
9. Amends Section 32-134 to:
 - a. Delete "security" and "screening" requirements for towers seventy-five (75) feet or less in height. Subsections (e) and (f).
 - b. Make more clear "Tower wind load" requirements, based on consultant's recommendation. Subsection (g).
 - c. Make more clear the nature of the requirement for FCC authorization, based on consultant's recommendation. Subsection (h).
 - d. Remove prohibited distance between towers for towers one hundred (100) feet or less in height. Subsection (k).
 - e. Amend minimum setback requirements to omit the same as to towers seventy-five (75) feet or less in height and otherwise generally reduces the setback requirements to the height of the tower.
10. Amends Section 32-138 to:
 - a. Make more clear the required technical specifications for towers / antennas, as suggested by consultant.
 - b. Make more clear the "Location map" requirements, as suggested by consultant.

SPECIAL CONSIDERATIONS OR CONCERNS [only if applicable]:

None

FINANCIAL IMPACT [Brief Statement]:

Check Here if Item Previously approved in the Budget. No additional information required.

Approved by : _____ **Finance**

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No

If yes, who is matching and how much:

Approved by : _____ **Grants**

ATTACHMENTS

None

STAFF RECOMMENDATION [Brief Statement]:

It is staff's recommendation that Council take third reading of Ordinance 2016-38.

Submitted or Prepared By:

Approved for Submittal to Council:

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

S/ David A. Root

Department Head/Elected Official

T. Scott Moulder, County Administrator

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A calendar with due dates marked may be obtained from the Clerk to Council.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2016-38**

AN ORDINANCE AMENDING ARTICLE IV OF CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS PERTAINING TO COMMUNICATION TOWERS; AND OTHER MATTERS RELATED THERETO.

WHEREAS, consistent with the powers granted county governments by S.C. Code § 4-9-25 and S.C. Code § 4-9-30 Oconee County (“County”) has the authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and the general law of the State of South Carolina, including the exercise of such powers in relation to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein; and,

WHEREAS, the County, acting by and through the Oconee County Council (“County Council”), is authorized by Section 4-9-30(9) and Chapter 29 of Title 6 of the South Carolina Code of Laws, among other sources, to impose land use restrictions and development standards in the unincorporated areas of the County; and,

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, Article IV of Chapter 32 of the Oconee County Code of Ordinances which addresses Communication Towers; and,

WHEREAS, County Council has therefore determined to modify Article IV of Chapter 32 of the Oconee County Code of Ordinances.

NOW, THEREFORE, IT IS HEREBY ORDAINED by Oconee County Council, in meeting duly assembled, that:

1. Article IV of Chapter 32 of the Oconee County Code of Ordinances, entitled Communication Towers, is hereby revised, rewritten, and amended to read as set forth in Exhibit “A,” which is attached hereto and incorporated herein by reference.

2. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.

3. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. Nothing contained herein or in Exhibit “A” shall cancel, void, or revoke, or shall be interpreted as cancelling, voiding, or revoking, *ex post facto*, in any regard any prior performance standard, zoning or rezoning acts, actions, or decisions of the County or County Council based thereon, which were valid and legal at the time in effect and undertaken pursuant thereto.

5. All other terms, provisions, and parts of the Code of Ordinances shall remain in full force and effect.

6. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by County Council.

ORDAINED in meeting, duly assembled, this 17th day of January, 2017.

OCONEE COUNTY, SOUTH CAROLINA

Edda Cammick, Council Chairman
Oconee County, South Carolina

Attest:

Clerk to Council

First Reading: December 6, 2016
Second Reading: December 20, 2016
Public Hearing: January 17, 2017
Third & Final Reading: January 17, 2017

ARTICLE IV. - COMMUNICATION TOWERS

Sec. 32-131. - Authority of article provisions.

The authority to regulate communication towers in the county is found in the South Carolina Code of Laws, Title 6, Chapter 29.

Sec. 32-132. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Antenna means a device, dish, or array used to collect or radiate electromagnetic waves for the purpose of transmitting or receiving telecommunications signals.

Board means the county zoning board of appeals.

Communication tower means a tower, pole, or similar structure that supports or functions as a telecommunications antenna; that is constructed above ground level at a fixed location; that is operated for commercial purposes; and that is either self-supporting, guyed, or mounted on a building or structure.

Height (of a Communication tower) means the distance from the base of the Communication tower, as measured from the average original, unimproved elevation of the finished grade upon which the Communication tower is constructed to the highest point of the Communication tower.

Performance standards means performance zoning as authorized by S.C. Code 1976, § 6-29-720(C) et seq.

Stealth tower means a Communication tower designed and installed in a manner such that the antenna, supporting apparatus and associated structures are aesthetically and architecturally complimentary and appropriate with regard to an existing structure or immediate environment in which the Communication tower is located. Examples include, without limitation, church steeples, bell towers, flagpoles, etc.

Telecommunications (as defined in the Federal Telecommunications Act of 1996) means the transmission, between or among points specified by the user, of information of the user's choosing, without change in the form or content of the information as sent and received.

Cross reference— Definitions generally, § 1-2.

Sec. 32-133. - Communications tower and antenna permitted.

- (a) *Determination by Community Development Director or his designated staff representative (collectively "Director")*. All applications for tower placement must be submitted to the Director for review. Applications must be complete and shall include all of the materials required by this article (application requirements) and must meet all applicable requirements and/or conditions in this article before an application will be processed. Incomplete applications will be returned to the applicant. Under the following circumstances, the Director may administratively approve applications for placement of towers and associated antennas:

- (1) As a Communication tower and/or antenna in any district co-located on existing towers or structures.
- (2) As co-locations on existing electric utility company transmission line towers (such as Duke Power Company towers) which increase the height of the towers by no more than 20 feet.
- (3) As a tower in a site preselected by the Board as a recommended location based upon the county's county-wide Communication tower site study.
- (4) As an individual Communication tower and associated antennas that do not exceed 75 feet in total height.

Applications approved by the Director must comply with all other requirements of this article. The Director may refer any application to the Board for final review and approval as a special exception.

- (b) *Special exceptions granted by the Board.* Other than as permitted by Section 32-133 (a), Communication towers are permitted in the county for use only as a special exception. Applications for tower construction are subject to review and approval by the Board. Priority in approving additional telecommunications facilities in the county shall be given to co-location on existing towers or structures, including electric utility company transmission line towers.

Only when these possibilities have been exhausted or when it can be demonstrated by an applicant that the alternatives are not technically feasible to provide adequate coverage for the county, or when it can be documented by the applicant that the cost of the proposed lease for a site or location is more than 20 percent above the prevailing rate of leases in comparable Metropolitan Statistical Areas (M.S.A.'s) in the southeast, shall other sites be considered for approval. Communication towers approved by the Board in all districts, as defined in O.C. Code § 38-10.7, shall be encouraged as stealth designs. At the discretion of the Board, Communication Towers may be required to be constructed as a stealth design depending on the impact of the tower on the surrounding area.

- (c) *Appeals to the Board.* Whenever there is an alleged error by the Director in an order, requirement, decision, or determination, an applicant may request a hearing before the Board. The Board has the authority to correct, reverse, or uphold the decision of the Director.
- (d) *Time limit for determination.* Failure of the Director to act within 45 days from the date of the submission of a properly completed application, unless extended by mutual agreement, may be considered by applicant to be a denial of a permit and may be appealed to the Board.
- (e) *Co-locations.* Co-locations on existing Communication towers or other structures such as existing electric utility company towers which do not increase the height of the existing Communication tower or structure are strongly encouraged. Co-locations, construction of freestanding structures (such as monopoles) which are located within the footprint of the existing tower or reconstruction of existing towers, any of which increase the height of the existing tower by more than 20 feet may be approved by special exception if they do not exceed the total tower height permitted in Section 32-136. All new towers shall be designed to accommodate the principal provider and at least two additional carriers. At the discretion of the Board, new stealth towers shall also be designed to accommodate additional carriers.

The county, prior to final approval, must be satisfied that the Communication tower makes reasonable accommodations for an additional user. The applicant shall make unused tower space available at fair market value.

Sec. 32-134. - General requirements.

- (a) *Illumination.* Communication towers shall be illuminated only as required by the Federal Communication Commission (FCC) and/or the Federal Aviation Administration (FAA).
- (b) *Color.* Communication towers shall only be painted with a gray, non-reflective paint unless otherwise required by state or federal regulations.
- (c) *Signs.* A sign, two square feet in size which includes the names of the companies operating the equipment and a phone number for emergencies shall be displayed in a visible location on or near the Communication tower. This sign shall be in addition to any signage requirements set by state and federal regulators. No commercial advertising of any type may be attached to a Communication tower.
- (d) *Removal.* A Communication tower which use has been discontinued for a continuous period of one year, shall be removed within 120 days of the date of the end of such period, unless a use agreement is maintained with the landowner. Companies must notify the county within 30 days if telecommunications cease operations at a tower or antenna. All structures, fencing, screening and other improvements must be removed, and the site must be returned to its original condition at the company's expense.
- (e) *Security.* For towers greater than 75 feet, self-supporting freestanding Communication towers, and associated structures shall be appropriately secured by means of a wall, fence, or other device at least eight feet in height and installed an appropriate distance from the outer edge of the Communication tower at all points (collectively "Security Fencing").
- (f) *Screening.* For towers greater than 75 feet, the purpose of this subsection is to establish control for the visual quality of Communication towers from the ground level. A Communication tower, as pertains to this subsection, includes the tower, the land, and everything within the required Security Fencing including any other building and equipment. The screen shall be a minimum depth of ten feet of land surrounding the tower except for one service access. An appropriate plant material screen shall be evergreen plants of a quality and planted in accordance with the standards of the American Nurserymen Association that are indigenous or native to the county area. Such plantings shall be appropriately spaced and of such a size so as to achieve a dense screen with a minimum height of six feet within a three-year period from erection of a tower. Additional screening with deciduous or evergreen trees is desirable and encouraged. Existing trees shall be preserved unless a waiver has been granted by the Director to selectively cut specified trees. If in extreme or unusual situations and where it is proven impossible to properly construct the plant material screen, the Director may grant permission to construct the security fence as a solid masonry wall, either brick or stucco-type finish, with a minimum height of six feet above ground level and constructed in accordance with applicable construction codes. A certificate of occupancy shall not be issued by the county codes department until the required planting is completed. When the occupancy of a structure is desired prior to the completion of the required planting, a certificate of occupancy may be issued only if the owners or developers provide to the county a form of surety satisfactory to the county

attorney and in an amount equal to 125 percent of the costs of the remaining plant materials, related materials, and installation (with the costs agreed to by the Director). The form of the surety shall be in conformity with the land development regulations for the county. All required plantings must be installed and approved by the first planting season following issuance of the certificate of occupancy or the bond will be forfeited to the county. The owners and their agents shall be responsible for providing, protecting, and maintaining all required plant material in healthy condition, replacing unhealthy or dead plants within one year or by the next planting season, whichever comes first. Replacement material shall conform to the original intent of the approved plan.

- (g) *Tower wind load.* The Communication tower shall be designed to withstand winds in accordance with ANSI/EIA/TIA 222 (latest revision) standards based on the wind load presented by antenna, feedlines, and other associated hardware to be supported by the Communication tower. Certification from a structural engineer registered in the state shall constitute proof that such standard has been met.
- (h) *FCC authorization .* The owner of the antenna and transmission/reception equipment to be installed on the Communication tower shall possess either a valid FCC license/construction permit or a statement establishing FCC compliance for the proposed operation.
- (i) *Design for multiple use.* A new Communication tower shall be designed to accommodate additional antennae as provided for elsewhere in this article.
- (j) *Safety codes.* A Communication tower shall comply with all applicable health, nuisance, noise, fire, building, and safety code requirements.
- (k) *Distance between towers.* A proposed Communication tower in excess of 100 feet shall not be permitted within 1,300 feet of an existing Communication tower in excess of 100 feet in height, unless the applicant certifies to the Board that the existing communication tower does not meet applicant's structural specifications and applicant's technical design requirements, or that a co-location agreement could not be obtained.
- (l) *Application of county land use regulations.* Land development regulations and other performance standards shall apply to the use, unless otherwise provided in this article.
- (m) *Minimum setbacks.* A Communication tower (not including guy anchors) over 75 feet must be, at a minimum, setback as follows:
 - (1) A distance equal to the total height of the Communication tower from all property lot lines.
 - (2) A distance equal to the total height of the Communication tower from the nearest point of any structure meeting minimum standards for human occupation as put forth in applicable building codes adopted by the county.
 - (3) A distance equal to the total height of the Communication tower from any properties containing churches, schools, colleges, children's homes and shelters, hospitals and nursing homes; except that Communication towers which meet the definition of Stealth tower in Section 32-132 may be permitted by special exception on these properties.
 - (4) A distance equal to the total height of the Communication tower from the right-of-way of all streets and roads.

- (5) A Communication tower may not be sited (1) within a distance equal to two hundred and fifty (250) feet of the boundary of a historic district; (2) on or within 250 feet of a structure that is a designated a National Historic Landmark or that is listed in, or eligible for listing in, the National Register of Historic Places; or (3) on or within property that is the subject of a pending complaint alleging an adverse effect on a historic property.

All guy cables and anchors must be set back at a minimum of 20 feet from all lot lines and habitable structures.

Variances may be granted from the requirements of subsections (1) and (2) upon submission of a properly prepared engineered fall zone design / construction document(s).

Sec. 32-135. - Additional requirements for location near the county airport.

- (a) With the exception of towers for aeronautical purposes, in no case may a Communication tower penetrate any imaginary surface, as described in chapter 14 of the Code of Federal Regulations, Federal Aviation Regulation (FAR) Part 77, associated with existing or proposed runways at any publicly owned airport. All Communications towers located within the first 12,000 feet of the approach surface of an existing or proposed runway at such facility, or within the horizontal surface associated with such runways as described in FAR Part 77, shall be lighted. Such towers shall be illuminated by strobe lights during daylight and twilight hours, and red lights during nighttime hours.
- (b) A copy of any plans whereby a Communication tower will be located within such 12,000 feet area shall be provided by the applicant to the county airport manager and the Director for comment. Any comments shall be made within ten days of delivery to such manager with a copy to the Director and the applicant. Prior to issuance of a building permit, the applicant shall provide documentation to the Director that the proposed Communication tower has been reviewed by the Federal Aviation Administration (FAA), if so required, and that a finding of no hazard to air navigation has been determined.

Sec. 32-136. Maximum height of Communication towers.

The maximum height of freestanding communication towers shall be as follows:

District¹	Maximum Height
Residential	Not exceeding 175 feet
Commercial	Not exceeding 200 feet
Industrial/agricultural	Not exceeding 250 feet

Sec. 32-137. Permitted height of building-mounted Communication towers.

¹ See O.C. Code § 38-10.

A Communication tower shall not exceed 20 feet in height, as measured from the base of the Communication tower to the highest point of the Communication Tower, if mounted on a building or any structure other than a freestanding or guyed Communications tower.

Sec. 32-138. Application requirements.

The following information shall be submitted for all applications for approval of a Communication tower:

(a) **Structural Specifications.** Two copies of the specifications for proposed structure, including description of design characteristics and material.

(b) **Technical Specifications.**

For each antenna to be installed

- (1) Manufacturer and model number
- (2) Frequency band used for transmitting and receiving
- (3) Effective radiating power
- (4) Mounting position above ground
- (5) A Study demonstrating compliance with FCC RF exposure limits (all antennas)

(c) **Site plan.** Two copies of a site plan drawn to scale showing property boundaries, Communication tower location, Communication tower height, guy wires and anchors, Security Fencing, Screening, existing structures, photographs or elevation drawings depicting typical design of proposed structures, parking, fences, landscape plan, and existing land uses on adjacent property. A site plan is not required if antenna is to be mounted on an approved existing structure. Prototypical drawings indicating various types of equipment to be located on the Communication tower may be submitted at the time of the permit application. Identification of the owners of all antennae and equipment to be located on the site. Other equipment may be added to the Communication tower without additional permits or inspections as long as electrical wiring is not required.

(d) **Location map.** Two copies of a current map, or update for an existing map on file, showing geographic coordinates of the Communication tower's , calculated coverage areas, facilities, location of existing nearby (within 3 miles) Communication towers, and proposed Communication towers, serving contiguous areas. An applicant may request that specific proprietary or confidential information be withheld from the public record.

(e) **Owner authorization.** Written authorization from the site owner for the application.

(f) **Visual impact analysis.** A line of sight analysis showing the potential visual and aesthetic impact on adjacent residential districts.

(g) **Alternative to co-location or stealth design.** Co-located or stealth designs shall be required unless satisfactory documented evidence can be provided indicating that:

- (1) The proposed antenna and equipment cannot be accommodated and function as required;

- (2) The applicant's technical design requirements are such that without unreasonable modifications they cannot function on any existing structure or Communication tower under the control of applicant; and
 - (3) The applicant has considered all available publicly owned sites, and available privately owned sites occupied by a compatible use, including all applicable sites or locations or a combination of sites and locations as described under section 32-133(b) for priority of approval and the applicant has demonstrated that for the reasons described in Section 32-133(b) that these sites and/or locations are unsuitable for operation of the facility under applicable state and federal communications regulations, the applicant's technical design requirements and/or valid economic reasons.
- (h) *Indemnity.* The applicant must show by certificate from a registered engineer that the proposed facility will contain only equipment meeting FCC rules, and must file with the Director a written indemnification agreement, on a form approved by the county. The applicant must also file with the County proof of liability insurance or financial ability to respond to claims up to \$1,000,000.00 in the aggregate which may arise from operation of the facility during its life, at no cost to the county, in a form approved by the county attorney.
- (i) *Application fees.* All Communication tower applications shall include a check made out to the county treasurer in an amount to be determined by the Director, based upon a schedule of fees enacted by the county council. Additional fees may be imposed in order to offset the costs associated with processing applications for special exceptions, appeals, or variances.

Sec. 32-139. Special exceptions, variances and appeals.

- (a) *Special exception.* Unless indicated otherwise, Communications towers are permitted in the county only by special exception, approved by the Board, within the criteria of the performance standards ordinance. The Board shall conduct a public hearing on each request for a special exception. All public hearings shall be advertised in a newspaper of general circulation in the county at least 15 days in advance of the hearing.
- (b) *Variance.* An applicant may submit a request to the Board for a variance from this or any other applicable land use ordinance. The Board shall hear and decide appeals for a variance from the requirements of the performance standards ordinance when strict application of the provisions of the article would result in unnecessary hardship. A variance may be granted in an individual case of unnecessary hardship if the Board makes and explains in writing a unique, exceptional and otherwise unusual circumstance as provided for in general criteria for granting a variance in Article I of this chapter. Special exceptions and variances, may be applied for simultaneously and considered by the Board simultaneously.
- (c) *Appeals.* Applications for appeal shall be submitted through the Director to the Board. All appeals shall be accompanied by copies of the original application, supporting maps and documentation and shall include a detailed written summary of the alleged error or misinterpretation of this article by the Director in not granting approval to the original application. A copy shall be provided for each Board member and the Director, and other copies as may be required by the Director. Appeals shall be heard by the Board within 45 days of submission of the completed application to the Director.

Sec. 32-140. Additional criteria for evaluating special exceptions and variances.

- (a) *Application; conditions.* All application requirements imposed by section 32-138 must be met.
- (b) *Setback requirements; additional conditions.* The applicant must demonstrate that the proposed Communication tower location is sufficient to satisfy setback requirements and must satisfy such other additional conditions, if any, necessary to remove dangers to safety and to protect adjacent property.
- (c) *Residential service area.* If location in a Residential district, as defined in O.C. Code § 38-10.7 has been requested, the applicant must show that the area cannot be adequately served by a facility placed in a nonresidential district for valid technical reasons.
- (d) *Greenspaces.* If location in a Residential district has been requested, the tower shall not be located on land designated for public recreational uses on the county land use plan.
- (e) *Priority of approval.* If a location is requested which does not meet the requirements under Section 32-133(b) for priority of approval the applicant must demonstrate that all alternative sites and locations or combinations thereof provided for in Section 32-133(b) have been considered by the applicant, and the applicant has demonstrated that for the reasons described these sites and/or locations or combinations thereof cannot adequately serve the area for valid technical or economic reasons and are unsuitable for operation of the facility under applicable communications regulations.
- (f) *Denial on substantial evidence.* The Federal Telecommunications Act of 1996 requires that a denial of a permit be supported by substantial evidence. The Board shall maintain a written record of all appeal proceedings and shall maintain supporting documentation for any and all decisions.

Sec. 32-141. Annual report required.

All companies that operate or maintain ownership of Communication towers in the county shall submit an annual report to the County Community Development department no later than January 15 of each year. The report shall include a description of all of the company's active and inactive facilities located in the county, co-locations of its own equipment, co-locations of other companies using its facilities, and shall include telephone numbers and addresses for company officials and maintenance personnel.

Sec. 32-142. Technical assistance required.

The Director (prior to issuing a permit) and the Board (prior to issuing a permit by special exception or deciding an appeal or request for variance) may make use of technical consultants to review applications and to determine if the standards in this article are met. The permit applicant shall be required to bear the cost of the required technical services. The Director shall estimate any expenses and shall require payment with the completed application. Additional expenses shall be invoiced by the county finance department to the applicant. Amounts in excess of required fees and actual expenses shall be returned to the applicant.

Secs. 32-143—32-170. - Reserved.

STATE OF SOUTH CAROLINA
OCONEE COUNTY, SOUTH CAROLINA
ORDINANCE 2016-39

**AN ORDINANCE CANCELLING, REVOKING, AND RESCINDING
OCONEE COUNTY ORDINANCE 2010-14 IN PART, AS IT RELATES TO
ITS AMENDMENT TO CHAPTER 2, ARTICLE IV OF THE CODE OF
ORDINANCES OF OCONEE COUNTY, ESTABLISHING THE CAPITAL
PROJECTS COMMITTEE; AND OTHER MATTERS RELATED
THERE TO.**

WHEREAS, Oconee County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina (the "State"), acting by and through its governing body, the Oconee County Council (the "County Council"), on August 17, 2010, following three readings and a public hearing, adopted Oconee County Ordinance 2010-14, which among other things, amended Chapter 2, Article IV of the Code of Ordinances of Oconee County by establishing the Capital Projects Committee. That portion of Ordinance 2010-14 establishing the Capital Projects Committee as the "Capital Projects Advisory Committee" has been codified in the Code of Ordinances of Oconee County at Sections 2-391 through 2-397; and,

WHEREAS, County Council has since determined to revoke, cancel, repeal, and rescind Ordinance 2010-14 as relates to the establishment of the Capital Projects Advisory Committee.

NOW, THEREFORE, IT IS HEREBY ORDAINED by Oconee County Council, in meeting duly assembled, that:

1. The foregoing preamble, and all statements contained therein, are hereby adopted as findings of fact by County Council, for purposes of this Ordinance.
2. County Ordinance 2010-14 is hereby revoked, cancelled, repealed, and rescinded in part, as it relates to its amendment to Chapter 2, Article IV of the Code of Ordinances of Oconee County, establishing the Capital Projects Advisory Committee, later codified in the Code of Ordinances of Oconee County at Sections 2-391 through 2-397. The Capital Projects Advisory Committee is therefore dissolved and disbanded.
3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
4. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. Nothing herein contained, however, shall revoke or render invalid, or be interpreted as revoking or rendering invalid, *ex post facto* in any regard, any action or act undertaken and completed in accord with any such ordinance, order, resolution or action which was valid at the time undertaken and completed.

5. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by Oconee County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____ 2017.

ATTEST:

Clerk to Oconee County Council

Edda Cammick
Chairman, Oconee County Council

First Reading: December 20, 2016
Second Reading: January 17, 2017
Third Reading:
Public Hearing:

STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE NO. 2016-40

AN ORDINANCE AMENDING CHAPTER 38 OF THE OCONEE COUNTY CODE OF ORDINANCES, IN CERTAIN LIMITED REGARDS AND PARTICULARS ONLY, REGARDING SETBACKS; AND OTHER MATTERS RELATED THERETO.

WHEREAS, consistent with the powers granted county governments by S.C. Code § 4-9-25 and S.C. Code § 4-9-30 Oconee County (“County”) a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (the “County Council”), has the authority to enact regulations, resolutions, and ordinances, not inconsistent with the Constitution and the general law of the State of South Carolina, including the exercise of such powers in relation to health and order within its boundaries and respecting any subject as appears to it necessary and proper for the security, general welfare, and convenience of the County or for preserving health, peace, order, and good government therein; and,

WHEREAS, the County has adopted multiple ordinances for the effective, efficient governance of the County, which, subsequent to adoption, are codified in the Oconee County Code of Ordinances (the “Code of Ordinances”), as amended; and,

WHEREAS, the County is authorized by Section 4-9-30(9) and Chapter 29 of Title 6 of the South Carolina Code of Laws, among other sources, to impose land use restrictions and development standards in the unincorporated areas of the County; and,

WHEREAS, County Council recognizes that there is a need to revise the law of the County to meet the changing needs of the County and that there is a need to amend, specifically, certain sections of Chapter 38 of the Code of Ordinances involving setbacks requirements in the Control Free District; and

WHEREAS, County Council has therefore determined to modify Chapter 38 of the Code of Ordinances and to affirm and preserve all other provisions of the Code of Ordinances not specifically, or by implication, amended hereby.

NOW, THEREFORE, it is hereby ordained by the Oconee County Council, in meeting duly assembled, that:

1. Section 38-10.2 of Chapter 38 of the Code of Ordinances, entitled *Control Free District (CFD)*, is hereby revised, rewritten, and amended to read as set forth in Attachment A, which is attached hereto and hereby incorporated by reference as fully as if set forth verbatim herein.

2. County Council hereby declares and establishes its legislative intent that Attachment A, hereto, as may perhaps be amended from time to time, become the applicable zoning provisions of the County, or parts thereof, with regard to the sections amended by Attachment A, from and after its adoption, states its intent to so adopt Attachment A, and directs that a public hearing thereon be undertaken by County Council or the Oconee County Planning Commission, in accord with and as required by Section 6-29-760 and by Section 4-9-130, South Carolina Code, 1976, as amended.

3. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.

4. All ordinances, orders, resolutions, and actions of County Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded. However, nothing contained herein, or in the attachment hereto, shall cancel, void, or revoke, or shall be interpreted as cancelling, voiding, or revoking, *ex post facto*, in any regard any prior performance standard, zoning or rezoning acts, actions, or decisions of the County or County Council based thereon, which were valid and legal at the time in effect and undertaken pursuant thereto, in any regard.

6. All other terms, provisions, and parts of the Code of Ordinances, and specifically, but without exception, the remainder of Section 38-10.2 of Chapter 38, not amended hereby, directly or by implication, shall remain in full force and effect.

7. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by County Council, and will apply to all land use and zoning processes initiated after first (1st) reading hereof. All processes actually initiated by submitting a properly and legally completed petition to the County, at a minimum, prior to first (1st) reading of this ordinance and the establishment of the pending ordinance doctrine thereby, shall be completed under the zoning and performance standard rules and regulations of Chapter 38 of the Code of Ordinances, as in effect prior to final adoption of this Ordinance.

ORDAINED in meeting, duly assembled, this _____ day of _____, 2017.

ATTEST:

Clerk to Oconee County Council

Edda Cammick
Chairwoman, Oconee County Council

First Reading: December 20, 2016
Second Reading: _____
Third Reading: _____
Public Hearing: _____

ATTACHMENT A
To Ordinance 2016-40

Sec. 38-10.2. - Control free district (CFD).

The control free district is intended to be the initial zoning district for all parcels within the jurisdiction at the time of initial adoption of zoning in Oconee County, only; any parcel subsequently rezoned to any other district shall not be a part of the control free district at any future date.

Dimensional requirements:

Residential Uses		Density and Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Lot Size	Max. Density	Min. Width (ft.)	Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	N/A	Greater than or equal to ½ acre	N/A	N/A	25	5	10	65
	N/A	Less than ½ acre to greater than or equal to ¼ acre	N/A	N/A	15	5	5	65
	N/A	Less than ¼ acre	N/A	N/A	10	5	5	65
Nonresidential Uses		Minimum Lot Size			Minimum Yard Requirements			Max. Height
	Min. Lot Size	Lot Size	Min. Width (ft.)		Front Setback (ft.)	Side Setback (ft.)	Rear Setback (ft.)	Structure Height (ft.)
	N/A	Greater than or equal to ½ acre	N/A		25	5	10	65
	N/A	Less than ½ acre to greater than or equal to ¼ acre	N/A		15	5	5	65
	N/A	Less than ¼ acre	N/A		10	5	5	65

These setback requirements shall not apply to subdivision plats that were recorded in the Office of the Oconee County Register of Deeds prior to May 7, 2002.

ATTACHMENT A
To Ordinance 2016-40

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The control free district is intended to be the initial zoning district for all parcels within the jurisdiction at the time of initial adoption of zoning in Oconee County, only; any parcel subsequently rezoned to any other district shall not be a part of the control free district at any future date.

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“These setback requirements shall not apply to subdivision plats that were recorded in the Office of the Oconee County Register of Deeds prior to May 7, 2002.

**AGENDA ITEM SUMMARY
OCONEE COUNTY, SC**

**COUNCIL MEETING DATE: January 17, 2017
COUNCIL MEETING TIME: 6:00 PM**

ITEM TITLE [Brief Statement]:

First Reading of Ordinance 2017-04 "AN ORDINANCE ADOPTING RULES AND REGULATIONS FOR THE OCONEE COUNTY REGIONAL AIRPORT; AND OTHER MATTERS RELATED THERETO."

BACKGROUND DESCRIPTION:

Proposed Ordinance 2017-04 stems from work by the Airport Director, the Airport's expert consultants, and the Oconee County Aeronautics Commission in drafting, revising, and finalizing Rules and Regulations governing operations at the Oconee County Regional Airport. The Rules and Regulations govern Ground Rules, Airport Traffic Patterns, Vehicle Traffic, Emergencies, Airport Safety, Airport Hangars, Commercial Fixed Base Operators, Special Use Operations, and Airport Operating Permits.

SPECIAL CONSIDERATIONS OR CONCERNS [only if applicable]:

None

FINANCIAL IMPACT [Brief Statement]:

Check Here if Item Previously approved in the Budget. No additional information required.

Approved by : _____ **Finance**

COMPLETE THIS PORTION FOR ALL GRANT REQUESTS:

Are Matching Funds Available: Yes / No

If yes, who is matching and how much:

Approved by : _____ **Grants**

ATTACHMENTS

None

STAFF RECOMMENDATION [Brief Statement]:

It is staff's recommendation that Council take first reading of Ordinance 2017-04.

Submitted or Prepared By:

Approved for Submittal to Council:

S/ David A. Root

Department Head/Elected Official

T. Scott Moulder, County Administrator

Council has directed that they receive their agenda packages a week prior to each Council meeting, therefore, Agenda Items Summaries must be submitted to the Administrator for his review/approval no later than 12 days prior to each Council meeting. It is the Department Head / Elected Officials responsibility to ensure that all approvals are obtained prior to submission to the Administrator for inclusion on an agenda.

A calendar with due dates marked may be obtained from the Clerk to Council.

**STATE OF SOUTH CAROLINA
COUNTY OF OCONEE
ORDINANCE 2017-04**

**AN ORDINANCE ADOPTING RULES AND REGULATIONS FOR THE
OCONEE COUNTY REGIONAL AIRPORT; AND OTHER MATTERS
RELATED THERETO.**

WHEREAS, Oconee County, South Carolina (the "County"), a body politic and corporate and a political subdivision of the State of South Carolina, acting by and through its governing body, the Oconee County Council (the "County Council"), has adopted multiple ordinances for the effective, efficient governance of the County, which subsequent to adoption, are codified in the Oconee County Code of Ordinances (the "Code of Ordinances"); and

WHEREAS, the County, acting by and through the County Council, is authorized by Sections 4-9-25 and 4-9-30 of the South Carolina Code of Laws, among other authority, to establish Rules and Regulations for the Oconee County Regional Airport; and

NOW, THEREFORE, be it ordained by County Council, in meeting duly assembled that:

1. County Council hereby adopts the Rules and Regulations for the Oconee County Regional Airport as set forth in Exhibit "A," which is attached hereto and incorporated herein by reference.
2. Should any part or provision of this Ordinance be deemed unconstitutional or unenforceable by any court of competent jurisdiction, such determination shall not affect the rest and remainder of this Ordinance, all of which is hereby deemed separable.
3. All ordinances, orders, resolutions, and actions of Council inconsistent herewith are, to the extent of such inconsistency only, hereby repealed, revoked, and rescinded.
4. The remaining terms and provisions of the Code of Ordinances not revised or affected hereby remain in full force and effect.
5. This Ordinance shall take effect and be in full force and effect from and after third reading and enactment by County Council.

ORDAINED in meeting, duly assembled, this ____ day of _____, 2017.

ATTEST:

Clerk to Oconee County Council

Edda Cammick
Chairwoman, Oconee County Council

First Reading: January 17, 2017
Second Reading: _____
Third Reading: _____
Public Hearing: _____

**OCONEE COUNTY REGIONAL AIRPORT
RULES AND REGULATIONS**

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INTRODUCTION

TITLE:

This chapter shall be known as the Oconee County Regional Airport Rules and Regulations.

PURPOSE:

These Rules and Regulations shall define and set forth the scope and area of responsibility pertaining to the safe and efficient operation of the Oconee County Regional Airport.

AUTHORITY:

Oconee County, as owner of the Airport, is directed by federal and state law to provide for the safe and efficient operation of the facility as a public Airport, and to provide for the health, safety, and welfare of the flying public, and those involved in activities related thereto. These Rules and Regulations are adopted under various provisions of state, federal, and local laws/ordinances.

DEFINITIONS:

Specific terms, as used in these Rules and Regulations, unless associated text otherwise requires, shall have the following meanings:

"AERONAUTICS COMMISSION" is the advisory board for the Oconee County Regional Airport and appointed by Council Members.

"AERONAUTICAL SERVICES" are any service which involves, makes possible, or is required for the operation of aircraft, or which contributes to or is required for the safety of such operations.

"AIRPORT" means the Oconee County Regional Airport and all of the area, buildings, facilities, and improvements within the boundaries of Airport property as it now exists or as it may hereafter be extended or enlarged.

"AIRPORT DIRECTOR" means that person designated by the Oconee County Administrator as the person charged with the responsibility for the daily operations of the Airport, and is one of the persons charged with the enforcement of the Airport Rules and Regulations and Airport Minimum Standards.

"AIRPORT LAYOUT PLAN" is a master planning document that provides a staged physical development plan for the Airport based on forecasted operations and projected facility requirements. It is typically a set of plans and associated report and is updated on occasion as appropriate.

"AIRPORT MINIMUM STANDARDS" means the Oconee County Regional Airport Minimum Standards for Aeronautical Services, as adopted and amended from time to time.

"AGL" refers to Above Ground Level, the actual altitude above average elevation of terrain.

"AIRCRAFT" means a device used or intended to be used for flight in the air.

"BASED AIRCRAFT" means any aircraft regularly parked or stored on the Airport, whether in a hangar or without. This also includes any aircraft or similar vehicle transported to the Airport and assembled and flown from the Airport.

"COUNTY" means OCONEE COUNTY, SOUTH CAROLINA.

"COUNCIL" means the County Council of Oconee County South Carolina, the governing body of Oconee County.

"COMMERCIAL OPERATOR" means any person or persons, firm, partnership, corporation, association, or group using the Airport as a necessary or primary element of their commercial business, or operating a business that provides any one or a combination of aeronautical services in exchange for monetary compensation to or for aviation users (patrons) of the Airport.

"CTAF/UNICOM" means the Common Traffic Advisory Frequency/Universal Communications Frequency and is the common communication frequency for air to air and air to ground at the Airport and its vicinity. The current frequency at the Airport is 122.7 MHz.

"ENGINE RUN" is defined as a low power running of an aircraft engine for the purpose of leak checks or similar inspections not requiring high power settings or creating propeller blast or dust.

"ENGINE RUN-UP" refers to the operation of an aircraft engine at high power settings for test or check purposes. Such operations would include propeller blast and its associated effects.

"FAA" means Federal Aviation Administration, including the duly authorized representatives thereof.

"FACILITY" means the Oconee County Regional Airport

"FAR" means Federal Aviation Regulations or any associated federal statute pertaining to aircraft operation.

"FIXED BASE OPERATOR" (FBO) means any individual or business authorized to provide aeronautical services pursuant to Section 8 of these Rules and Regulations and the Airport Minimum Standards.

"GENERAL AVIATION" means civil aviation operations other than scheduled air services and non-scheduled air transport operations for remuneration or hire.

"MSL" means actual altitude above sea level as indicated by a properly calibrated altimeter or "Mean Sea Level."

"PERSON(S)" shall include a corporation, firm, partnership, association, organization, governmental entity, and any other group acting as a unit, as well as an individual.

"RULES AND REGULATIONS" or "Rules" or "Regulations" as used herein refer and mean these Oconee County Regional Airport Rules and Regulations as amended from time to time and kept on file in the Airport Director's Office.

"RUNWAY SAFETY AREA" is the immediate graded surface surrounding the active runway pavement that is used for emergency aircraft deviance from the landing surface and emergency vehicle usage. Its dimensions may change depending on classification of runway, but will be between 300 ft. and 1000 ft. off

each runway end and runs the length of the active runway centered on the runway centerline at a width of between 150 ft. and 500 ft.

"SPECIALIZED AVIATION SERVICE OPERATION" (SASO) means any individual or business authorized to provide specialized services specific to aircraft handling and maintenance pursuant to Section 8 of these Rules and Regulations and the Airport Minimum Standards.

"SECURITY OFFICER" means any sworn peace officer, County Police, County Sheriff, CHP, or similar law enforcement personnel that may be on the Airport in the line of assigned duty.

"VEHICLE" means any motorized (electric or combustion engine) self-propelled wheeled apparatus designed to transport people or cargo or both.

1. GENERAL

1.10 – Public Use

The Airport shall be open for public use at all hours of the day, subject to regulations, restrictions due to weather, the conditions of the landing area, or the presentation of special events and like causes, as may be determined by the Airport Director, governing regulation, or statute. The Airport Director shall establish reasonable hours of operation for the Airport Terminal Building and Airport Staff.

1.20 – Common-Use Areas

All runways, taxiways and associated turn-offs, and aprons, together with associated lighting, marking, and navigational fixtures, shall be considered Common-Use areas of the Airport. Such Common-Use areas shall be maintained as being available for use by all authorized persons flying or operating aircraft on the Airport. Certain areas of the main ramp, including parking areas and helipads, shall also be designated as Common-Use areas. No person shall utilize any Common-Use area for other than its intended purpose, without the prior consent or authorization of the Airport Director. Common-Use areas are subject to change without prior notice.

1.30 – Special Events

Special events such as air shows, air races, fly-ins, or other similar public gatherings requiring the general use of the Airport, or involving more than 10 aircraft or 50 persons, gathering together for a specific purpose, other than normal or routine Airport traffic, shall obtain written permission of the Airport Director at least thirty (30) days prior to the planned event. Such event shall be held only upon the issuance of such permission and at such times, in such areas and upon such terms and conditions as shall be specified and directed by the Airport Director.

1.40 – Airport Director

The Airport Director is directly responsible for the safe and efficient operation of the Airport. The Airport Director shall be responsible for such action as may be necessary for handling, policing, protecting, and safeguarding the public while present at the Airport and to regulate aircraft and vehicular traffic on the Airport, as necessary. The Airport Director may postpone, suspend, restrict, or prohibit any or all activity/operations without regard to weather conditions or current activities whenever such action is deemed necessary in the interest of public health, safety, or welfare.

1.50 – Acceptance of Rules and Regulations

The entrance upon and use of the Airport and any of its facilities in any manner by a person shall constitute an acceptance by that person of these Rules and Regulations, including all provisions contained herein, as well as any rules adopted and intended to implement these Rules and Regulations, and shall create an obligation by that person to comply with and obey these Rules and Regulations. Based flight instructors shall fully acquaint their students with these Rules and Regulations and shall be responsible for the conduct of students under their direction. This requirement does not preclude provisions for special use agreements contained elsewhere in this code.

1.60 – Availability of Rules

All persons licensed or permitted to do business or conduct operations of any kind, on the Airport shall be bound by these Rules and Regulations. A copy of these Rules and Regulations will be available for review upon request.

1.70 – Enforcement & Penalties

The traffic laws of the State of South Carolina shall be in full force and effect on the public-use areas of the Airport. All persons shall be subject thereto. Enforcement shall be accomplished by the Oconee County Sheriff's Office, as well as, all other agencies charged with such responsibility.

All applicable provisions of Title 55 of the South Carolina Code of Laws (UNIFORM STATE LAW FOR AERONAUTICS) shall be in force on the Airport. Those persons charged with the enforcement of said provisions as reflected in Chapter 5 of that Code shall be authorized and empowered to enforce said provision on the Airport.

All applicable provisions of Federal Aviation Regulations (FAR) and the associated enforcement and penalties shall be in full force and effect on all Airport property and within the Airport Traffic Pattern.

The provisions of state and federal regulations, as referred to herein, shall supersede the provisions of these Rules and Regulations to the extent there is any conflict herewith. Only in the case of conflict shall the specific provision of these Rules and Regulations be superseded; all other provisions shall remain in full force and effect and be enforced as specified herein.

Any person violating these Rules and Regulations, the federal and state regulations applicable to Airport operations, the traffic laws of the State of South Carolina, or the traffic regulations of the County in connection with vehicular traffic on the Airport shall be subject to prosecution in the appropriate court for such violation.

In addition to any remedies or penalties otherwise provided by state or local law or Federal Aviation Regulations, any person violating these Rules and Regulations and/or Airport Minimum Standards, or operating or handling any aircraft in violation of these Rules and Regulations, or failing to comply with these Rules and Regulations, may be promptly removed or ejected from the Airport by or under the authority of the Airport Director. If necessary to maintain the safety of the public, such person may be temporarily detained or permanently deprived of further use of the Airport and its facilities. The Airport Director may, in his sole discretion, issue a warning to the offending party to cease and discontinue such unsafe activities or operations. If the activity persists, the Airport Director shall serve a written Notice of Violation to the offending party. Service of the Notice of Violation shall be by hand-delivery or U.S. Mail. If by U.S. Mail, service shall be deemed complete three (3) days after deposit with the U.S. Postal Service. The Notice shall specify the nature of the violation and the length of time or duration of denial of facility use, if any, as may be deemed necessary to safeguard the Airport, its operations and the public use thereof and the County's interest therein. The notice shall also include procedures for requesting a hearing pursuant to Section 1.80, below, and provide an opportunity for an affected party or person to show cause, if any, why he or she should not be denied further use of the Airport and its facilities.

1.80 – Hearing and Appeal

- (a) A person served by the Airport Director with a Notice of Violation, herein referred to as "Appellant(s)", may request a hearing before the Council

within ten (10) calendar days after being served with the Notice of Violation. The request shall be in writing, shall state the basis thereof, and shall be filed with the Airport Director prior to the expiration of the tenth (10th) day from the date of service of the "Notice of Violation".

- (b) Unless otherwise agreed to by the parties, the hearing shall be held within forty five (45) days of the filing of the request. At the hearing, the Appellant may present evidence or argument as to whether the Appellant was operating in violation of these Rules and Regulations or the Airport Minimum Standards, or was inappropriately denied use of the Airport. Within five (5) working days after the close of the hearing, the Council shall render a decision in writing and shall serve such written decision on the Appellant.

1.90 – Judicial Relief and Attorney's Fees

The County may enforce these Rules and Regulations and orders issued under these Rules and Regulations by injunction or other legal process in the courts of the State of South Carolina. In the event the County is required to bring legal action to enforce these Rules and Regulations and orders issued under these Rules and Regulations, the defendant(s) and/or responding party shall pay any attorney's fees, court costs, or other costs incurred by the County in bringing such action.

1.92 – Cumulative Remedies

All remedies and procedures set forth herein for the enforcement of these Rules and Regulations and Airport Minimum Standards are cumulative and may be pursued alternatively or consecutively. All procedures and enforcement mechanisms in other documents and leases are expressly reserved.

1.94 – Severance Clause

Should any term, provision, or content of these Rules and Regulations be deemed unconstitutional or otherwise unenforceable by any court of competent jurisdiction, such determination shall have no effect on the remainder of these Rules and Regulations.

1.96 – Amendments

The Council reserves the right to amend or modify these Rules and Regulations from time to time.

2. GROUND RULES

2.10 – General

This section provides the guidelines under which all aircraft are parked or stored on the Airport. The authority of the County in directing such usage, and the responsibility of the aircraft owner and/or operator is also addressed.

2.20 – Aircraft Storage

All aircraft parked or stored on the Airport are subject to the provisions and authority of this section, along with any other applicable provisions of these Rules and Regulations. All parking spaces and any aircraft parked or stored in any manner shall be authorized by the Airport Director or subject to his review.

2.21 – Public Areas

At the discretion of the County, certain areas may be designated as Common-Use Areas as specified in Section 1.20 of this code. The parking or space assignments and general use of these Common-Use Areas shall be made by or under the direction of the Airport Director. During normal operational periods, aircraft parking is permitted on any area of the apron. During peak hours of operation and special events, Airport staff will attempt to marshal all aircraft to designated parking areas. Aircraft shall monitor and communicate ground movements with Airport Staff on the CTAF/UNICOM Frequency: 122.7 MHz.

2.22 – Lease Areas

Certain areas of the Airport may be leased out or placed under the prescribed control of various tenants. Parking, use, and space assignment on these leased areas shall be in accordance with agreed upon County lease terms and conditions, as well as Airport Director approval.

2.25 – Aircraft Registration

All aircraft based on the Airport shall be registered with the Airport Director. The aircraft registered owner or responsible representative shall assure the information on the registration form is maintained current at all times and shall immediately notify the Airport Director when the aircraft is no longer based on the Airport.

2.27 – Lessee (Tenant) Registration

Each Airport tenant, corporate hangar owner, or commercial operator who provides care, custody, or control of an aircraft for another shall maintain an adequate record of such aircraft at all times (location and status of airworthiness) and provide such information to the County upon request. This does not replace, but rather is in addition to, the registration requirement of the aircraft owner as specified in Section 2.25.

2.28 – Aircraft Chocks/Tiedowns

All unattended aircraft less than 5,000 lbs. gross take-off weight when parked on the Airport shall be secured at all times by chocks and/or tie-downs. Securing the aircraft shall be the sole responsibility of the aircraft owner/operator.

2.29 – Aircraft Liability Insurance

Each aircraft based at Oconee County Regional Airport shall maintain aircraft liability insurance as follows:

- (a) The operator/owner shall indemnify, defend, and hold harmless the County, its officers, officials, employees, and volunteers from any and all loss, damage, and liability for claims and/or damages, including attorney's fees and other costs of defense incurred by the County, whether for damages to or loss of property, or injury to or death of any person or entity, including the owners or operators and their officers, agents, employees, heirs and assigns, which shall in any way arise out of or be connected with operations. To this end, the operator/owner shall secure and maintain, during the term of this agreement certain insurance for each aircraft that shall protect the County in such manner and amounts as set forth below:
- (i.) The carrier must have a Best's rating of A-VII or better.
 - (ii.) The policy limit shall be three hundred thousand (\$300,000) dollars per person per occurrence for bodily injury and five hundred thousand (\$500,000) dollars property damage per occurrence, and one-million (\$1,000,000) dollars combined per occurrence. The policy shall be endorsed to name the County as an "additional insured." Said endorsement shall be executed by a representative authorized to issue same.
 - (iii.) The insurance coverage shall be primary insurance, in respect to the County, its officers, officials, employees, agents, and volunteers. Any insurance or self-insurance maintained by the County, its officers, officials, employees, agents, or volunteers shall be excess of the operator/owner's insurance and shall not contribute with it.
 - (iv.) The endorsement shall specifically state that the insurance coverage provided under this policy shall not be suspended, voided, canceled by either party, reduced in coverage or in limits, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the County.

Renewal endorsements shall be provided to the County annually, thirty (30) days prior to the anniversary date of each agreement.

2.30 – Disabled Aircraft

No person shall park, store, or leave derelict aircraft, aircraft components, or parts in any state of disrepair, on the Airport in view of the general public. With the Airport Director's written permission and/or consistent with any applicable license or lease terms, such aircraft, aircraft components, or parts may be parked or stored on leased premises out of public view or in hangars awaiting scheduled repairs. Additionally, the Airport Director may designate an appropriate storage area for such aircraft upon request.

2.40 – Aircraft Removal

Aircraft owners, operators, or their agents shall be responsible for the prompt removal of any aircraft, disabled or otherwise, which has been parked or stored in an unauthorized manner or area.

2.42 – County Authority

In the event an aircraft owner or operator fails to remove an aircraft within a reasonable period of time, the Airport Director may take whatever action necessary to

make the area safe for other aircraft without liability for the expense of such action or for any damages which may be caused to the subject aircraft. The Airport Director shall determine what constitutes a reasonable period of time for aircraft removal.

2.45 – County Removal of Aircraft and Aircraft Parts

The Airport Director may tow away, remove, and store at owner's expense and without liability for damage, any aircraft or parts thereof found to be in violation in the sections above.

2.50 – Owner/Operator Responsibility

Any action taken or any cost incurred against an aircraft shall be the responsibility of the registered owner/operator. Charges for aircraft removal, towing, storage, and peripheral services shall be paid by the owner/operator. No claim or liability may be placed against Oconee County for any such action.

2.55 – Fee Payments, Liens, Impounds

No person shall remove any aircraft from the Airport without first having made payment or satisfactory credit arrangement for applicable charges for parking, storage, landing fees, or services rendered by the Airport. The Airport Director shall have authority to impound any aircraft for delinquent charges due.

2.60 – Aircraft Repair and Maintenance

Repairs to aircraft or engines shall normally be accomplished in areas designated for this purpose by the Airport Director and not on any runway, taxiway, taxilane or fuel servicing areas. This section does not prohibit owners from performing preventative maintenance on their own aircraft in their assigned hangars or tie-down spaces, as authorized by FAA grant assurances and FARs. Owners are responsible for clean-up and proper disposal of any fluid spills.

No major airframe, power plant, or propeller repair for compensation shall be performed in open tie-down areas on the main ramp or in view of the general public. Upon request, the Airport Director may designate an area suitable for such maintenance, away from the ramp area and outside of general public view, or allow such emergency repairs, at his discretion.

No person shall allow a person who is not his/her employee onto the Airport to perform maintenance on his owned or operated aircraft, unless the aircraft requires repairs which cannot be adequately performed by the authorized maintenance/repair service (SASO) on the Airport. Any aircraft owner utilizing an employee to perform aircraft maintenance may be required to provide the County evidence of employment. An aircraft owner shall not contract a second party, such as an aircraft maintenance company or aircraft management company/contractor, to perform “Scheduled” maintenance on his/her aircraft at the Airport unless the company/contractor is recognized by the County as an authorized maintenance FBO or SASO as defined in the Airport minimum standards. “Unscheduled” maintenance is limited to the following:

- a. Warranted maintenance that requires repair by the warranting company.
- b. A malfunction preventing the aircraft from being flown to another airport for repair.
- c. Maintenance work requiring a specialty service not being provided by an existing FBO or SASO operating on the Airport

2.70 – Engine Run-up

No aircraft engine shall be run or run-up unless the aircraft is placed in such a position so the propeller, rotor, or jet blast clears all hangars, shops, other buildings, persons, other aircraft or vehicles in the area, and the flight path of landing aircraft.

2.80 – Propeller, Rotor & Jet Blast

Any debris or damage caused by propeller, rotor, or jet blast is the joint and several responsibility of the pilot and owner of the aircraft and said person(s) shall be liable for any repair of damages or clean-up charges.

2.90 – Pedestrian Traffic

Pedestrian traffic shall not be allowed in close proximity to any aircraft whose engine(s) are operating or in preparation to be operated. All pedestrian traffic shall remain clear of aircraft operating areas except for the purpose of loading or unloading from a particular aircraft. This provision shall not apply during special events or at other times when proper provision for pedestrian safety has been made and authorized by the Airport Director.

No pedestrian traffic shall be allowed within 200 feet of the edge of the runway unless specifically authorized by the Airport Director or his designee. Passengers deplaning from or enplaning to aircraft parked in the grass tie-down areas should be escorted by designated Airport personnel to the maximum extent possible.

2.92 – Passenger Enplaning/Deplaning

All passengers boarding or exiting an aircraft shall proceed between the aircraft and the terminal area via the most direct route. The aircraft flight crew shall take proper precautions to assure all passengers remain clear of the aircraft (propeller, wings, tail, etc.), as well as, any other aircraft in the immediate area.

2.95 – Bicycle Traffic

Bicycle traffic shall be restricted to the aircraft apron and terminal parking ramps. Bicycles or other type cycles shall not be allowed on any taxiway or runway.

2.96 – Motorcycles and Unlicensed Off-Road Vehicles (Go-carts, All-Terrain Vehicles (ATVs), etc.)

Motorcycles, go-carts, mini-bikes, personal golf carts, unlicensed off-road vehicles, or other type vehicles shall not be operated on any taxiway or runway. All motorized vehicles shall be operated in a safe and responsible manner only in the immediate vicinity of the T-hangar buildings and associated taxilanes. Trail riding on unimproved areas of the Airport is strictly prohibited. Special circumstances shall be coordinated with the Airport Director.

2.97 – Animals

No person shall bring or allow any animal onto the Airport for any purpose unless that animal is under positive control of the animal's handler/owner at all times. No animal shall be allowed to run loose in any aircraft operating area or in the open fields adjacent to runways or taxiways. Animal control regulations of the County shall be enforced in all areas of the Airport.

3. AIRPORT TRAFFIC PATTERN

3.10 – General

This section provides for the safe and efficient operation of aircraft within the Airport Traffic Pattern (See **Exhibit A**). Aircraft arrival and departure routes are prescribed, as well as, other operations procedures and limitations.

3.20 – Traffic Pattern Communications

All radio-equipped aircraft operating within the Airport Traffic Pattern or within the immediate Airport area, if able, shall monitor the published UNICOM/Common Traffic Advisory Frequency (122.7 MHz) to determine pertinent Airport conditions, runway in use, traffic pattern direction and number/type aircraft within the pattern. All aircraft, if able, shall broadcast their position, altitude, and intentions in accordance with the recommendations provided in Section 4 Table 4-1-1 of the Aeronautical Information Manual.

NOTE: Pilots of non-radio equipped aircraft shall ensure they deconflict their intended flight path from aircraft already established in the pattern so as to enter the normal traffic pattern and not disrupt normal traffic pattern operations.

3.30 – Pattern Procedure

For noise considerations, light single and twin engine piston aircraft (General Aviation) should fly the traffic pattern at an altitude of 1000' AGL (1900' MSL). All turbine-powered or larger jet aircraft should fly the traffic pattern at 1500' AGL or 2400' MSL. Runway 25 has a left hand pattern. Runway 7 has a right hand pattern due to the close proximity of the Eagle Ridge Airport (Private) located $\frac{3}{4}$ mile northwest (See **Exhibit A**). Aircraft may enter the traffic pattern from any leg of the pattern, traffic permitting. If a conflict is observed, the right-of-way rules of FAR 91.113 shall prevail. In all cases, the offending aircraft shall yield the right-of-way as appropriate and overfly the pattern to re-enter the downwind leg of the pattern. Ultralight aircraft shall operate in accordance with the Special Use Operations section of this document.

Other aircraft utilizing the Airport shall operate in their respective patterns as prescribed in Section 3.50, 3.70 for helicopters.

3.35 – Departure Procedure

For safety and noise consideration to the surrounding community, all departing aircraft remaining in the traffic pattern should maintain runway heading until reaching a minimum of 500 feet altitude above ground level (AGL) before initiating the crosswind turn. Aircraft departing the traffic pattern are encouraged to climb to pattern altitude at the best rate of climb speed (V_y) before initiating any turns. All traffic pattern aircraft should avoid overflying densely populated residential areas.

3.40 – Runway Clearance

The designated runway (based on current prevailing surface winds) shall be used for landing and takeoff only. No run-ups or pre-takeoff checks shall be accomplished on the runway. Aircraft shall perform such checks clear of the runway area. After determining the runway is clear of conflicting traffic, each aircraft shall taxi onto the

runway, increase power and immediately depart. Landing aircraft shall, likewise, at the completion of the landing roll-out, expedite their exit from the runway at the nearest available taxiway and continue to a point outside the runway area prior to stopping or parking. This provision does not apply to touch-and-go landing operations.

3.45 – Pattern Operations/Crosswind Operations

Normally all landings and take-offs should be made directly into the prevailing wind or on the runway most nearly aligned into the prevailing wind. During direct crosswind conditions, pilots should clearly coordinate traffic patterns use via CTAF/UNICOM frequency (122.7 MHz) radio transmission to reduce/prevent the possibility of a mid-air or head-on collision.

3.47 – Non-Standard Operations (Back Taxiing, Tailwind Operations)

Aircraft desiring to use non-standard operational procedures shall first determine that such operations do not conflict with existing aircraft traffic in the established pattern, and then announce such intentions on the CTAF/UNICOM (122.7) frequency.

Pilot training flights conducted in the Airport traffic pattern may deviate from the established traffic pattern and active runway for training purposes only and then only if other traffic flow permits such operation without undue or unsafe conflict with the normal traffic flow.

Non-standard operations shall be conducted only after appropriate CTAF radio transmissions have been made to other aircraft in the pattern.

3.50 – Runway Operations and Emergency Deviations

Normally airplanes shall land and take off on the paved runway surface. Takeoffs and landings are permitted in the grassy area adjacent to and north of runway 7/25. All other paved areas (taxiways, aprons, taxilanes etc.) of the Airport are to be used only for aircraft ground movement (taxiing) or parking. Pilots may deviate from this requirement only in an aircraft emergency. Intentional takeoffs by fixed wing aircraft from taxiways, aprons, tie-down areas, etc are prohibited. Pilots landing in the grassy area north of the paved runway shall clearly announce their intentions on the CTAF/UNICOM if radio equipped.

3.65 – Careless and Reckless Operation

No person shall operate an aircraft on the ground or in the Airport Traffic Pattern in any manner which is determined to be careless and reckless or in such a way which appears to endanger or create a hazard to other persons in the immediate area of the operation in the air or on the ground. The safety of any such operation in question shall be determined by the Airport Director, who shall immediately take appropriate action to terminate such activity, as necessary.

3.70 – Rotary Wing (Helicopter) Operations

Rotary wing/Helicopter traffic arriving and departing from the Airport shall remain clear of the fixed wing traffic pattern in use at all times. Helicopter traffic shall not overfly buildings on or adjacent to the Airport, except as specified in the FAR. Practice auto-rotation areas for helicopters within the traffic pattern may be established by the Airport Director in accordance with appropriate regulations and other existing operations on the Airport.

4. VEHICLE TRAFFIC

4.10 – General

The traffic laws of the State of South Carolina and Oconee County apply to all paved areas including roads, ramps, aprons, and parking areas on the Airport. Except for law enforcement vehicles enforcing applicable laws, firefighting equipment, ambulances, and other emergency response vehicles, no person shall drive any vehicle on the Airport runway and taxiways. Based Aircraft owners may drive vehicles on the paved tie-down and apron areas transiting to and from their aircraft storage location/hangar and for loading/offloading. Unattended vehicles in these areas are not permitted. Corporate hangar tenants may operate motor vehicles in the vicinity of their hangars but are not authorized to drive personal vehicles between the main terminal ramp and the respective corporate hangar. Bicycles are restricted to the tie-down and T-hangar taxilane areas. Aircraft parking ramps, taxilanes, or tie-down areas are NOT play areas for children.

4.20 – Vehicle Speed

The Maximum speed limit on any Airport pavement for any vehicle is 15 mph. In the vicinity of aircraft (within 50 feet), the maximum vehicle speed is 5 mph.

4.30 – Vehicles Near Aircraft or in Aircraft Operations Areas

No vehicles, except for County-owned maintenance/operations vehicles, are allowed on or near the main parallel taxiway and runway surface. No vehicles shall be operated on or within 25 feet of any aircraft which itself is in operation (engine running). In this section, operating area means any runway, taxiway, designated common-use area, or the main terminal ramp. Vehicles owned by based aircraft owners/operators may be driven on the aircraft tie-down areas and taxilanes in accordance with Section 4.10. Rental cars may be driven on the aircraft tie-down areas with prior permission from Airport staff.

4.35 – Exceptions to Vehicle Regulations

The following are exceptions to Section 4.30.

1. Any vehicle operated by a based aircraft owner or their guest on property leased by said owner;
2. Any authorized vehicle displaying a proper amber flashing beacon;
3. An authorized fuel truck;
4. An authorized emergency/rescue vehicle responding to an Airport emergency;
5. Any vehicle which is properly escorted by a member of the Airport staff.

4.38 – Night Vehicle Operations

Any vehicle operating in an aircraft operations area after the period beginning one hour prior to sunset and ending one hour after sunrise shall be subject to a stop for identification by an authorized County Deputy Sheriff, Airport Director, or staff member to determine the subject's authorization to access the aircraft operations area. Vehicles shall continuously display proper lighting during night operations.

4.40 – Vehicle Lighting on Runways and Taxiways

Any vehicle which has been authorized to operate on a taxiway or within 300' of the active runway shall display one of the following:

1. vehicle emergency flashers,
2. an operating amber flashing beacon,
3. white or amber strobe lights, or
4. orange and white checkered flag

Vehicles without the above equipment shall be escorted by a properly equipped vehicle. Drivers shall continuously monitor the CTAF frequency while inside the runway safety area.

4.50 – Vehicle Parking

All vehicles including motorcycles and bicycles shall be parked in designated parking areas. Vehicles on leased areas shall be subject to the terms and conditions of the tenant lease, as well as federal, state, and local law. Vehicles parked in public areas shall also be subject to federal, state, and local law, including these Airport Rules and Regulations.

4.51 – Motor Vehicles on Taxilanes

The area in front of each hangar building shared jointly by aircraft and vehicles accessing the T-hangars is designated as a 'Taxilane'. **Aircraft (operating or towed) have the right of way over vehicles at all times.** Vehicles driven on taxilanes shall be operated by based or transient pilots, aircraft owners, and invited adult guests only. The general public is not allowed on taxilanes. Vehicles shall not be parked in such a manner as to block or restrict the access to the T-hangars by aircraft or other vehicles. No vehicle shall be parked or left unattended on a taxilane, in any aircraft operating area, or in such a manner which limits aircraft operation.

4.55 – Long-Term Parking

All vehicles parked on the Airport for a period exceeding thirty (30) days shall be registered in the Airport office and shall be subject to monthly parking fees. All vehicles shall be properly licensed at all times. Any vehicle not meeting the requirements of this section shall be considered abandoned and removed in accordance with applicable law(s).

5. EMERGENCY

5.10 – General

This section provides for the authority and designated responsibilities of individuals and agencies in the event of an Airport emergency, threat to Airport security, or other departure from normal Airport operations. Such emergencies would include fires of any type, aircraft emergencies or accident(s), incidents of personal injury, or Airport security breach requiring law enforcement intervention.

5.20 – Emergency Notification

It shall be the responsibility of any person or Airport tenant observing or having knowledge of any type of Airport emergency which has not, to their knowledge, been reported, to report the emergency as specified. Initial notification shall be accomplished by dialing 9-1-1 from any Airport telephone, personal cell phone, or otherwise contacting the Oconee County Police/Fire Department. The person shall then give the dispatcher any and all information available concerning the nature of the emergency.

5.25 – Response Activation

Upon receipt of notification of an Airport emergency, the law enforcement/emergency response dispatcher will follow current county dispatch procedures to respond appropriate personnel.

5.31 – Yielding Right-Of-Way

All persons not responding to or involved with an Airport emergency shall yield the right-of-way to emergency service personnel. Emergency service vehicles displaying proper lighting and/or other required markings shall have the right-of-way on all paved areas while responding to an emergency. When responding to an aircraft incident, all aircraft and other vehicles shall yield to responding equipment.

5.32 – Speed Waiver

The Airport speed limit requirements are waived for all emergency vehicles and authorized personnel responding to an Airport emergency. This waiver shall not be used to circumvent the speed limit regulation during normal daily operations.

5.40 – Authorized Personnel

Only those persons designated by the Airport Director, County law enforcement, and/or County emergency services personnel shall respond to an Airport emergency. All other persons, including aircraft owners, operators, and interested parties shall remain well clear of the emergency area until the designated incident commander has determined the accident scene is stabilized and safe for entry by authorized personnel. The Airport Director shall then designate only those essential persons authorized to enter the accident scene.

5.50 – Incident Command

Immediately at the occurrence of any Airport emergency, the affected area shall come under the full control of the Oconee County Emergency Services Department, and its designated commander. The commander shall control all access to and from the site, as well as all suppression, stabilization, and rescue efforts.

5.55 – Airport Operations during Emergencies

It shall be the duty of the Airport Director or his designated representative to coordinate and/or control any and all Airport operations which may be in conflict with, or endangered by, an emergency situation. Airport operations may be restricted to the extent necessary to make the Airport as safe as possible considering the scope and severity of the emergency.

5.60 – Aircraft Accident Sites

Aircraft accident sites, as defined by FAR, fall within the jurisdiction of the FAA, NTSB, and their associated investigating bodies. All persons on or near a crash scene shall preserve any and all aircraft pieces, parts, papers, and other pertinent data and document their positions and content as additional aid to the appropriate investigating authority. Only those persons authorized by the incident commander or the Airport Director shall be allowed on the accident scene or within 1000 feet thereof.

5.65 – Runway Closure during Emergencies

Any runway, taxiway, or other operating area of the Airport, which becomes the scene of an aircraft accident, shall immediately be considered closed and unusable until determined otherwise by the Airport Director. The Airport Director shall provide for proper notification of closures by means of the issuance of NOTAMS, as necessary, and the coordination of local air traffic so long as the closure remains in effect.

5.70 – Removal of Aircraft and Wreckage

No aircraft, components, or parts thereof shall be removed from an accident scene until such removal has been authorized by the appropriate FAA or NTSB representative. Airport Management may assist in securing proper removal authority; however, it shall be the ultimate responsibility of the aircraft owner to acquire the proper authorizations for removal of aircraft wreckage.

5.73 – Accident Scene Preservation

In the event of an accident, the FAA/NTSB may require that the site be preserved for a prolonged period of time. The Airport Director shall provide for adequate scene protection as may be required. The financial charges for any such protection shall be borne by the involved aircraft owner(s)/operator(s).

5.80 – Owner Responsibility

Any aircraft involved in an accident or incident on the Airport shall be the responsibility of the registered owner for its prompt and proper removal from the accident site. Removal shall be accomplished only after proper authorization has been received as specified in Section 5.70. The registered owner of any aircraft which requires special handling, parking, or storage as a result of an accident shall be responsible for any and all charges incurred as a result of such storage. The owner may engage local services at his option

5.85 – County Responsibility

In the case where an owner is unable to remove a disabled aircraft from an Airport operating area, the Airport Director may at his discretion remove, or authorize the

removal of, said aircraft to an appropriate storage area. The charges for such removal shall be borne by the aircraft owner.

5.88 – County Indemnity

In the event the Airport Director or his designee removes said aircraft or parts thereof from an accident site in order to facilitate resumption of normal Airport operations, no person shall hold Airport personnel liable or responsible for any additional damage which may be caused as a result of such removal. Said removal shall be performed only after proper authorization has been obtained from the FAA / NTSB, and only if it is determined to be necessary to facilitate safe Airport operations, or to protect the safety of the general public and users of the Airport.

5.90 – Disabled/Un-airworthy Aircraft/Wreckage Storage

Disabled aircraft or aircraft wreckage shall not be stored in plain view of the public or in an area creating undue interest or an attractive nuisance for Airport operations. The owner of the disabled aircraft/wreckage may coordinate temporary onsite storage with the Airport Director.

6. AIRPORT SAFETY

6.10 – General

This section identifies the general responsibilities of aircraft owners, operators, tenants, and general users of the Airport to promote safety within the various Airport operations and activities. It is a primary responsibility of the Airport Director and staff to ensure safe operations on the Airport to the maximum extent possible.

6.20 – Aircraft Propellers, Rotors, etc.

All persons shall observe the utmost care and consideration around aircraft propellers regardless if the aircraft engine is operating or not. No person shall walk or drive within close proximity (within 25 feet) of an operating propeller. No person shall walk or drive beneath the arc of a helicopter rotor. No person shall walk or drive within 25 feet around an operating tail rotor of a helicopter at any time.

6.25 – Hand Propping

No person shall attempt to start an aircraft engine by hand (hand propping) without first:

1. becoming familiar with the hazards of hand propping;
2. assuring a competent and qualified operator is at the controls of the aircraft; and
3. the aircraft is securely tied down and/or chocked to prevent a safety hazard.

6.30 – Movement around Aircraft

Movement by either vehicle or pedestrian traffic around or in close proximity to any aircraft is extremely hazardous, especially during night/reduced visibility operations. Pedestrians should use extreme caution while walking to and from aircraft when other aircraft are operating on the ramps and taxilanes.

No vehicle traffic shall be permitted around or in close proximity to any aircraft whose engine(s) are running, preparing to be started, or which aircraft is preparing to or is taxiing within any of the operating areas of the Airport.

6.40 – Fueling

No aircraft shall be fueled or defueled while its engine is running, or while in a closed hangar or other enclosed area. Fueling shall be done in accordance with all federal, state, and local laws, as well as, any and all fuel supplier requirements and procedures. The equipment used shall provide adequate connections for grounding of static electricity, shall be properly maintained at all times and shall be kept in compliance with all applicable safety provisions.

All fueling of aircraft and handling of aircraft fuels on the Airport shall be done in accordance with the provisions of this section, as well as, Section 7.93 of these Rules and Regulations, and any applicable federal, state, or local laws, and vendor safety/quality control requirements and guidelines.

6.41 – Independent (Self) Fueling and Associated Equipment

No fuel shall be dispensed into aircraft from drums, small containers, or similar independent fueling systems unless authorized in writing by the Airport Director. Permission may be obtained on an individual basis. All dispensing equipment shall conform to all federal, state, and local requirements and be approved by the Oconee County Fire Chief.

Independent fueling equipment shall at all times be maintained in good repair and be certified/rated for the dispensing of aviation fuels. All dispensing units must be equipped with functional bonding and grounding cables and clamps, as required. No "hold-open" devices shall be installed, or otherwise utilized on the equipment. A minimum of one (1) fire extinguisher with a rating of 20 BC, or greater, shall be available during any independent fueling operation.

6.42 – Self Fueling Location

No aircraft shall be fueled in an area which creates a hazard to other surrounding aircraft, persons, property, or activities.

6.50 – Aircraft Cleaning

Washing or cleaning of aircraft is allowed only in areas designated by the Airport Director. Cleansers used for aircraft washing shall be designed and manufactured for the intended purpose and be biodegradable.

6.51 – Aircraft Engine/Parts Cleaning

The cleaning of engines or other parts of aircraft using flammable / volatile solvents shall not be carried on in any T-hangar. Leased areas designated as aircraft maintenance facilities may have this restriction waived with prior coordination of, and written approval by, the Airport Director and the County Fire Chief. Maintenance Facilities shall be equipped with at least two fire extinguishers with a 20 BC or greater rating.

6.60 – Floor Cleaning

All hangar floors shall be kept clean and free from oil, gas, and other flammable substances. No volatile flammable solvents shall be used for cleaning floors. No rag(s) soiled with flammable substances shall be kept or stored in any building on the Airport in such a manner as to create any fire hazard.

6.70 – Open Flame / Smoking

No person shall smoke or ignite any matches, flares, lighters, or other objects, which produce an open flame, anywhere within a hangar, shop, building, or Airport structure in which any aircraft is or may be stored, or in which any gas, oil, or flammable substance is stored, or within 50 feet of any aircraft or fueling facility or operation. This prohibition applies to all aircraft operations areas including tie-down spots.

6.80 – Hazardous Materials Disposal

The handling and disposal of all materials which are classed as "hazardous" by current EPA and SC DHEC regulations shall be accomplished through strict adherence and compliance with the provisions of those Rules and Regulations. This includes all unusable or contaminated fuel and used oil of any type.

6.90 – General Care

All persons using the Airport area or facilities in any way shall, at all times, exercise the utmost care to guard against fire and injury to persons or property on or about the Airport. Proper and customary practices of general industrial and fire safety shall be adhered to. Any observed activity which appears to compromise safety in any way, as determined by the Airport Director or current applicable regulations, shall be terminated immediately.

7. AIRCRAFT HANGAR REGULATIONS

7.10 – General

This section refers to the general occupancy of County-owned aircraft storage hangars on the Airport. Distinction is made between County hangars and corporate hangars or commercial aircraft maintenance facilities. This section applies only to aircraft storage hangars rented/leased from the County. The occupancy of commercial maintenance or corporate hangars is addressed elsewhere in these Rules and Regulations and the Airport Minimum Standards.

7.20 – Aircraft Storage

No person shall park or store any aircraft or associated equipment in any hangar on the Airport except by authority of and in compliance with the provisions of this section.

7.25 – Additional Use

Any additional use (other than Aircraft storage) of the hangars shall be authorized in writing by the County and comply with all applicable federal, state, and local laws, as well as, Airport Minimum Standards.

7.30 – Storage of Aircraft-Related Incidental Items

The primary purpose and use for each aircraft hangar shall be the storage of aircraft. **Aircraft hangars shall not be used as general public storage or for non-aviation items.** Typically, one aircraft must be stored in the hangar for there to be permissible incidental storage, which must be directly related thereto. The Airport Director may authorize the storage of two small aircraft in T-hangars with prior permission. Storage of personal items, in addition to aircraft support equipment storage, shall conform to all local fire and safety codes and the provisions of these Rules and Regulations. Long term storage of non-aviation related items (Boats, furniture, building materials, tires, etc.) is strictly prohibited.

7.32 – Motor Vehicle Storage

Motor Vehicles belonging to the hangar tenant or aircraft owner (and guests) may be temporarily stored in the hangar while the aircraft is away flying, or for other short durations of time, as approved by the Airport Director.

7.40 – Aircraft Maintenance

Aircraft maintenance in County-owned aircraft storage T-hangars shall be limited to the inspection and routine preventative maintenance of owner's personal stored (per lease agreement) aircraft as outlined in FAR Part 43 Appendix A Section (c) paragraphs 1 thru 32. All other aircraft maintenance activities shall be done by a licensed FAA mechanic and or certified repairman in accordance with applicable fire and safety codes and Airport Minimum Standards for Aeronautical Activities. Tenants who hold current repairman or current FAA mechanic certificates should coordinate maintenance activity on their own aircraft in advance with the Airport Director bearing in mind the restrictions in Section 7.50.

Aircraft painting, arc welding of metal components, and any form of metallic grinding/spark-producing, or explosive hazard activities are strictly prohibited.

Special aircraft maintenance work performed by non-based certified mechanics should be coordinated in advance with the Airport Director to ensure “through the fence” commercial operations are minimized (ref. Section 2.60).

7.42 – Aircraft Sub-components

Aircraft components and aircraft in a state of disassembly may be stored in the hangar while awaiting repairs/assembly with prior permission of the Airport Director. The storage of such components shall be subject to these Rules and Regulations, including the Fire and Safety provisions contained herein.

7.45 – Engine Run-up

No aircraft engine shall be run while inside any hangar. Aircraft shall be moved from the hangar to a safe position as provided in Section 2.70 for run-up, or at least outside of the hangar for low-power (idle) engine runs.

7.50 – Commercial Business Activities in T-hangars

No person shall conduct any type of commercial (for profit) business activity or aeronautical service from individual aircraft T-hangars, unless such activity is appropriately reviewed by the Aeronautics Commission, approved by Council, and conducted in accordance with adopted Minimum Standards for Aeronautical Activities on the Airport. The simple storage of aircraft used by a commercial flight training operation is authorized.

7.60 – Additional Occupancy

All airport property and parcels are zoned for industrial use. Therefore, no residential occupancy or use shall be allowed in an aircraft storage hangar or elsewhere on the Airport unless specifically authorized by the County.

7.70 – Proof of Liability Insurance

Each corporate hangar owner shall provide evidence of Airport Premises Liability insurance, maintained on the hangar premises, in the amount prescribed in the Airport Minimum Standards. A current Certificate of Insurance shall be filed/updated with the County annually.

7.80 – Hangar Inspection

All hangars on the Airport shall be subject to inspection by the Airport Director and County building officials as may be necessary to determine compliance with safety codes, Airport Rules and Regulations, and lease agreements. Reasonable notice will be given to each hangar lessee or owner prior to any compliance/fire code inspection. Minimum or no notice inspections may be made by county, state, or federal law enforcement personnel. Inspections shall be monitored by the Airport Director or a member of the Airport staff.

7.82 – Inspection Access

County representatives shall make a reasonable attempt to contact T-hangar tenants to arrange access. A tenant's inability or unwillingness, however, to provide access to the hangar shall not preclude the County from inspecting said premises.

7.90 – Fire Code Compliance & Safety

All occupants of aircraft hangars shall comply with this section, as well as, all principles of fire safety. All persons shall exercise the utmost care to guard against any

threat of fire or injury to persons and property on the Airport. All occupancies shall comply with applicable federal, state, and local law.

7.91 – Fire Extinguisher

Each hangar shall be equipped with at least one (1) fire extinguisher in the hangar with a minimum rating of 2A 10 BC. The extinguisher will be provided by the County, inspected annually and serviced, as required at County expense.

7.92 – Electrical

The County maintains electrical service to each T-hangar. Modifications to the lighting and electrical service require prior permission of the Airport Director and must be comply with all applicable building code standards and requirements. The use of high amperage power tools and equipment is prohibited.

7.93 – Flammables

No flammable liquid or other hazardous material shall be stored in individual T-hangars in containers with greater than 5 U.S. gallons in capacity. Aircraft operators may store modest (less than 5 gallons) quantities of aircraft engine oil and other lubricants, provided they are stored in proper containers. The accumulated storage of such materials shall not exceed a total of 25 U.S. gallons in any one T-hangar. Aircraft owners with Auto Fuel STCs on their stored aircraft may conduct self-fueling of the stored aircraft. Self-fuelers shall notify the Airport Director of their Auto Fuel STC status for insurance purposes.

8. COMMERCIAL/FIXED BASE OPERATORS

8.10 – General

This section applies to any person or entity providing (for profit) aeronautical services to the flying public on the Airport including commercial operators and specialized aviation service operations (SASOs). Airport Minimum Standards also apply to Fixed Base Operators (FBOs) and Commercial operators.

8.20 – Classification

- (a) Specialized Aviation Service Operation (SASO): an individual or entity at the Airport providing one or more of the following services:
 - (1) specialized aircraft repair services (avionics/radios, painting, upholstery, propellers, instruments, accessories, etc.);
 - (2) aircraft airframe and power plant maintenance and repair;
 - (3) flight training or flight instruction;
 - (4) aircraft sales;
 - (5) aircraft rental;
 - (6) aircraft charter and air taxi service; or
 - (7) commercial aircraft storage.
- (b) A commercial Fixed Base Operator (FBO) is an entity conducting or providing one or more aeronautical services on the Airport for profit, in accordance with these Rules and Regulations and the requirements outlined in the Airport Minimum Standards document (exception: individual certified flight instructors).
- (c) Non-Aeronautical Commercial Support Services are those activities which augment aviation operations, and are available to the general public, including: ground transportation (taxis, car rental, shuttle vans, limousines); restaurants, retail shops, barber shops, auto parking lots, recreational facilities, and any other commodities, services or accommodations.

NOTE: Any prospective Commercial Operator (other than an individual FAA certified flight instructor) seeking to conduct/provide aeronautical services at the Airport must provide a letter of financial integrity, to the County's satisfaction, from a bank or trust, company doing business in the area, or other such source readily verified through normal banking channels. This letter could include, but is not limited to, loan status and/or satisfaction history, length of relationship, any defaults, etc. The prospective Operator must also demonstrate they have the financial ability or backing, where applicable, for the construction of facilities for the proposed concept of operation. In addition, the financial institution letter should include a current financial net worth statement clearly showing the applicant holds unencumbered current assets in a total amount equaling at least three (3) months estimated maintenance and operating expenses. A performance bond may be used to meet this requirement.

8.21 – Permissions, Licenses, Lease Agreements

Each SASO or FBO operator must apply for and take possession of the required permits, licenses, and approvals prior to conducting commercial business on the Airport. No person shall provide any services to the public in exchange for monetary compensation on the Airport without **first** obtaining the required permissions, licenses, and clearances, as specified herein, and in the Airport Minimum Standards, including, but not limited to, the following:

1. County Airport property lease, approved by the Council;
2. Health and Safety review, issued by the County Building Official and Fire Chief;
3. SC DHEC permits, if applicable; and
4. Applicable FCC and FAA licenses (as applicable).

8.30 – Business plans

Each prospective SASO or commercial FBO operator shall prepare and submit a written formal business plan for Council approval. The Council or its designee shall review the plan within forty five (45) days and either accept the plan or recommend changes.

8.31 – Limited or Full Service FBO Application

Each person proposing to qualify and operate as a full or limited service FBO must:

- (a) Secure a valid property lease with the County for the proposed site;
- (b) Submit a business plan, as outlined in the Airport Minimum Standards;
- (c) Submit a copy of a proposed sub-lease agreement, if applicable;
- (d) Provide evidence of adequate supplemental insurance coverage for the specific aeronautical services provided (example: Hangar Keepers insurance, completed operations insurance, etc.) as applicable;
- (e) Provide evidence of adequate liability insurance coverage (See Airport Minimum Standards); and
- (f) Provide evidence of workers' compensation insurance, if applicable.

8.40 – Pricing of Aeronautical Services

- (a) Each Fixed Base Operator (FBO) shall furnish its accommodations and/or services on a fair, equal, and not unjustly discriminatory basis to all users thereof and it shall charge fair, reasonable, and not unjustly discriminatory prices for each unit of service, provided an FBO is allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar type of price reductions to volume purchasers.
- (b) Non-compliance with the provisions of Section 8.40(a), above, shall be cause for termination of an Airport Operating Permit.

8.50 – Parking in Leased Areas

On all leased land parcels, the lessee shall have the right to assigned vehicle parking as specified in Section 2.22. Lessee may charge fees at their discretion after proper notice is provided as specified in Section 8.40, above, on those sites under lease. All aircraft parking shall remain subject to the approval of the Airport Director, which

approval shall not be unreasonably withheld.

8.60 – No County Representation

No employee or representative of any SASO, commercial FBO, or lessee shall be authorized, or assume to be authorized, to act as an agent for or in behalf of Oconee County in matters of Airport operation or policy, or otherwise.

8.61 – Designated Authority

The Airport Director or his authorized designee is duly charged by the County to provide for the proper and safe operation of the Airport and administer the provisions of the Airport Rules and Regulations, along with the statutes, regulations, and standards referenced therein.

8.70 – Location of FBO Operations

Only authorized SASO operators or Fixed Base Operators shall be allowed to conduct business operations on Airport property designated for such operations in the Airport Layout Plan, as amended from time to time.

8.80 – Lessee/Lease Violations

Whenever the Airport Director has determined that a tenant, SASO operator, or FBO is providing services in violation of these Rules and Regulations or the Airport Minimum Standards, a Notice of Violation shall be issued to FBO operator specifying the nature of the violation, the intent to terminate the Operating Permit if the violation is not corrected, and the procedures for requesting a hearing pursuant to Section 1.80 of these Rules and Regulations.

9. SPECIAL USE OPERATIONS

9.10 – General

This section provides for the monitoring and regulation of special use operations on the Airport. Specific uses are addressed and appropriate operations procedures are identified. Some procedures may deviate from criteria established elsewhere in these Rules and Regulations. These provisions, however, shall prevail for the specified operation.

9.20 – Ultralight Operations

9.21 – Introduction/Applicability

- (a) This section applies to Ultralight Aircraft, as defined in FAR Part 103.1, including weight, flight speeds, fuel capacities, and required equipment and limitations. Only those aircraft meeting the prescribed design criteria may be operated under the provisions contained herein.
- (b) This section applies to the pilot or operator of the ultralight aircraft, as identified and defined in FAR Part 103.7, and other relevant parts, as applicable.
- (c) This section incorporates all applicable portions of Federal Air Regulations, Advisory Circulars, and similar guidelines, specifically, applicable portions of FAR Parts 61, 91, & 103; by reference, as though they were fully written and included herein.
- (d) The requirements of this section shall not apply to transient ultralight aircrafts.
- (e) This section shall not apply to aircraft and/or pilots that are registered with the FAA and possess a valid pilot's certificate and aircraft airworthiness certificate, as provided for in those applicable parts of Federal Air Regulation.

9.22 – Registration

- (b) All ultralight aircraft based at or operated routinely from the Airport shall be registered in the Airport office on the prescribed form.
- (c) All ultralight aircraft which operate from the Airport shall be registered with a national organization, recognized by the FAA, such as the Experimental Aircraft Association (EAA), the United States Ultralight Association (USUA), or similar organization.
- (d) All operators (pilots) of ultralight aircraft must possess valid pilot ratings issued by the national organization appropriate for their operation.
- (e) Proof of all required registration and rating information must be presented to the Airport Director for approval, and copies thereof must remain on file in the Airport office.
- (f) Any changes in aircraft ownership, registration, or rating information must be provided to the Airport office within ten (10) days.
- (g) Insurance is required for all ultralight operations on the Airport. The ultralight operator/owner shall indemnify, defend, and hold harmless the County, its officers, officials, employees, and volunteers from any and all loss, damage, and liability for claims and/or damages, including attorney's fees and other

costs of defense incurred by the County, whether for damages to or loss of property, or injury to or death of any person or entity, including the owners or operators and their officers, agents, employees, heirs and assigns, which shall in any way arise out of or be connected with ultralight operations. To this end, the ultralight operator/owner shall secure and maintain, during the term of this agreement certain insurance for each ultralight that shall protect the County in such manner and amounts as set forth below:

- (v.) The carrier must have a Best's rating of A-VII or better.
- (vi.) The policy limit shall be three hundred thousand (\$300,000) dollars per person per occurrence for bodily injury and five hundred thousand (\$500,000) dollars property damage per occurrence, and one-million (\$1,000,000) dollars combined per occurrence. The policy shall be endorsed to name the County as an additional insured. Said endorsement shall be executed by a representative authorized to issue same.
- (vii.) The insurance coverage shall be primary insurance, as respects to the County, its officers, officials, employees, agents, and volunteers. Any insurance or self-insurance maintained by the County, its officers, officials, employees, agents, or volunteers shall be excess of the ultralight operator/owner's insurance and shall not contribute with it.
- (viii.) The endorsement shall specifically state that the insurance coverage provided under this policy shall not be suspended, voided, canceled by either party, reduced in coverage or in limits, except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the County.
- (v.) Renewal endorsements shall be provided to the County annually, thirty (30) days prior to the anniversary date of each agreement.

9.23 – Waivers and Exemptions

- (a) As provided in FAR Part 103.1(a), the Ultralight Aircraft used or intended to be used for manned operation in the air by a single occupant. Except as specified in an appropriate waiver or exemption letter, no person may operate an ultralight with more than one occupant. Any operation under a waiver or exemption letter must be done so in strict compliance to all provisions contained therein.
- (b) Each waiver or exemption letter required under this part shall be presented to the Airport Director for review and a copy of same shall be maintained on file in the Airport office.
- (c) Insurance coverage required in Section 9.22(f), above, shall specify and provide coverage for the appropriate exempted operation identified in the exemption letter.
- (d) Flight Instruction/Training is a commercial activity and shall be conducted only in full compliance with the requirements in the Airport's Minimum Standards for Aeronautical Activities, and other applicable provisions of Airport Regulations and FAR's.

9.24 – Agreement

- (a) Each person who operates an ultralight on or from the Airport under the provisions of this regulation shall first complete a verbal orientation and briefing on all applicable requirements and operations procedures with the Airport Director.
- (b) Each person who operates an ultralight on or from the Oconee County Regional Airport under the provisions of this regulation shall agree, in writing, to comply with and abide by all provisions contained herein and all regulations, advisory circulars, exemptions, ordinances, and other documents attached hereto, or otherwise incorporated herein. Failure to comply may result in the revocation of the person's privilege to operate an ultralight on or from the Airport.

9.25 – Airport Access

- (a) Access and use of designated Common-Use areas of the Airport is granted to authorized Ultralight users operating under the provisions of this section.
- (b) Operation on these Common-Use areas is restricted to only those sections of taxiway necessary to access the runway and other pertinent Airport facilities, and the portion of the grassy area north of runway 7-25 to be used by ultralight and tailwheel aircraft.
- (c) Access to the airside of the Airport is granted through security gates and other Airport security provisions by the route approved by the Airport Manager.
- (d) Only the ultralight aircraft and its pilot are allowed beyond (north of) the terminal apron. Family, spectators, and private vehicles are not allowed on runways, taxiways, or their adjacent safety areas. All observers/spectators must remain in designated spectator areas, except by authorization of the Airport Director.

9.26 – Flight Operations

- (a) FAR Part 103.15 states no person shall operate an ultralight aircraft over any congested area of a city, town, or settlement, or any open air assembly of persons.
- (b) FAR Part 103.11(a) states no person may operate an ultralight aircraft except between the hours of sunrise and sunset.
- (c) FAR Part 103.23 identifies the flight visibility and cloud clearance requirements for operation of an ultralight.
- (d) Oconee County Regional Airport underlies Class E airspace. The appropriate ATC authority for Oconee County Airport is Greer Approach Air Traffic Control.
- (e) At any time the prevailing wind at the Airport exceeds the limitations of the ultralight, then such ultralight operations are prohibited and shall cease.
- (f) No ultralight aircraft shall operate within one (1) nautical mile of the Airport EXCEPT for the purpose of take-off or landing.
- (g) Ultralight takeoffs and landings are prohibited on the paved surface of Runway 7-25, Taxiways A, A1, A2, A3, A4, A5, A6, and all aprons and

taxilanes. Ultralights should cross Runway 7-25 as expeditiously as possible on a path perpendicular to the runway centerline.

- (h) All take-offs and landings shall be conducted as follows:
- (i.) **No Take-offs and Landings shall be attempted when another aircraft is taking off or landing on the paved runway in use. No Take-offs and Landings shall be attempted when another aircraft is on final to the runway in use (within 3 nautical miles).**
 - (ii.) All TAKE-OFFS shall commence from the grassy area north of Runway 7-25.
 - (iii.) After take-off, the ultralight shall turn north to a downwind heading, remaining north of the Airport facility at all times.
 - (iv.) The ultralight shall then depart the Airport area to the north, REMAINING clear of Runway 7 and 25 final approach paths and remaining clear of Eagle Ridge Airport 1 mile northwest.
 - (v.) LANDING ultralights shall approach the Airport from the NORTH, at or below 500 feet AGL, and remain clear of the Runways 7 and 25 final approach paths and Eagle Ridge Airport.
 - (vi.) Landing ultralights: Runway 7: ENTER the pattern on a LEFT BASE remaining INSIDE (east) of Shiloh Road. Runway 25: ENTER the pattern on a RIGHT BASE remaining INSIDE (west) of Seneca Creek Road.
 - (vii.) Landing ultralights shall YIELD to any final approach traffic by CIRCLING to the north, at or below 500 feet AGL, to re-enter the base leg for the runway in use.
 - (viii.) Touchdown as close as practical to the center of the grassy area north of the paved runway, announce intentions to cross runway prior to taxi back and exit the Runway at Taxiway A3.
 - (ix.) No ultralight shall fly across the centerline of Runway 7-25, or extended centerline, within one mile of the Airport.

9.27 – Radio Communications

- (a) All radio equipped Ultralights operating in the Airport traffic pattern should maintain constant two-way radio communications on the CTAF frequency (122.7).
- (b) At the appropriate time, position reports should be broadcast similar to the following:
 - (i.) *"... Ultralight departing Runway XX, downwind departure, north of Oconee County Airport..."*
 - (ii.) *"... Ultralight clear of the airport traffic pattern, to the north..."*
 - (iii.) *"... Ultralight inbound from the north for left (right) base entry to Runway 7 (25), 500 feet AGL "*
 - (iv.) *"... Ultralight on left (right) base for Runway 7 (25), landing in the grass ..."*

(v.) "... Ultralight on final for Runway 7 (25), landing in the grass..."

(vi.) "... Ultralight clear of Runway 7-25..."

9.28 – Other Regulations

Except as provided within this section, all other applicable provisions of these regulations shall apply to and remain in effect for all operations of Ultralight Vehicles on the Airport or within the Airport Traffic Pattern.

9.30 – Parachute Operations

9.31 – County Authorization

No person shall conduct parachute operations on or about the Airport without first obtaining authorization from the Airport Director, in accordance with the Airport Minimum Standards and these Rules and Regulations.

9.32 – Drop Zone

No person shall jump into the Airport, except into an established drop zone or target area, as established by the Airport Director. All parachute landings shall be made only on the designated drop zone. Deliberate parachute landings on areas other than the designated drop zone (i.e. the runway or taxiways and adjacent areas) are not authorized unless special permission has been granted in advance by the Airport Director. Permission to land outside the drop zone shall be limited to a specific time period, as granted by the Airport Director.

9.33 – Parachuting Safety Notifications

No person shall operate an aircraft carrying jumpers or allow said jumpers to exit their aircraft without first assuring that all necessary notifications, as required by FARs, are complied with. Said notification shall include at least, but may not be limited to, the prior filing of a Notice to Airman (NOTAM) with the appropriate Flight Service Station, the inflight coordinating with the appropriate Air Route Traffic Control Center, and the required advisories on the Airport Common Traffic Advisory Frequency (CTAF), 122.7 MHz.

9.34 – Parachute Jump Notification to Airport

No person acting as pilot of a jump aircraft dropping parachutists onto the Airport shall allow jumpers to exit the jump aircraft without giving advance notice to Airport staff of the proposed jump operation.

9.35 – Parachute Safety Observer

No person shall conduct a parachute operation of any kind without first ensuring that a qualified parachute safety observer is in place during the proposed skydiving operation. Said observer shall ensure that on-duty Airport staff and all aircraft are adequately informed of the parachute jump by announcing to the Airport traffic on the CTAF (122.7 MHz), and identifying the location of the descending jumper(s) to affected traffic as necessary.

9.46 – Cloud Cover

No person, acting as pilot-in-command of a jump aircraft, shall operate said aircraft so as to climb above a published cloud cover (ceiling), as defined by FAR's (broken or

overcast ceiling), and/or allow skydivers to exit said aircraft over the Airport above the cloud cover so that jumpers will fall through or in close proximity to clouds on their descent to the Airport, below.

9.47 – Commercial Skydiving

No person shall operate a commercial skydiving business on the Airport unless that person has complied with all requirements, as applicable, contained in the Airport Minimum Standards.

9.50 – Aerial Application Operations - Agriculture

No person shall base or conduct aerial application (crop dusting) from the Airport unless that person has been issued appropriate licenses and permits, and the subject operation has been coordinated with and approved by the Airport Director in writing.

9.51 – Ground Access

Aerial Applicator ground support equipment shall access the Airport and establish support operations only as designated by the Airport Director. No vehicle shall operate on any runway or taxiway.

10. AIRPORT OPERATING PERMITS

10.10 – General

No person shall offer aeronautical services or conduct another business activity on the Airport without first obtaining the required licenses and permits, as outlined in Section 8.21 of these Rules and Regulations, the Airport Minimum Standards, and as may be required by federal, state, and local law.

10.15 – Non-Compliance

Failure to comply with any of the provisions of this section shall be considered a violation of Airport Rules and Regulations and, in addition to any other penalties, shall constitute a public nuisance and grounds for termination of the offending operation and removal from the Airport of all involved persons, entities, and property. Those persons found to be in violation of any of the provisions of these Rules and Regulations may be cited and prosecuted.

10.20 – Use Permit

No Aeronautical Services may be established on the Airport without first obtaining the review of the Aeronautics Commission and Council. Land uses shall comply with requirements of the County's Zoning and Airport Master Plan documents including applicable provisions calling for use permits and/or development plans. In all instances, Airport business users shall obtain an Airport operating permit and comply with applicable laws, ordinances, codes, rules and regulations, and minimum standards.

10.30 – Airport Operating Permit

No person shall provide any Aeronautical Services on the Airport without first obtaining an Airport Operating Permit. Said permit shall be issued by the Airport Director, after receiving comment from the Airport Director and the Aeronautics Commission, as required.

10.11 – Application

Each person proposing to apply for an Airport Operating Permit shall submit application to the County, in writing, via the Airport Director, substantially as outlined in the Airport Minimum Standards requirements for such application.

10.42 – Evaluation

Applications for an Airport Operating Permit shall be evaluated as provided in these Rules and Regulations and the Airport Minimum Standards on the basis of compatibility with other and neighboring uses and activities on the Airport. Applications shall also be reviewed to determine consistency with established Airport policies as outlined in this Rules and Regulations Document. The requirements of this section may be met in the form of an Airport Property Lease, if issued or required, for the development of adequate facilities to conduct the proposed business.

10.43 – Fees

The applicant shall pay operating fees, as established in the adopted Airport Fee Schedule referenced in these Airport Rules and Regulations and available from the

Airport Director.

10.44 – Liability Exposure

No application shall be approved which unduly creates additional hazard or liability exposure to the public, the Airport, or Oconee County.

10.45 – Liability Insurance

Each applicant for an Airport Operating Permit shall provide and continue to maintain adequate commercial general liability insurance in a form and by an underwriter acceptable to the County, to those minimum limits as specified by law and Oconee County. Each policy covering operations on the Airport shall name "Oconee County" as additional primary insured and shall protect the County in such manner and amounts as set forth below:

- (i.) The carrier must have a Best's rating of A-VII or better.
- (ii.) The policy limit shall be one million (\$1,000,000) dollars per person per occurrence for bodily injury and one million (\$1,000,000) dollars property damage per occurrence, and three million (\$3,000,000) dollars combined per occurrence. The policy shall be endorsed to name the County as an "additional insured." Said endorsement shall be executed by a representative authorized to issue same.
- (iii.) The insurance coverage shall be primary insurance as respects the County, its officers, officials, employees, agents, and volunteers. Any insurance or self-insurance maintained by the County, its officers, officials, employees, agents, or volunteers shall be excess of the operator/owner's insurance and shall not contribute with it.
- (iv.) The endorsement shall specifically state that the insurance coverage provided under this policy shall not be suspended, voided, or canceled by either party, or reduced in coverage or in limits, except after thirty (30) days' prior written notice by certified mail, return receipt requested, has been given to the County.
- (v.) Renewal endorsements shall be provided to the County annually, thirty (30) days prior to the anniversary date of each agreement.

10.47 – Public Protection

Each applicant for an Airport Operating Permit who proposes to conduct members of the public on the Airport operating areas, and on or near aircraft, shall provide, to the satisfaction of the Airport Director, a written procedure which provides for the safe and efficient handling of the public in these areas and which does not create undue hazard to the public or those aircraft operating within the proposed areas.

10.48 – Renewal

Each Airport Operating Permit shall be valid for a period of one (1) year from its date of issue. Renewal may be made by County Staff without formal application request by applicant. The Airport Director shall, however, review each operating Permit at the time of renewal to assure full compliance with Airport Regulations, the terms of the permit, and any change in the scope of operation which would dictate a modification to

the permit, itself. Said permit shall be modified as necessary at the time of its renewal.

10.50 – Special Events

No person or organization shall hold or cause to be held any special event or gathering at the Airport, utilizing Airport facilities, involving the assembly of more than ten (10) aircraft and/or thirty (30) people, outside of normal prescribed Airport operations, without first obtaining an Airport Special Event Permit from the Airport Director. This permit shall define the conditions and areas under which the event may take place and the provisions and responsibilities of the organizing party. The event shall take place only so long as the conditions of the permit are met. Any violation or deviation from said permit/provisions shall constitute grounds for termination of the event. It shall be the responsibility of the Airport Director to assure all terms and conditions are met and the public health, safety, and welfare with respects to the specific operation are maintained.

10.51 – Application

An applicant for an Airport Special Event Permit shall submit an application to the Airport Director on a form approved by the County. Such application shall include the name and address of the sponsoring organization, those principal persons involved, the scope and extent of the proposed event, and the number of persons and/or aircraft anticipated to attend.

10.52 – Evaluation

Applications for an Airport Special Event Permit shall be evaluated on the basis of relative merit, compatibility with Airport operations, anticipated benefit to the Airport, the Public, and the County of Oconee, and the conformity with allowed uses on County and Airport property.

10.53 – Fees

The fees charged for an Airport Special Event Permit shall be in accordance with those fees specified in the current Airport Users Fee Schedule. The fees charged shall also reflect any additional Airport staff time or services which may be required for the event.

10.54 – Liability Exposure

No application for an Airport Special Event Permit shall be approved which unduly creates additional hazard(s) or liability exposure to the public, the Airport, or Oconee County.

10.55 – Liability Insurance Requirement

Each applicant for an Airport Special Event Permit shall provide adequate liability insurance in a form and by an underwriter acceptable to the County, to those minimum limits as specified by the County for the event. Such insurance shall remain in effect during that period of time of the event as specified in the Special Event Permit. Each policy covering a special event on the Airport shall name "Oconee County" as an additional primary insured without offset to the County's own liability insurance.

10.56 – Alcoholic Beverages

No alcoholic beverage shall be served on Airport premises in conjunction with any special event allowed under the provisions of this section. Deviations from this provision require special permission of the Council and a permit issued by the South Carolina State Alcoholic Beverage Control Department. The appropriate County Alcohol Permit request shall be completed and adequate event insurance shall be secured.

10.58 – Special Event Crowd Control/Operations

Each applicant for an Airport Special Event Permit who proposes to involve more than one-hundred (100) persons outside of normal Airport Operations for said event shall submit a Crowd Control/Event Operations Plan to the Airport Director for review and approval. Such plan shall include but not be limited to provisions for the following issues as pertains to the proposed event.

- (a) Transient (Spectator) Aircraft Parking
- (b) Participant Aircraft Parking
- (c) Static Display Area
- (d) Spectator Area
- (e) Concession Areas
- (f) Public Accommodations (Restrooms, First Aid, etc.)
- (g) Ground Handling of Aircraft and Vehicles
- (h) Personnel Training and Coordination
- (i) Public Address and Communication
- (j) Volunteer coordination

10.59 – Event Notification

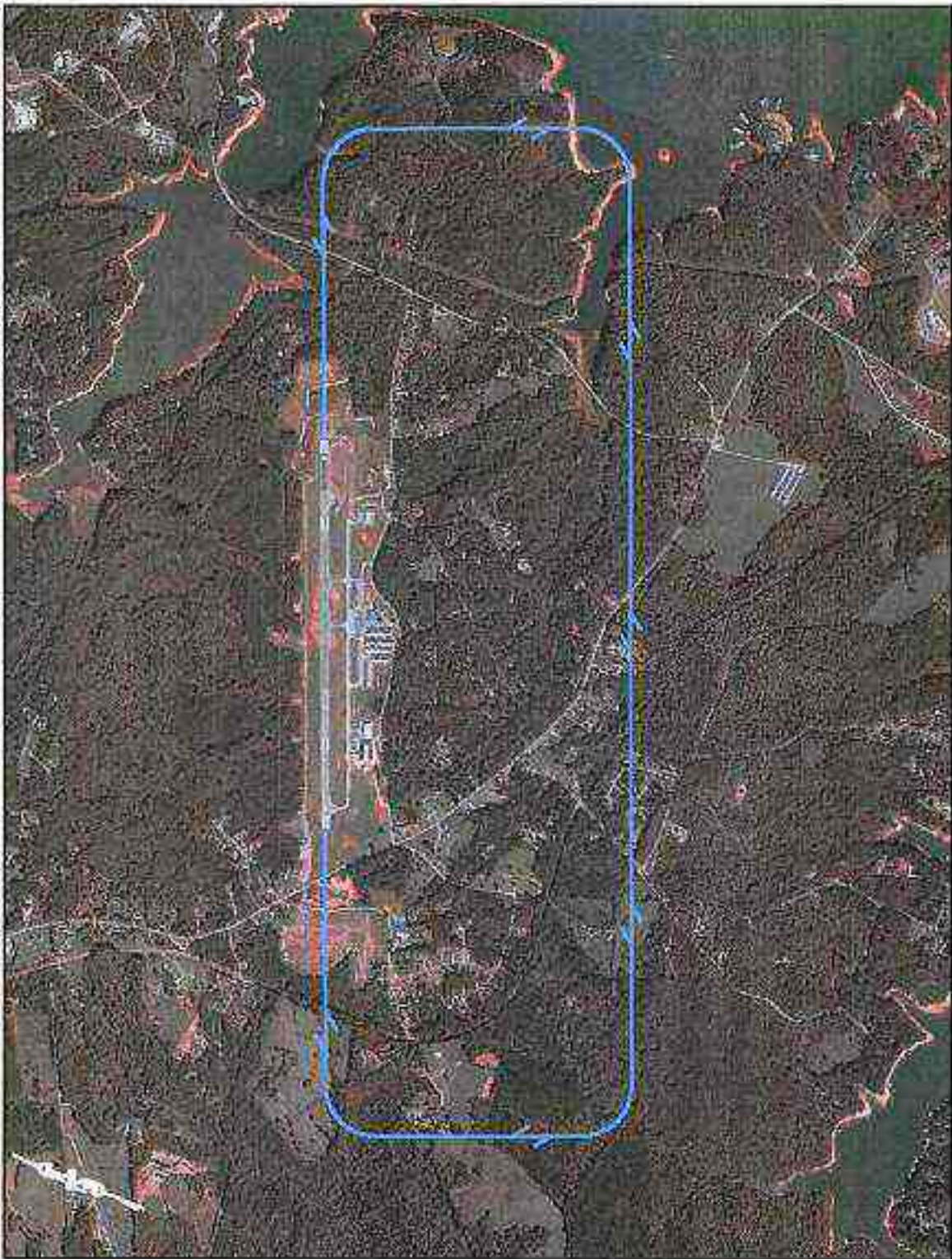
All licenses, permits, waivers, and certificates required herein shall be applied for a minimum of thirty (30) days prior to the proposed event. Said documents shall be completed and submitted for final review and approval by the County via the Airport Director no less than fifteen (15) days prior to the date of the proposed event. In cases where the required permit requires additional time to process, then the applicant shall submit application with enough time to provide for completion fifteen (15) days prior to the event.

10.60 – Waivers

The Airport Director may waive, approve, or require additional information or provision for any of the elements above, based upon the scope of the proposed event.

EXHIBITS

Exhibit A – Oconee County Regional Airport Traffic Patterns





Boards & Commissions

Boards & Commissions	State / OC Code Reference	Reps [DX-At Large]	Co-Terminus	Term Limits	4 Year Term	Meeting Date to Appoint	Erda Cammick	Wayne McCall	Paul Cain	Julian Davis	Glenn Hart		
							2015-2018	2017-2020	2015-2018	2017-2020	2017-2020	2015-2018	2017-2020
							District I	District II	District III	District IV	District V	At Large	At Large
Aeronautics Commission	2-262	5-2	YES	2X	YES	Jan - March	Randy Renz [2]	David Bryant [1]	Edward Perry [2]	Dan Schmeidt [2]	Ronald Chiles [2]	A. Brightwell [1]	Michael Gray [1]
Ag. Advisory Board	2016-17	5-2	YES	N/A	YES	Jan - March	Debbie Sewell [1]	Doug Hollifield [1]	Michael Marshall [1]	Ed Land [1]	Vickie Wroughtby [1]	Kim Alexander [1]	Rex Stanton [1]
Arts & Historical Commission	2-321	5-2	YES	2X	YES	Jan - March	Bette Borenian [1]	Meredith LaCour [1]	Maniam Noora [1]	Barbara Waters [2]	H. Richardson [2]	Shawn Johnson [1]	Jean Dobson [2]
Board of Zoning Appeals	38-6-1	5-2	YES	2X	YES	Jan - March	Allen Medford [2]	OPEN	Bill Gilster [1]	Marty McKee [2]	John Menzies [1]	OPEN	Charles Morgan [1]
Building Codes Appeal Board		5-0	YES	2X	YES	Jan - March	George Smith [1]	Matt Rochester [1]	Bob DuBose [2]	Mike Willmon [2]	Harry Tollison [2]		
Conservation Bank Board	2-381	Approved by Category Preferred		2X	YES	Jan - March	Shea Airey [2]	Robert Davis [1]	Jennifer Moss [1]	Marvin Prater [2]	Frank Ables [1]	Richard Cain [2]	Bill Smith [1]
Destination Ocoee Action Committee	N/A	5-2	N/A	N/A	N/A	Jan - March	David Washburn	Luther Lyle	Al Shadwick	OPEN	Bob Hill	Robert Moore	Hal Welch
PRT Commission (members up for reappointment due to trial stagger)	6-4-25 2-381	Appointed by Industry		2X	YES	Jan - March	Brian Greer [2], Rosemary Bales [2], JoAnne Blake [2]			Becky Wise [2], Rick Lacey [2], Mike Wallace [2]			O Pollock [1]
Scenic Highway Committee	26-151	0-2	YES	2X	YES	Jan - March						Scott Lusk [1]	Stacey Powell [1]
Library Board	4-9-35 / 18 1	0-9	YES	2X	YES	Jan - March	Daniel Day [2], L. Martin [1], B. Hetherington [1], H. McPheeters [1], A. Squires [1], & Hollis [1]				William Caster [2], Maria Jacobson [1], Marie McMahan [1]		
Planning Commission	6-29-310 32-4	5-2	YES	N/A	YES	Jan - March	Brad Kisker	C. W. Richards	David Owenby	OPEN	OPEN	Gwen McPhail	Mike Johnson
Anderson-Ocoee Behavioral Health Services Commission	2-291	0-7	YES	2X	3 yr	N/A	Steve Jenkins [1], Harold Alley [1], Louie Holleman [1], Wanda Long [1], Priscilla Taylor [1], Joan Black [1], Jere DuBois [1] SHS contacts Council w/ recommendations when seats open						
Capital Project Advisory Committee	2-381	CC, PC, 2 @ l.g.	NO	3X	1 yr	January							
Ocoee Business Education Partnership	N/A	N/A	NO	N/A	NO	January	Mr. Julian Davis, District IV						
Ocoee Economic Alliance	N/A	N/A	NO	N/A	NO	January	Ms. Cammick, Chairwoman; Mr. T. Scott Maulder, Administrator; Mr. Sammy Dickson						
Ten At The Top (TATT)				NO	NO	January	Mr. Dave Eldridge						
ACOG BOD				N/A	NO	January	Council Rep. CC CHAIR or designee (yearly); 2 yr terms Citizen Rep: Bob Winchester, Minority Rep: Bertie Cunningham						
Worklink Board						N/A	Worklink contacts Council w/ recommendations when seats open [Current: B. Dobbins]						

[1] - denotes term. [2] denotes a member who has served one term and less than one half of an additional term making them eligible for the additional appointment.
 [SHADING = reappointment requested - questionnaire on file] Denotes individual who DOES NOT WISH TO BE REAPPOINTED
 Bold Italics TEXT denotes member ineligible for reappointment - having served or will complete serving max # of terms at the end of their current term.

**OCONEE COUNTY BOARD/COMMISSION/COMMITTEE
CANDIDATE LISTING**

	DX	AT LARGE	REQUEST REAPPOINTMENT	AERONAUTICS	PUBLIC SAFETY	REGULATORY	PLANNING	DESTINATION OCONEE	AGRICULTURE	EDUCATION	TOURISM & REC.	Questionnaire Received Date
Brackett, Beverley	1									LIB		November 2016
Adams, Tony A.	4										AH	January 2017
Lusk, Joshua	1					x	x					December 2016
Moore, Howard	1						AG					August 2016
Powell, Clifton	1									LIB		January 2017
Lee, Gary	2										AG	July 2010
Lyle, Luther	2		YES					x				January 2017
Richards, C. W.	2		YES				PC					August 2016
Suddeth, Alisa	2		YES							LIB		November 2016
Evans, Kevin G.	2									x	PRT	January 2017
Welch, Hal	2	YES	YES					x				January 2017
Griffin, Alison	3									LIB		December 2016
Hollenman, Kelly	3		YES							LIB		November 2016
Bulls, William	4						AG				AG	July 2016
Gambrell, Richard	4						AG				AG	August 2016
Gorman, Janet	4									x		June 2016
Lyles, Marien	4			x								October 2016
Morrison, Chanda	4									LIB		December 2016
Pearson, Frankie	4						x			LIB		August 2016
Prater, Marvin	4		YES				OCC					December 2016
Rundlet, Frances M.	2						CSB				x	November 2016
Smith, Matthew	4							x				December 2016
Smith, Share	4			x		x						November 2016
Ables, Frank	5						AG				AG	August 2016
Chiles, Ronald	5		YES	AER								October 2016
Donald, Tim	5	Yes					AG					August 2016
Hill, Bob	5	YES						x				January 2017
Marlin, Lisa	5		YES							LIB		August 2016
Murphy, Christine	5						AG				AG	August 2016
Whiten, Charis	5						AG					July 2016

Qualifications are maintained on file for one year also removed from consideration unless updated by candidate.

Area of Interest (please check one or more)	Board/Commission Applicable to Interests
Aeronautics	Aeronautics Commission
Public Safety, Health & Welfare	Anderson-Oconee Behavioral Health Services Commission
Regulatory	Building Codes Appeal Board Parks, Recreation & Tourism Commission Board of Zoning Appeals
Planning Activities	Appalachian Council of Government Board of Directors Board of Zoning Appeals Conservation Bank Board [OCCB] Planning Commission Scenic Highway Committee
Destination Oconee	Destination Oconee Action Plan Committee
Agriculture	Agricultural Advisory Committee
Education	Arts & Historical Commission Library Board
Tourism & Recreation	Arts & Historical Commission Parks, Recreation & Tourism Commission Scenic Highway Committee

Updated January 9, 2017

**Oconee County
Council**

Oconee County
Administrative Offices
415 South Pine Street
Walhalla, SC 29691

Phone: 864-364-5138
Fax: 864-718-10245

Email:
occc@occc.sc.gov

Edda Cammick
District I

Wayne McCall
District II

Paul Cain
District III

Julian Davis
District IV

J. Glenn Hart
District V



LEGAL AD

**PLEASE ADVERTISE IN THE NEXT ISSUE
OF YOUR NEWSPAPER**

The Oconee County Council will meet in 2017 on the first and the third Tuesday of each month [excluding July & August which will meet only on the third Tuesday of the month] at 6:00 p.m. in Council Chambers, Oconee County Administrative Offices, 415 South Pine Street, Walhalla, South Carolina unless otherwise advertised.

Oconee County Council will also hold a Planning Retreat in February 2017 [TBD] in Council Chambers to establish short and long term goals.

Additionally, Council will meet on January 2, 2018 at 6:00 p.m. in Council Chambers at which point they will establish their 2018 council and committee meeting schedules.

Additional Council meetings, workshops and/or committee meetings may be added throughout the year as needed.

Oconee County Council Committees will meet in 2017 on the following dates/times in Council Chambers, 415 South Pine Street, Walhalla, South Carolina unless otherwise advertised.

The Law Enforcement, Public Safety, Health & Welfare Committee and the Transportation Committee at 5:30 p.m. on the following dates: January 10, April 11, July 11 and October 10, 2017.

The Real Estate, Facilities & Land Management Committee and the Budget, Finance & Administration Committee at 5:30 p.m. on the following dates: February 14, May 9, August 8 and November 14, 2017.

The Planning & Economic Development Committee at 5:30 p.m. on the following dates: March 14, June 13, September 12 and December 12, 2017.

Beth Hulse

From: Beth Hulse
Sent: Wednesday, December 21, 2016 1:01 PM
To: Beth Hulse; Carlos Galarza; Chad Dorsett; DJM News Editor; Fox News; Greenville News (localnews@greenvillenews.com); Kevin; Ray Chandler; Steven Bradley (sbradley@upstatetoday.com); Westminster News / Keowee Courier (westnews@bellsouth.net); WGOG (dickmangrum@wgog.com); WSPA TV - Channel 7 (assignmentdesk@wspa.com); WYFF 4 News
Cc: Brittney Piescik; Amanda Brock; David Root
Subject: Public Hearing: Ordinance 2016-38 - January 17, 2017

The Oconee County Council will hold a Public Hearing for Ordinance 2016-38 "AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS PERTAINING TO COMMUNICATION TOWERS, ONLY; AND OTHER MATTERS RELATED THERETO" on Tuesday, January 17, 2017 at 6:00 p.m. in Council Chambers, Oconee County Administrative Offices, 415. S. Pine Street, Walhalla, SC.

Elizabeth G. Hulse, CCC

Clerk to Council

Oconee County Administrative Offices

415 South Pine Street

Walhalla, SC 29691

864-718-1023

864-718-1024 [fax]

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Oconee County
Council



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Email:
***.com

The Oconee County Council will hold a Public Hearing for Ordinance 2016-38 "AN ORDINANCE AMENDING CHAPTER 32 OF THE OCONEE COUNTY CODE OF ORDINANCES IN CERTAIN LIMITED REGARDS AND PARTICULARS PERTAINING TO COMMUNICATION TOWERS, ONLY; AND OTHER MATTERS RELATED THERETO" on Tuesday, January 17, 2017 at 6:00 p.m. in Council Chambers, Oconee County Administrative Offices, 415 S. Pine Street, Walhalla, SC.

Eddie Canimick
District I

Wayne McCall
District II

Paul Cain
District III

Julian Davis
District IV

J. Glenn Hart
District V



Beth Hulse

From: Beth Hulse
Sent: Wednesday, December 21, 2016 1:00 PM
To: Beth Hulse; classadmgr@upstatetoday.com
Cc: Brittney Piescik; Amanda Brock; David Root
Subject: Public Hearing: 2016-38
Attachments: 122116 - PH 2016-38, 1-17-17.docx

Please run at your earliest convenience.
Thanks.

Elizabeth G. Hulse, CCC
Clerk to Council
Oconee County Administrative Offices
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