

MANGAUNG METROPOLITAN MUNICIPALITY (BLOEMFONTEIN TRANSITIONAL LOCAL COUNCIL)

TEMPE AIRPORT REGULATIONS

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Notice is hereby given in terms of the provisions of Section 150(2)) of the Local Government Ordinance, 1962 (Ordinance No. 8 of 1962) that the Bloemfontein Transitional Local Council has made the following regulations:

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1. Definitions

In these regulations unless the context otherwise indicates:-

- (a) **“Air Navigation Regulations”** means the Air Navigation Regulations, 1963, published under Government Notice R.1779, dated 15 November 1963, as amended from time to time, or any regulations by which the same have been duly replaced;
- (b) **“airport”** means the Tempe airport which forms part of the Bloemfontein townlands situated on the farms, subdivision 3 (of 2) of the farm Rooidam 2312, remainder of subdivision 2 of Rooidam 2312 and subdivision 6 of Groenvlei 2844, District Bloemfontein, 11 km northwest of the city, including all hangars, structures, trees, shrubs, plants and fences on the premises;
- (c) **“Council”** means the Bloemfontein Transitional Local Council, being the owner of the

airport, or its delegates;

- (d) **“Chief Fire Officer”** means the officer holding office under the Council as head of the Municipal Fire Brigade or his delegate;
- (e) **“flammable liquid”** means any liquid or other substance having a flashpoint lower than 121 °C;
- (f) **“landing field”** means the area comprising the runways and taxiways and all the land surrounding that area enclosed by a fence with the exclusion of aircraft parking areas;
- (g) **“Manager”** means the person or firm appointed by the Council by means of an agreement as an independent contractor to exercise the control and management functions at the airport;
- (h) **“public enclosures”** means the demarcated areas within the airport as set aside by the Council from time to time for use by members of the public other than persons flying in aircraft and for the parking of vehicles;
- (i) **“runway”** means a defined rectangular area prepared or constructed for the landing and takeoff run of aircraft along its length;
- (j) **“taxiway”** means a defined path on the airport constructed for the use of taxiing aircraft.

2. Aviation Act, regulations and other legislation

- 2.1 These regulations must be read with, and the application thereof is subject to the provisions of the Aviation Act, 1962 (Act 74 of 1962), the Air Navigation Regulations, as well as any other legislation that may be applicable and nothing in these regulations shall be taken as purporting to contradict or derogate from the control of the airport in terms of the said legislation.
- 2.2 All aircraft using the airport for any purpose whatever, must comply in all respects with the provisions of these regulations, the Aviation Act, 1962 and the Air Navigation Regulations.

3. Airport hours

The airport shall be open daily for use during such hours as from time to time determined by the Council.

4. Arrivals and departure of aircraft

- 4.1 Immediately on landing at, and before taking off from the airport the pilot of the aircraft concerned must report to the Manager, furnish him with all information reasonably required by him, pay the applicable fees and if requested to do so, complete an arrival form or a departure form, as the case may be. Pilots who have opted to pay block landing fees, only have to report to the Manager after the first landing in a month.
- 4.2 The pilot and every other person for the time being in charge or control of an aircraft shall ensure that adequate precautions have been taken to keep unauthorised persons at a safe distance from an aircraft before starting any of its engines and while any engine is running.

5. Landing fees

- 5.1 Landing fees determined by the Council from time to time by means of resolution, must be paid in respect of every landing by an aircraft at the airport. A concession has been granted to local pilots to annually exercise an option in respect of the payment of block landing fees or fees per landing: Provided that exemption from payment of landing fees shall be granted in respect of:-
- (a) aircraft operating on the official business of the Department of Transport (Civil Aviation);
 - (b) aircraft engaged, otherwise than for reward, in search and rescue duties conducted under the supervision of the Department of Transport (Civil Aviation), the South African Airforce or the South African Police Services;
 - (c) aircraft engaged in foreign diplomatic services or foreign military aircraft;
 - (d) aircraft making a forced landing for any reason.
- 5.2 No landing fees are levied in respect of test flights made prior to departure of an aircraft, provided that:-
- (a) such test flights are made for the sole purpose of testing the aircraft, motors or instruments thereof; and
 - (b) the pilot of the aircraft obtained a written authorisation to undertake such test flight from the Manager before the test flight is undertaken.

6. Parking fees

Parking fees as determined by the Council from time to time by means of resolution, shall be paid in respect of every aircraft using the parking facilities of the airport for more than 4 hours.

7. Access to landing field

- 7.1 Only the following persons may enter or be on the landing field:-
- (a) pilots and crew of aircraft based at or using the airport in the course of their duties connected with the aircraft;
 - (b) technical, mechanical and servicing personnel going to or from aircraft in pursuance of their official duties connected therewith;
 - (c) pupil pilots going to or from aircraft for purposes of instruction or practice;
 - (d) the Manager and members of the airport's ground staff on duty, and other airport officials authorised thereto by the Manager;
 - (e) aircraft passengers as long as they are moving directly between their aircraft and the public enclosures or otherwise under the directions of the Manager or his staff;
 - (f) owners of hangars on the airport;

- (g) employees of the Council in the exercising of their duties;
- (h) anybody not previously specified in this regulation, who obtained the explicit authority of the Manager to enter the landing field.

8. Regulation of vehicular traffic and pedestrians

- 8.1 Motorcars and other vehicles must, unless a special direction in this regard was issued by the Manager, only be parked in areas designated for that purpose by notice and within any lines marked on the surface of any such area or as directed by the Manager: Provided that this subsection shall not apply to any officer of the Council employed at the airport while acting in the course of official duties.
- 8.2 The Manager may at any time without prior notice, either permanently or for such period as he may determine, prohibit or restrict in such manner as he may deem necessary, the admission of persons or vehicles to the airport or any particular part thereof.
- 8.3
- (a) The Manager may, if it is deemed necessary for the proper control of the airport, direct the person in lawful charge of a vehicle which is parked on the airport to remove the vehicle:-
 - (i) to another place on the airport indicated by the Manager; or
 - (ii) from the airport.
 - (b) If any person refuses or fails or is not present to comply forthwith with such direction, the Manager may have such vehicle impounded or moved to another designated area or from the airport and any such action by the Manager shall not exempt such person from prosecution in respect of such refusal or failure.
 - (c) Should any vehicle be removed or impounded by the Manager in terms of regulation 8.3(b) such vehicle shall only be released upon payment of the prescribed tariff.
- 8.4 Motorcars or other vehicles may not be driven on the taxiways or runways without specific permission from the manager.
- 8.5 Owners of aircrafts, hangars of businesses may on their own cost be issued with gate keys to enable them to obtain access to their hangars, businesses and restricted areas.
- 8.6 Owners of businesses may, with the written authorisation of the Manager, issue gate keys to their full-time employees. A log containing information in respect of vehicles, registration numbers and gate keys must be supplied to the Manager on request.
- 8.7 Any person who refuses or omits to leave the airport on request or by order of an authorised employee of the Council or the Manager, shall be guilty of an offence.
- 8.8 No unauthorised person may trespass in or on any part of the airport that is reserved for employees of the Council.

- 8.9 Pedestrians, drivers and passengers of vehicles present at the airport are subject to the supervision of the Manager and must obey such directions with regard to their movements which he considers necessary for safety's sake or in the interest of the good management of the airport.
- 8.10 No person under the age of fourteen years, not being an authorised passenger in an aircraft, shall enter the airport unless accompanied by or under the supervision of an adult.
- 8.11 The Manager may remove from the airport any such unaccompanied child under the age of fourteen years, not being an authorised passenger in an aircraft. If any such child is indeed under the control of an adult, but his or her conduct is in the opinion of the Manager, prejudicial to the good order and proper management of the airport, the Manager may require the person who thus controls the child, to remove such child from the airport.

9. General control of aircraft and pilots

- 9.1 The owners and pilots of aircraft making use of the airport are jointly and separately liable for any damages to the airport or any building, installation, structure, appliance, runway or taxiway or other property thereon resulting from:-
- (a) the failure of a pilot or of any member of the crew of an aircraft to comply with the provisions of these regulations or the Air Navigation Regulations; or
 - (b) negligent conduct by any such person.
- 9.2 The Manager has the right to move any aircraft, vehicle or article or to do any other thing necessary to enforce compliance with the provisions of these regulations and the Air Navigation Regulations, and neither the Manager nor the Council is liable for the consequences of any action properly taken by him in pursuance of the provisions of this regulations.
- 9.3 Aircraft shall be parked in accordance with directions given by the Manager.
- 9.4 The person concerned with or responsible for the parking of an aircraft must ensure that the aircraft is firmly secured to the ground when left unattended or during weather likely to cause the aircraft to move.
- 9.5 Neither the Council nor its servants is liable for any theft from or damage to an aircraft occurring while it is at the airport.
- 9.6 No aircraft shall be left unattended on the landing field, without the written consent of the Manager.
- 9.7 Subject to any provision to the contrary in the Air Navigation Regulations, no engine of any aircraft shall be started unless there is a pilot or a competent engineer in the cockpit.
- 9.8 No aircraft engine may run while the aircraft is in such a position that the resulting airstream blows into or against any building, aircraft or person and unless effective a properly constructed chocks are placed in front of its wheels, whether the wheels are fitted with brakes or not.

- 9.9 No chock, drum, loading step, trestle or other equipment or object capable of causing an obstruction, shall be left on the landing field except when its presence there is actually and immediately necessary.
- 9.10 The Manager may stop an aircraft, pilot or air passenger from leaving the airport on instructions from:-
- (a) the Department of Transport (Civil Aviation);
 - (b) the Department of Home Affairs;
 - (c) the South African Revenue Service (Customs and Excise); or
 - (d) the South African Police Service.
- 9.11 No air rally, airshow or similar event may be held at the airport without the prior written consent of the Council.

10. General conduct of persons

- 10.1 It shall be an offence to commit any of the following acts within or on the boundaries of the airport:-
- (a) to place or affix any poster, notice or advertising sign without the written prior consent of the Manager;
 - (b) to remove, damage, deface, injure or disfigure any notice board, fence, gate, barrier, lamp or lamp post, structure, trees, shrubs or plants or to remove any gravel, soil, sand, clay or turf there-from;
 - (c) to climb any tree, building or other structure;
 - (d) to discharge any firearm or air gun, set off any fireworks, use a catapult, fly a kite or to throw any stone or other object;
 - (e) to place, affix or distribute any pamphlet, book, handbill or other printed matter or other article without the prior written consent of the Manager having been obtained;
 - (f) to enter any public toilet marked as being reserved for persons of the opposite sex;
 - (g) to enter any building or place in disregard of a notice prohibiting such entry;
 - (h) to play any musical instrument, operate any sound reproducing device, sing or make any speech in public without the prior written consent of the Manager having been obtained;
 - (i) to cause any obstruction, disturbance or nuisance or commit any act causing annoyance to other persons using the airport or lawfully present thereon;
 - (j) to enter or leave the airport or any part thereof except by means of the entrances or exits specifically provided for that purpose;

- (k) to bring into, or to allow any animal to enter the airport, unless it is kept on a leash;
- (l) to hinder, obstruct or in any other way interfere with the Manager or any employee of the Council in the execution of his duties, or any other person in the execution of any duty connected with aircraft;
- (m) to fail to close any gate in any fence enclosing the landing field immediately after passing through it;
- (n) to use electronic or any radio equipment that might derange air navigation instruments;
- (o) to deposit or leave or spill any refuse, rubbish, waste paper or other object or substance;
- (p) to behave in a disorderly or indecent manner or to use obscene or abusing language.

11. Removal of damaged or defective aircraft

- 11.1 The owner of any damaged or defective aircraft must, if directed to do so by the Manager, move such aircraft or any part thereof or any cargo or object carried therein or thereon to another place on the airport indicated by the Manager, or from the airport.
- 11.2 If the owner or operator of a damaged or defective aircraft refuses or fails or is not present to comply forthwith with any direction given by the Manager in terms of regulations 11.1, the Manager may take all steps necessary to ensure that such direction is complied with as expeditiously and safely as possible and may recover from the owner or operator of the aircraft the cost incurred in ensuring compliance with such direction and any such action by the Manager shall not exempt such owner or operator from prosecution in respect of such refusal or failure.

12. Supply of fuel to aircraft

The supply of fuel and oil to aircraft on the airport is under the control of the Council and the Council may from time to time determine the conditions for the supply thereof.

13. Provision of fire extinguishing equipment and services on the airport

The provision of fire extinguishing equipment and services on the airport are under the control of the Council and the Council may from time to time determine the conditions for the supply thereof.

14. Fire

- 14.1 Smoking or the use of a naked flame is prohibited inside a hangar or within 20 metres of aircraft refuelling equipment, hangars and buildings where flammable liquid is stored.
- 14.2 Users of the landing field must comply with all fire precautions and other measures imposed by the Air Navigation Regulations and by the South African Air Services Council.
- 14.3 Adequate precautions against fire shall at all times be taken to the full satisfaction of the Chief Fire Officer for the protection of aircraft, hangars and any portion thereof, workshops, fuel storage tanks and areas and all flammable liquid may only be stored in accordance with the Chief Fire Officer's approval. Free access to the airport hangars or any portion thereof,

must at all times be given to authorised members of the Fire Brigade for inspection purposes.

14.4 A person commits an offence if he or she, inside a hangar on the airport:-

- (a) uses flammable liquid contrary to the provisions of the Council's Regulations relating to petroleum, flammable liquid and other substances;
- (b) pours fuel into the tank of an aircraft or any other container or withdraws fuel therefrom or permits it to be done without the written consent of the Manager;
- (c) starts or runs an aircraft engine, or taxis an aircraft or in any other manner causes it to move under its own power;
- (d) carries out the operation of welding or spraying.

14.5 Anybody who lights or in any manner causes a fire, or smoke, or brings an open flame into any place where such act is prohibited by a notice displayed on the direction of or with the permission of the Manager, commits an offence.

14.6 Anybody who tampers or interferes with any firehose, hydrant or any other object or equipment provided solely for the extinguishing purposes, or in the event of a fire, to interfere with or take part in any rescue or fire extinguishing operation, unless being asked to do so by the officer in charge of such operation, commits an offence.

15. Persons or cargo carried in aircraft arriving from outside the Republic

No person may disembark and no cargo may be off-loaded from aircraft arriving on the airport from any place outside the Republic of South Africa until permission has been granted by either the Customs, Civil Aviation, South African Police Service, Immigration or Health Authorities, or, if necessary by all these authorities.

16. Boarding or tampering with aircraft

16.1 Except with the permission of the person lawfully in charge of an aircraft on the airport, no person may:-

- (a) board such aircraft; or
- (b) tamper or interfere in any way whatsoever with such aircraft or anything used in connection therewith.

17. Use of hangars

The hangars, buildings and other facilities on the airport are under the control of the Council and the Council may from time to time determine the conditions for the use thereof.

18. Trading

All trading within the boundaries of the airport are subject to the provisions of the Business Act, 1991 (Act No. 71 of 1991), the Liquor Act, 1989 (Act No. 27 of 1989), the Council's Regulations relating to the supervising and control of the carrying on of the business of Street Vendors, Pedlars

and Hawkers as well as all other applicable legislation.

19. Advertising

Any person or instance wishing to advertise or display or erect any advertising sign or hoarding in or on the airport, shall prior to such display, submit such advertising sign or boarding to the Council for approval and shall pay such fees as determined by the Council from time to time by means of resolution.

20. Council not liable for any injury or damage

The airport is used at own risk and the Council shall accept no responsibility or liability whatsoever in respect of any personal injuries or damage or loss to any property of lessees, passengers or any person present on or visiting the airport for whatever reason.

21. Penalty

21.1 A person who contravenes any of the provisions of these regulations or fails to comply therewith, is guilty of an offence and liable on conviction with a penalty as provided by the Local Government Ordinance, 1962 (Ordinance No. 8 of 1962).

21.2 Any person who, after conviction in terms of these regulations, persists in the conduct or neglect which constituted the offence, is guilty of a continuing offence and liable to a fine as provided by the Local Government Ordinance, 1962 (Ordinance No. 8 of 1962) in respect of each day that he or she so persists.

21.3 Any expense incurred by the Council as a result of a contravention of these regulations or in the doing of anything which a person was directed to do under these regulations and which he failed to do, may be recovered by the Council from the person who committed the contravention or who failed to do such thing.

22. Repeal

The regulations promulgated under Administrator's Notice No. 9 of 1949, as amended, are hereby repealed.