

MOGOLLON AIRPARK RULES AND REGULATIONS

May 12, 2018, version 2.2

1-1. DEFINITIONS:

- A. "Aircraft" means a machine that is used or intended to be used for flight in the air.
- B. "Airport" means all of the airport facilities located at Mogollon Airpark, Overgaard, Arizona, as now existing or as may hereafter be expanded and developed but such definition shall not include any hangar, shade or space privately owned or any of the residential development.
- C. "Airport Manager" means the duly elected members of the Board of Directors or Designee.
- D. "Aircraft Operation" means an Aircraft arrival at or departure from the Airport, or Aircraft movement on the surface of the Airport.
- E. "Association" means Mogollon Airpark, Inc., an Arizona non-profit corporation, and also refers to the Homeowners' Association.
- F. "Board" means the Board of Directors of the Association.
- G. "Guest" means a person who is visiting a lot owner who is in residence at the airpark or using the airpark property of the owner.
- H. "Guest Privileges" means the right of any Guest to land, takeoff, operate and store aircraft at the Airport on a transient basis, subject to the Association Regulations.
- I. "Member" means a member in good standing in the Mogollon Airpark, Inc., an Arizona non-profit corporation.
- J. "Pedestrian" means a person on foot upon the Airport property of the Association.
- K. "Vehicle" means any means in or by which someone or something is carried or conveyed. This may include but is not limited to automobiles, motorcycles, scooters, ATVs, golf carts, Segways, or any other as designated at the discretion of the Airport Manager.

1.2 PERMISSION TO USE AIRPORT

Any Permission granted by the Airport Manager directly or indirectly, expressly or by implication, to enter upon or use the Airport or any part thereof, including but not limited to Members, Member's Guests, emergency users, persons doing business with the Airport, lessees of Members and permittees and all other persons whatsoever, whether or not of the type indicated, is conditioned upon compliance with these General Rules and Regulations. Entry upon or into the Airport by any person shall be deemed to constitute an agreement by such person to comply with such General Rules and Regulations.

2.0 USE OF THE AIRPORT

No person shall utilize the Airport for any Aircraft Operation except a Member, a Member's Guests or passengers or for emergency uses approved by the Airport Manager. To qualify as a Member's Guest, a person must first complete and submit a Prior Permission Form, which is available from the Airpark website (MogollonAirpark.com), or by contacting the Airpark office. Notwithstanding the foregoing, additional persons or entities may use the airport property on a limited basis including transient aircraft landing with the express prior permission of the Airport Manager.

3.0 RESTRICTIONS UPON USE OF AIRPORT

3-101. Commercial Activities and Services

No person shall utilize the Airport or any portion thereof to conduct revenue producing commercial activity except under the terms of a Use Permit issued by the Board of Directors of the Association.

3-102. Insurance Requirements

Any Member, Member's lessee or Member's Guests must have (and make available for inspection to the Airport Manager if requested), prior to conducting any Aircraft Operation at the Airport, proof of valid insurance.

3-103. Advertisements

No person shall post, distribute or display signs, advertisements, circulars, printed or written matter at the Airpark without permission of the Airport Manager.

3-104. Sanitation

No person shall keep uncovered trash containers in any area or in any respect cause trash or foreign matter to be stored in any public area at the Airport. Areas to be used for trash or garbage containers shall be designated by the Airport Manager and no other areas shall be used. Such areas shall be kept clean and sanitary at all times.

3-105. Community Quiet Hours

Except for Aircraft Operations, community quiet hours are from 10:00 PM to 6:00 AM. Please respect your neighbors and keep all outdoor noise of any kind off or at a very low volume during these hours.

4. LIABILITY

4-101. Airport Liability

The Association (including its members, and officers and directors and employees) assumes no responsibility or liability for loss, injury or damage to persons or property on the airport, or using

airport facilities, by reason of, but not limited to fire, vandalism, winds, flood, earthquake or collision damage (and all parties bound by these guidelines do so release the Association) nor does it assume any liability by reason of injury to persons or property while using the facilities of same regardless of whether these guidelines are followed. All persons using the Airpark and airport facilities do so at their own risk.

5. MEMBER OBLIGATIONS

5-101. Damage

Members, Guests, Member's lessees and permittees shall be fully responsible for all damage to buildings, equipment, real property and appurtenances of the Association caused by them their employees, agents, customers, visitors, suppliers or person with whom they do business.

5-102. Accident Reports

Persons involved in aircraft accidents or incidents occurring on the Airport shall provide the Airport Manager a copy of any written report, which they are required to submit to the NTSB.

6. AIRCRAFT GENERAL RULES

6-101. Aircraft weight.

- (a) The maximum gross weight of any aircraft operating on the airport shall be limited to 12,500 lbs.
- (b) Aircraft owners, their pilot or agent, shall be responsible for the prompt removal of disabled aircraft, and any part thereof, unless directed by the Airport Manager, NTSB, or FAA to delay such action pending an investigation of an accident or incident. In the event of failure to remove promptly such disabled Aircraft, the Airport Manager will cause the Aircraft to be removed and bill the owners thereof for all charges incurred in the removal of same. The Association shall not be responsible for any damages incurred and shall hold a possessory lien for all such charges, which may be foreclosed in accordance with the applicable Arizona Statutes.

7. MOTOR VEHICLE, BICYCLE, PEDESTRIAN

7.101. Runway Access and Airport Right of Way

- (a) When operating on the Airport, or in the airspace surrounding the Airport, Aircraft have the right of way over all other Vehicles, persons or animals. All persons must yield the right of way to any operating Aircraft at the Airport at all times.
- (b) Except for crossing at midfield, or by emergency or airport service Vehicles, the runway is for aircraft only.
- (c) Crossing of the runway at the mid field "H" taxiway is discouraged. If it is necessary to cross at the mid field "H" location, extreme caution must be exercised to ensure that no Aircraft are landing, taxing, or taking off on the runway. The preferred crossing location is at the ends of the runway where the main parallel taxiways intersect the centerline taxiway (the crossovers beyond the ends of the runway).

7-102. Licensing and Registration

No person may operate a motorized ground Vehicle on the Airport without a valid Operator's License.

7-103. Operation of Motor Vehicles

- (a) Motor Vehicles may be operated only in those areas of the Airport as may be authorized from time to time by the Airport Manager and then only under the guidelines established therefore.
- (b) The speed limit for all Vehicles operating on the Airport is ten (10) miles per hour.
- (c) All Vehicles should come to a complete stop before traversing the runway or taxiway at any location.
- (d) At those locations where a taxiway intersects the parallel taxiway, all Vehicles should slow to a speed no greater than that which a person can walk (approximately 3 – 5 miles per hour)

7-104. Restrictions as to Operation of Vehicles

- (a) No Vehicle shall be operated at the Airport or upon any area thereof in a careless or negligent manner, or in disregard of the rights and safety of others, or without due caution or circumspection, or at a speed or in a manner which endangers or is likely to endanger persons or property, or while the driver thereof is under the influence of intoxicating liquor, or any narcotic or habit forming drug, or if such Vehicle is so constructed, equipped, or loaded as to endanger unreasonably or be likely to endanger persons or property. In addition to the foregoing, as to commercial or construction Vehicles, no operation of any kind is permitted at the Airport without the permission of the owner of the property being serviced or constructed. In general, construction traffic should be permitted upon the taxiways only if no other reasonable access exists. Any damage resulting from such use of the taxiways or runway shall be promptly repaired by the owner at the owner's sole expense.
- (b) The maximum gross weight of any vehicle allowed on the runway or taxiways shall be limited to 12,500 lbs.

7-105. Vehicle Parking Restrictions

- (a) The parking of Vehicles shall never be permitted on the taxiway, runway, or infield (that area between the runway and the parallel taxiways). Aircraft operators may park their Vehicles on the common area tie-downs only during local flights not exceeding 5 hours in duration. No Vehicle or Aircraft shall be parked in a taxiway easement in such a manner as to create an obstruction to taxiing Aircraft. Guest Vehicle parking is provided at the parking lot at the Lodge.
- (b) Vehicles left at the lodge parking area longer than 48 hours, shall be registered with the Mogollon Airpark office (928) 537-1067. The owner shall provide their name, telephone number, and address. Failure to provide this information may result in the Vehicle being towed to an impound yard at the owner's expense if the parking area must be cleared for any reason.

(c) No aircraft refueling vehicle may be parked except in areas as are designated by the Airport Manager.

7-106. Procedure in Case of a Vehicle Accident

The driver of any Vehicle involved in an accident on the Airport which results in injury or death to any person, or damage to any property, shall immediately stop such Vehicle at the scene of the accident, render such assistance as may be needed, and give his name, address, insurance information, and operator's license and registration number to the person injured, or to any peace officer, representative of local, state or national government, the Airport Manager or witnesses of the injury. The operator of such vehicle shall make a report of such accident in accordance with the laws of the State of Arizona.

7-107. Authority to Remove Vehicles

The Airport Manager may cause to be removed from any area of the Airport any Vehicle which is disabled, abandoned, parked in violation of these guidelines, or which presents an operational problem, to any other area of the airport, at the operator's expense and without liability for damage which may result in the course of such moving.

7-108. Requirements for Vehicles.

The use of the taxiways and tie-down areas by Vehicles is permitted subject to the following restrictions and limitations:

- (a) The taxiways and tie-down areas are not intended for the "recreational" riding of Vehicles. Rather, they are to be used for "point-to-point" transportation between hangars, other residences, and the lodge.
- (b) ATV's used upon the taxiways and tie-down areas of the Airport shall be equipped with a U.S. Forest Service approved spark arrestor and shall contain an exhaust system which limits the noise level to the maximum level approved by the U.S. Forest Service.
- (c) Operators of any vehicle operating on the taxiways or tie-down areas are encouraged to have and utilize, an operable aircraft band radio receiver to monitor aircraft operations on the airpark.

7-109. Pedestrians, pets and livestock.

- (a) In accordance with Arizona Law and Navajo County Ordinance, pets, such as dogs, must be kept on a leash and under the control of the owner at all times. Owners are responsible for any and all damage caused by their pets.
- (b) Children under the age of 16 years are not allowed on the taxiway unless accompanied by and under the direct supervision and immediate control of an adult.

8. GUEST PRIVILEGES

8-101. Guest Privileges

Any Member shall be entitled to guest privileges in a reasonable number. Guest Aircraft parking shall be on a first come, first serve basis. Each homeowner shall be responsible for providing each Guest with a copy of these Mogollon Airpark Rules and Regulations – General and Mogollon Airpark Operating Guidelines – Aviation, and having a Prior Permission Form completed by each Guest prior to arrival.

9. SPECIAL EVENTS

9-101. Special Events

Notwithstanding any provision contained herein, special aviation events may be staged at the Airport with the approval of the Board of Directors.

10. AMENDMENTS

10-101. Amendments

These Mogollon Airpark Operating Rules and Regulations - General may be modified from time to time by a two-thirds vote of the Board or by 51% of Association Members at any annual meeting.

--END--