LOCAL AUTHORITY NOTICE

TOWN COUNCIL OF NELSPRUIT

AMENDMENT TO NELSPRUIT AERODROME BY-LAWS

DEFINITIONS

1. In these by-laws, unless the contents otherwise indicates –

1.1 "ACSA" means Airports Company South Africa and their successor in title;

1.2 "Aerodrome" means the Nelspruit Aerodrome;

1.3 "AIP" means Aeronautical Information Publications;

1.4 "Aircraft" means any fixed wing aircraft, dirigible aircraft or helicopter;

1.5 "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;

1.6 "Airport Manager" means the person for the time being holding office under NAM as Airport Manager in charge of the Nelspruit Aerodrome, and includes such other person as may be duly authorised in any given case to act on ~~hi~~ his behalf;

1.7 "Airside" means the area comprising the runways and other prepared ways for the passage of aircraft on the ground, aprons and all the land surrounding that are enclosed by a fence;

1.8 "Commercial Air Operations" means the operation of Aircraft for Public Air Transport at Nelspruit Airport excluding operation of Aircraft for fire fighting, flight instruction, crop spraying, private aircraft movements not for direct or indirect reward, and emergency medical evacuation on an ad hoc basis solely within the territory of the Republic of South Africa;

1.9 "Council" means the Town Council of Nelspruit (Mbombela Local Municipality / MLM) and includes the management committee of that Council or any officer employed by the Council, acting by virtue of any power vested in the Council in connection with these by-laws and delegated to him in terms of section 58 of the Local Government (Administration and Elections) Ordinance, 1960 (Ordinance 40 of 1960) and any subsequent and auxiliary legislation;

1.10 "Management Committee" means the committee to be formed as part of the Nelspruit Airport Lease Agreement signed October 31, 2000;

1.11 "Maximum permissible mass" in relation to an aircraft means its mass as authorised by its certificate of air worthiness;

1.12 "NAM" means ~~NAM means~~ Nelspruit Airport Operating Company (Proprietary) Limited, a company registered in the Republic of South Africa with registration number 2000/022026/07, which will trade as Nelspruit Airport Management;

1.13 "Public enclosures" means demarcated areas within the Aerodrome set aside by the Council / NAM from time to time for use by members of the public other than persons flying in aircraft, and for the parking of vehicles;]

1.14 "Runway" means a defined rectangular area prepared or constructed for the landing and take-off run of aircraft along its length;

1.15 "SACAA" means the South African Civil Aviation Authority;

1.16 Any reference to a singular person shall also include plural and visa versa.

2. Tariff of Charges

The fees and charges shall at the conclusion of such use be payable in respect of the use of the aerodrome and the facilities provided unless other arrangements have been made with Nelspruit Airport Management. Provided that such use shall in each case be subject to compliance with the conditions stipulated under the respective items.

2.1 Landing and Parking Fees

As per ACSA tariffs as published in the South African government Gazette and as amended from time to time. Increase will be according to the published increases.

2.2 Approach Charges

Approach charges will be payable by all aircraft as published under Air Traffic Navigation Service Charges as published in the South African Government Gazette and as amended from time to time. Increase will be according to the published increases.

2.3 Other Charges

2.3.1 Monthly tickets

Private persons may purchase monthly tickets from the airport manager, subject to the following conditions:

- The monthly ticket shall be obtained in advance;
- It shall be for a particular aircraft, registered in the applicant's name, not used for direct or indirect reward, i.e. pleasure flights;
- It shall only be valid for one (1) particular month

The price of the ticket shall be calculated by multiplying the appropriate landing fee for the particular aircraft by 15 and will allow an unlimited number of movements during the specified month.

~~A monthly ticket which shall be valid for a calendar month and which may be acquired by private persons of which the aircraft is registered in their own name and whom pay rates to the Council, may be purchased from the Airport Manager, subject to the following conditions.~~

- ~~The monthly ticket shall be obtained in advance;~~
- ~~It shall be for a particular aircraft that is not used for direct or indirect reward only for private flights; and~~
- ~~It shall be valid for one particular month~~
- ~~Subject to approval from NAM~~

~~The price of the monthly ticket shall be calculated by multiplying the applicable single landing fee for the particular aircraft by 15 and shall allow and unlimited number of movements during the specified month.~~

2.3.2 Block Landing Concessions

2.3.2.1 Groups and organisations, excluding Commercial Air Operations, ~~airlines, charter operators, maintenance organisations, etc,~~ operating a number of aircraft or handling a number of aircraft, may apply for block landing privileges as specified in terms of paragraph 2.3.2.2, subject to the approval of NAM. The r~~R~~egistration details~~letter~~ of the aircraft utilised ~~to be charged~~ under the block landing scheme shall be registered ~~beforehand~~ with NAM beforehand.

2.3.2.2 The monthly charges in terms of this scheme shall be calculated as follows:

Numbers of landings per month	Percentage of tariff
15 – 25	90
26 – 50	85
51 – 75	80
Over 76	75

2.3.3 RENTAL:

2.3.3.1 Hangar Sites

Rental at R 2.30/m², multiplied by the area of each hangar site, shall be payable by the relevant lessor to NAM for every month or part thereof.

~~Rental of Hangar Sites of R2,30/m² multiplied by the area of each individual hangar shall be paid for every month or part of a month to NAM.~~

The Lowveld Aero and Social Club only pays 50% of the tariff mentioned.

2.3.3.2 Office Rental

Rental at R 30.00/m², multiplied by the area of each office, shall be payable by the relevant lessor to NAM for every month or part thereof.~~Retail of office accommodation of R30,00/m² multiplied by the area of each office shall be paid for every month or part of a month to NAM.~~

2.3.3.3 Land Use Fees

Rental at R 2.30/m², multiplied by the area of each portion of land made available to private persons for the erection of buildings, shall be payable by the relevant lessor to NAM for every month or part thereof.~~For making land available for erection of buildings by private persons or other bodies, a levy rental of R2,30/m² per month shall be payable to NAM.~~

2.3.3.4 Written Agreements

Before the commencement of any lease agreement in terms of 2.3.3.1, 2.3.3.2 and 2.3.3.3 above, a written agreement, as prescribed by PAM, shall be entered into between NAM and the relevant lessor.
~~A written agreement prescribed by NAM shall be entered into with NAM for the rental of hanger sites, office accommodation, and land.~~

2.3.3.5 The rental payable shall be paid monthly in advance, on or before the 10th day of each ~~every~~ calendar month, free of any deduction of any kind whatsoever, at such place as NAM may in writing designate for this purpose from time to time and for the time being.

2.3.4 Charges other than those ~~Excluding charges~~ revised by national government tariffs, ~~and rental~~ ~~All Other Chargers, **clause 2.3**, will~~ shall be revised by NAM on an annual basis after consultation with the Management Committee, and subsequently published in terms of the Municipal Structures Act, Act 32 of 2000.~~.~~

2.4 Advertising Levies

2.4.1 Terminal Building

2.4.1.1 Internal Walls

a) Up to 80% of all suitable and available wall space may ~~shall~~ be used for advertising

b) All advertising boards shall be based on a grid module of 1500mm x 1500mm

2.4.1.2 External Walls

No advertising allowed

2.4.1.3 Ablution Areas

a) Only ~~All~~ rear faces of doors shall carry advertising

b) Advertising modular grid size shall be approximately 600mm x 600mm

2.4.1.4 Windows

a) No advertising on windows shall be permitted, except when specific events are scheduled at the Aerodrome ~~are happening~~

b) To advertise an event, the notice shall be displayed on strategically positioned windows for only up to 14 calendar days before the commencement of the event and shall accordingly be removed after the last day of the event.

2.4.1.5 Arrivals and Departure Passenger routes

a) Up to 80% of all suitable and available wall space may~~shall~~ be used for advertising

b) All advertising boards shall be based on a grid module of 2000mm x 2000mm

2.4.1.6 External Spaces

a) 3 main advertising boards, 2 at the Public Car Parking Area and 1 at the Car Rental Parking zone. All the boards shall measure no more than 2000mm high and 9000,, wide, and shall be secure and safe

b) Each car rental company shall display their zones by way of ~~bill boards~~billboards, measuring 1800mm x 900mm. In addition, each parking bay of rented cars shall be marked by low-level name and bay number boards measuring 450mm x 300mm

2.4.2 Hangars

a) Up to 80% of all suitable and available wall space may~~shall~~ be used for advertising

b) All advertising boards shall be based on a grid module of 900mm x 900mm

c) Hangar tenants and/or users will be responsible for their own advertising even though they will be subject to the overall strategy at the Aerodrome

2.4.3 Contractors

a) All facilities service suppliers shall be free to advertise their services by means of 900mm x 150mm boards at strategic points of relevant service delivery areas.

b) All professional building and engineering consultants and/or contractors shall be free to advertise their services in consultation with the Airport Manager and in accordance with standards set by their respective professional or regulatory bodies, such as the South African Institute of Architects.

2.4.4 Specific Exclusions

No damaging, pornographic, sensitive and/or unethical material, products and service shall ~~whatsoever~~ be allowed to be advertised in any manner at the Aerodrome

2.4.5 Procedures

All advertising will be in consultation with the Airport Manager and in accordance with standards set by the relevant~~their respective~~ professional or regulatory bodies, if applicable, such as the South African Institute of Architects.

2.4.6 Each advertising contract will be negotiated upon ~~by~~ its own merits and increases will be set out in the advertising contract.

2.5 General Rules

2.5.1 ~~Air traffic service~~ All applicable fees ~~charges~~ shall be payable in respect of South African Government ~~State~~ ~~state~~ aircraft and Foreign Government ~~State~~ ~~foreign state~~ aircraft, unless other provisions have~~s~~ been made by means of an agreement with NAM

2.5.2 No ~~air traffic service charge~~ landing, approach, or parking fees shall be payable in respect of an aircraft engaged in search and rescue operations.

2.5.3 No landing, approach, or parking fees ~~air traffic service charge~~ shall be payable in respect of an aircraft engaged in any flight for the calibration of any air navigation infrastructure.

2.5.4 The pilots of an aircraft, and / or operators thereof, and / or the lessee thereof, and / or owners of the aircraft, ~~owners of the aircraft, aircraft operators and pilots thereof~~ shall be jointly and severally liable to pay all the applicable fees and charges. ~~for any charges to be levied under section 2.~~

2.5.5 All agreements in terms of these bylaws must be in writing.

3. Aviation Act and Regulations

3.1 These by-laws shall be read with, and the application thereof shall be subject to the Aviation Act, 1962 (Act 74 of 1962), as amended, and any regulations made thereunder, and nothing in the said by-laws shall be taken as purporting to contradict or derogate from the control of the Aerodrome in accordance with the said Act and regulations.

4. Aerodrome Hours

4.1 The operating hours shall be as published in the AIP. Only with prior arrangement from the Commissioner of SACAA and NAM, will local operators be allowed to operate after sunset and before sunrise.

5. Arrivals and Departures of Aircraft

5.1 During operating hours: Immediately ~~hour of operation immediately~~ after ~~on~~ landing at and before taking-off from the Aerodrome, the pilot of the aircraft concerned shall report to the Airside office and furnish them with all information reasonably required by them and shall, if requested to do so, complete an arrival form or a departure form, as the case may be.
Outside hours of operation: Immediately after landing at the airport the pilot must report to the security office and complete and/or sign the documentation as required.

~~5.1~~5.2 The pilot and / or any ~~every~~ other person for the time being in charge or control of an aircraft, shall ensure that adequate precautions are being ~~have been~~ taken to keep unauthorised persons at a safe distance from an aircraft before any of its engines are started and while any engines are running.

~~5.2~~5.3 In the absence of any arrangement to the contrary made with NAM, in writing, all charges due in respect of an aircraft in terms of the tariff of charges set out in the schedule hereto, shall be paid by or on behalf of the aircraft operator before it departs from the Aerodrome.

6. Access to Airside

6.1 All persons entering the Airside must carry and visibly display a proper airport pass.

6.2 No person may enter or be on the Airside, except for the following:-

(a) Pilots and crew of aircraft based at or using the Aerodrome 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) Members of the Aerodrome's ground staff on duty, and other Aerodrome officials authorised by the Airport Manager.
(e) Aircraft passengers as long as they are passing directly between the ~~their~~ aircraft and the public enclosures or otherwise moving under the directions of the Airport Manager or his staff.
(f) No person shall enter any part of the Aerodrome from which members of the public are excluded by signage, except with the permission of NAM.
(g) Any person not previously specified in this section, having express authority from the Airport Manager to enter the Airside.
(h) No passengers may board and exit any~~d~~ aircraft, except through the terminal building.

7. Regulation or Prohibition of Vehicular Traffic and Pedestrians

~~1.1~~7.1 Motor cars and other vehicles shall, in the absence of any special directive given by the Airport Manager, only be parked in areas designated for that purpose by notices and within any lines marked on the surface of any such area or as directed by the Airport Manager or his nominee.

~~1.2~~7.2 The Airport Manager may at any time without previous notice, and either permanently or for such period as he may determine, prohibit or restrict, in any such manner as he may deem necessary, the admission of persons or vehicles to the Aerodrome or any particular part thereof.

~~1.3~~7.3 The Airport Manager may, if it is deemed necessary for the proper control of the Aerodrome, direct the person in lawful charge of a vehicle which is parked on the Aerodrome, to move the vehicle -

(a) to another place on the Aerodrome indicated by the Airport Manager; or
(b) from the Aerodrome;

and if such person refuses or fails or is not present to comply forthwith to such direction, the Airport Manager may have that vehicle moved, at the owners expense, to such other place or from the Aerodrome, and any such action by the Airport Manager shall not exempt such person from prosecution in respect of such refusal or failure.

~~1.4~~7.4 Motor vehicles may not be driven on the ~~taxi ways~~taxiways or runways without special permission from the Airport Manager, except airport staff carrying out inspection duties.

~~1.5~~7.5 Pedestrians and persons in vehicles at the Aerodrome shall be subject to the supervision of the Airport Manager and shall obey any ~~such~~ directions with regard to their movements, as the Airport Manager considers ~~he shall consider~~ necessary to give, in the interests of safety or the good management of the Aerodrome.

~~1.6~~7.6 Any person entering and making use of the facility at the Aerodrome shall obey and observe any road traffic sign or road traffic marking erected, placed or demarcated by or on behalf of the Council, or NAM, at the Aerodrome for the purpose of ~~or~~ warning, guiding, regulating, controlling, restricting or prohibiting vehicular traffic or pedestrians, or for controlling, restricting or prohibiting the parking of vehicles on the Aerodrome or any part thereof.

~~1.7~~7.7 NAM may determine a charge to be levied by NAM for entry by any person or vehicle to the Aerodrome.

8. General Conduct of Persons

~~1.1~~8.1 Any of the following acts ~~act~~ within or on the boundary of the Aerodrome shall be a contravention of these by-laws :-

(a) To ~~to~~ place or affix any placard or notice without ~~the written~~ prior written consent of the Airport Manager.
(b) To climb any tree, building or other structure.
(c) To uproot or injure any tree or plant or pick any flower.
(d) To light or in any other manner cause a fire, or smoke, or bring an open flame into –
  (i) any place where such an act is prohibited by a notice displayed upon the direction or with the permission of the Airport Manager;~~.~~
  (ii) Any place within 15 m of an aircraft or of any vehicle used for the supply of fuel to an aircraft or a store or dump of liquid fuel or explosives.

(e) To smoke on the airside.
(f) To tamper or interfere with any fire-hose reel, hydrant or any other item of equipment provided solely for fire fighting purposes, or in the event of a fire, to interfere with or take part in any rescue or fire-fighting operation, unless he shall have been asked to do so by the official in charge of such operation.

(g) To discharge any fire-arm or airgun or set off fireworks, to use a catapult or to throw any stone or other object except for the security service provider under NAM instructions.

(h) To affix or distribute any pamphlet, book, handbill or other printed matter or other article without the prior written consent of the Airport Manager ~~previously obtained~~.

(i) For any man or woman to enter any public convenience marked as being reserved for persons of the opposite sex.

(j) For any person to enter any building or place in disregard of a notice prohibiting such entry.

(k) To cause any obstruction, disturbance or nuisance or commit any act causing annoyance to other persons using the Aerodrome or lawfully present thereat.

(l) To enter or leave the Aerodrome or any part thereof except by means of the entrances or exits marked as being provided for that purpose.

(m) To bring into, or allow any animal to enter the Aerodrome, unless it is kept on a lead or otherwise kept under control.

(n) To hinder, obstruct or in any other way interfere with any employee of NAM in the execution of his duties, or any other person in the execution of any duty connected with aircraft.

(o) To fail to close any gate in any fence enclosing the landing field immediately after passing through it.

~~1.2~~8.2 The Airport Manager shall have the right to:

(a) to impound any animal found within the Aerodrome in terms of the Regulations for the Administration of "Pounds in Local Authority Areas, published under Administrator's Notice 2, dated 2 January 1929, or to cause such animal, if injured or diseased, to be removed or destroyed.

(b) To cause any animal, not falling within the terms of the aforesaid Regulations, which may be found within the Aerodrome, to be removed or destroyed as the case may be.

9. General Control of Aircraft and Pilots

~~1.1~~9.1 The pilots of an aircraft, and / or operators thereof, and / or the lessee thereof, and / or owners thereof ~~owners of the aircraft, aircraft operators, and pilots of aircraft~~ making use of the Aerodrome shall be jointly and severally liable for any damage resulting to the Aerodrome or any building, installation, structure, appliance or other property therein from –

(a) the failure of a pilot or of any member of the crew of the aircraft to comply with these by-laws or the Air Navigation Regulations or NAM Regulations

(b) the commission by any such person of any act of negligence.

~~1.2~~9.2 The Airport Manager shall be entitled to move any aircraft, vehicle or article or do any other thing necessary ~~at the~~ and the relevant owners ~~owners~~ shall be liable for the expense to enforce compliance with these by-laws and the Air Navigation Regulations, and neither the Airport Manager, NAM or the Council shall be held liable for the consequences of any action properly taken by him in pursuance of the provisions of this section.

~~1.3~~9.3 Aircraft shall be parked in accordance with directions given by the Airport Manager.

~~1.4~~9.4 The person concerned in, or responsible for, the parking of an aircraft shall ensure that the aircraft is firmly secured to the ground when left unattended or during weather likely to cause the aircraft to move.

~~1.5~~9.5 Neither the Council, nor NAM or its servants shall be liable for any theft from, or damage to, an aircraft occurring while it is at the Aerodrome and particularly not for any damage occurring to such aircraft while being moved in or out of hangars, parked or moved from one position to another on the Aerodrome.

~~1.6~~9.6 No chock, drum, loading steps, trestle or other equipment or object capable of causing an obstruction shall be left on the manoeuvring area except when its presence is actually and immediately necessary.

~~1.7~~9.7 Any person operating or in control of any aircraft shall obey any air traffic control sign or surface marking, erected or placed by, or on behalf of NAM for the purpose of regulating, controlling or restricting the movement, parking or fuelling of aircraft at the Aerodrome.

9.8 No person shall use a portion of the Aerodrome, other than a runway, for landing or taking off of an aircraft.

9.9 No person shall cause, allow, permit or suffer any aircraft to be parked or berthed on the Aerodrome, except in an area which is demarcated by air traffic control signs or surface markings as being set aside for that purpose, without the permission of the Airport Manager.

9.10 No person operating any aircraft shall park or cause, allow, permit or suffer any aircraft to be parked in an unauthorised parking area at the Aerodrome and left unattended, unless properly moored or otherwise secured by the person operating or in control of that aircraft.

9.11 No person shall start or cause, allow, permit or suffer any engine of an aircraft to be started –
Unless:

(a) there is a pilot or a pilot or a competent person at the controls; and
(b) where the aircraft is not fitted with brakes, effective and properly constructed chocks are placed in front of its wheels; or
(c) where the aircraft is fitted with brakes, and an effective braking system is in use; or
(d) in any hangar on the Aerodrome, without the permission of the Airport Manager.

~~1.12~~9.12 No person shall run or cause, allow, permit or suffer any engine of an aircraft to be run –

a) while the aircraft is stationary at the Aerodrome and is in a position where the airstream is likely to cause damage or injury to any building, aircraft or person;
b) while the aircraft is stationary at the Aerodrome unless -
- where the aircraft is not fitted with brakes, effective and properly constructed chocks are placed in front of its wheels; or

- where the aircraft is fitted with brakes, an effective braking system is in use; or
- the aircraft is engaged in taxiing or take-off.

10. Flight Control

10.1 Boarding of aircraft

No person shall~~ on the Aerodrome~~, board an aircraft on the Aerodrome without the permission of the person in lawful charge of such an aircraft.

~~1.2~~10.2 Runway Control

No person operating any aircraft shall taxi or place any aircraft on any runway without the permission of Air Traffic Control during normal hours.

~~1.3~~10.3 Barring take-off:
NAM or its ~~his~~ representative may prevent an aircraft, pilot or passenger from leaving the Aerodrome on instructions from –

- The Department of Transport / SACAA
- The Department of Immigration
- The Department of Customs and Excise
- The South African Police Service
- Department of South African Receiver of Revenue
- Any other authority having the legal right to issue such instruction

~~1.4~~10.4 Take off clearance
No person operating any aircraft at the Aerodrome, shall cause such aircraft to become airborne without the permission of Air Traffic C~~c~~ontrol during normal hours.

~~1.5~~10.5 Landing

10.5.1 Night Landing

10.5.1.1 No person shall operate, cause allow, permit or suffer to be landed, or participate in any way in any landing of any aircraft at the Aerodrome outside of normal ~~-~~hours, other than in an emergency or with the prior written permission from SACAA and the Airport Manager.

~~1.1.1.2~~10.5.1.2 Other than in an emergency, no permission for the use of night landing facilities after normal hours shall be granted without prior permission from SACAA and the Airport Manager during normal hours.

~~1.1.2~~10.5.2 Landing Clearance:
No person operating any aircraft shall cause such aircraft to land at the Aerodrome, except with the due permission of Air Traffic Control, or in an emergency during normal hours.

~~1.1.3~~10.5.3 Embarkation and disembarkation:
No person shall be embarked or disembarked or cargo loaded from aircraft arriving on the Aerodrome from any point outside the Republic of South Africa other than in accordance with the international and national law governing the procedures and practices for international entry into or exit from the Republic

11. General Behaviour

No person at the Aerodrome shall ~~at the Aerodrome~~ –

(a) obstruct or interfere with the proper use of the Aerodrome;

(b) obstruct any person employed by NAM acting in the execution of his duty in relation to the Aerodrome;

(c) remove any notice board erected by or on behalf of NAM or the Council or remove or deface any writing or document displayed on such notice board;

(d) commit -
- any nuisance
- any disorderly or indecent act.

(e) be in a state of intoxication or under the influence of a dependence-producing substance;

(f) behave in a violent or offensive manner to the offence or annoyance of other persons at the Aerodrome; or

(g) make use of abusive, indecent or offensive language.

12. Conditions of use of Airport Facility by aircraft operators and pilots:

12.1 The Council, NAM or their respective employees shall not be responsible for -

1 any theft from or damage to an aircraft or a vehicle while it is at the Aerodrome;

2 any death, injury, loss or damage of any kind arising from or out of any take-off, ascent, landing or descent of any aircraft made in connection with the Aerodrome.

The aircraft operator and the pilot of every aircraft concerned is deemed jointly and severally to indemnify and hold harmless the Council, NAM and their respective employees and to have undertaken to have kept indemnified and held harmless the Council, NAM, and their respective employees against any claim, suit, demand or action for all damages and costs on an attorney and client scale by any person arising from or out of –

(a) any theft from or damage to such aircraft while it is at the Aerodrome concerned;

(b) any death, injury, loss or damage of any kind arising from or out of any take-off, ascent, landing or descent of such aircraft made in connection with the Aerodrome concerned.

~~1.2~~12.2 Any parking of an aircraft at the Aerodrome and any take-off, ascent, landing or descent of any aircraft made in connection with the Aerodrome shall be entirely at the risk of the aircraft operator of that aircraft.

~~1.3~~12.3 In the event of the Aerodrome being closed due to any emergency or through military exigencies or the taking over of the Aerodrome by the Department of Defence or by the Municipal Civil Protection, no compensation shall become payable to any person by the Council, NAM or their respective employees arising from such closure.

13. Civil Liability of aircraft operator and pilot

13.1 It shall be a condition of the use of the Aerodrome by any aircraft that the pilots of an aircraft, and / or operators thereof, and / or the lessee thereof, and / or owners thereof ~~owners of the aircraft, aircraft operators and pilots thereof~~ shall be jointly and severally responsible for any damage resulting to the Aerodrome or any building or other property therein, from the failure of a pilot or of any member of the crew of the aircraft to comply with these bylaws ~~this Code~~ or the regulations or through the negligent~~ce~~ act of any such person.

14. Environment

~~1.1~~14.1 Executive powers:

~~1.1.1~~14.1.1 The aircraft operator or other person in lawful charge of any aircraft or vehicle which is

a) parked in contravention of ~~their code~~these bylaws, or the airport operations manual as approved by SACAA; or

b) which is abandoned or left unattended in a position which interferes with the use of the Aerodrome,

shall, on being directed to do so by the Airport Manager, move such aircraft or vehicle to another place indicated by the Airport Manager or from the Aerodrome.

~~1.1.2~~14.1.2 If such person fails or refuses or it is not present to comply forthwith with any direction given in terms of section 14.1.1, the Airport Manager or a law enforcement officer may have such aircraft or vehicle moved to such other place or from the Aerodrome and NAM may recover the full costs from the aircraft operator or other person in lawful charge of the aircraft or vehicle concerned.

14.1.3 The aircraft operator of any damaged or disabled aircraft shall, if directed to do so by the Airport Manager, move such aircraft or any part thereof or any cargo or thing carried therein, to another place on the Aerodrome indicated by the Airport Manager or from the Aerodrome.

14.1.4 Any executive or civil action by the Airport Manager, a law enforcement officer or NAM shall not exempt such person from prosecution in respect of such refusal or failure.

15. Offences

15.1 Fire Safety

15.1.1 No person shall on the Aerodrome –

~~1.1.1.1~~15.1.1.1 by any act or omission cause or render likely an outbreak of fire;

15.1.1.2 store or stack any material or equipment in a manner which in the opinion of the Council Chief Fire Officer or Airport Station Officer constitutes or will constitute a fire hazard.

15.2 Control of equipment

15.2.1 No person shall, in the Aerodrome, throw, leave or drop anything capable of causing injury to any person or animal or damage to any property.
[Similar to 9.7]

~~1.1.2~~15.2.2 No person shall, in the Aerodrome, –

- Damage, interfere or tamper without authority, with any part of the Aerodrome or any equipment associated with the operation of the Aerodrome
- Tamper or interfere in any way whatsoever with any aircraft or anything used in connection therewith, except with the permission of the person in lawful charge of an aircraft.

15.3 Prevention of flying hazards
No person shall fly any kite or similar potential hazard to aircraft, from the Aerodrome, or within five nautical miles of the perimeter fence of the Aerodrome.

~~1.4~~15.4 Non-compliance with directives:
No person shall fail to obey any fire order or directive given under these bylaws~~this Code~~.

~~1.5~~15.5 Other Environment
No person at the Aerodrome shall –

- Go on to or damage any lawn or flower-bed.
- Remove or pick any soil, grass, tree, shrub or flower without the express permission of the Airport Manager or
- Dump or deposit any waste , or refuse whatsoever, elsewhere than in a receptacle or at a place provided or approved for that~~e~~ purpose by the Airport Manager or set aside for that purpose by the Airport Manager or set aside for that purpose by signage.

16. Any person who:

- contravenes any provision of sections of ~~this code~~ these bylaws or
- contravenes any conditions imposed upon the granting of any application, consent, approval, concession, relaxation, permit or authority in terms of ~~this Code~~these bylaws; or
- fails to comply with the terms of any notice served upon him in terms of these bylaws ~~this code~~ shall be guilty of an offence and liable, upon conviction, to a maximum penalty of six months' imprisonment or to a fine as prescribed for the offence under the Adjustments of Fines Act, 1991 (Act No 101 of 1991).

Failure to comply with the terms or~~f~~ any conditions or notice referred to in any section of these bylaws, ~~this code~~ shall constitute a continuing offence and a person failing to comply with the terms of such condition or notice shall be guilty of a separate offence for each day during which he fails to comply with such terms.
Every person shall be irreburtably presumed to know the provisions of these bylaws ~~this Code~~ and, in relation to the Aerodrome.

17. Removal of Damaged or Disabled Aircraft

~~1.1~~17.1 The aircraft operator of any damaged or disabled aircraft shall, if directed to do so by the Airport Manager after the Airport Manager has obtained

approval from SACAA, move such aircraft or any part thereof or any cargo or thing carried therein, to another place on the Aerodrome indicated by the Airport Manager, or from the Aerodrome.

~~1.2~~17.2 If the aircraft operator of a damaged or disabled aircraft refuses or fails or is not present to comply forthwith with any direction given by the Airport Manager. The Airport Manager may take all steps necessary to ensure that such direction is complied with as expeditiously and safely as possible and recover from the owners of the aircraft, and / or operators thereof, and / or the lessee thereof, and / or pilots of an aircraft ~~owners of the aircraft, and the aircraft operator~~ the cost incurred in ensuring compliance with such direction and any such action by the Airport Manager shall not exempt such aircraft operator from prosecution in respect of such refusal or failure.

18. Supply of Fuel to Aircraft

18.1 No person shall, on the Aerodrome, supply fuel to any aircraft or vehicle except at a place and in a manner approved of by NAM.

19. Persons or Cargo Carried in Aircraft arriving from Across the Boarder Flights

~~1.1~~19.1 No person shall disembark or cargo unloaded from aircraft originating from outside South Africa until permission for such disembarkation or unloading has been granted by the Customs, South African Police Service, Immigration or Health Authorities, or, if necessary, by all these authorities.

20. Boarding or Tampering with Aircraft

~~1.1~~20.1 Except with the permission of the person in lawful charge of an aircraft, no person shall, on the Aerodrome, –

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

21. Use of Hangars

~~1.1~~21.1 The hangars, buildings and other facilities on the Aerodrome shall be under the control of NAM and the use thereof shall be subject to such conditions as it may impose from time to time.

22. Trading

~~1.1~~22.1 No person shall engage in the sale of refreshments or in the sale or hire of any other commodity or in the rendering for reward or otherwise of any service within the boundary of the Aerodrome, unless having obtained a written permit to do so from ~~given by~~ NAM, and no person to whom such a permission has been given shall continue to engage in any activity as aforesaid for longer than ~~after~~ 30 days, unless having obtained and produced to the Airport Manager the appropriate trading licence,: p~~P~~rovided that this section shall not apply to any canteen operated by an employer solely for the benefit of his employees.