

 <p style="text-align: center;">STATE OF ALASKA DEPARTMENT OF TRANSPORTATION AND PUBLIC FACILITIES</p> <p style="text-align: center;">Policy and Procedure</p>	POLICY AND PROCEDURE NUMBER 07.06.060	PAGE 1 of 4
	EFFECTIVE DATE March 18, 2013	
SUBJECT Maintenance and Operations Rural Airport Enforcement of 17 AAC 45 Leasing Regulations and Lease/Permit Agreement Provisions	SUPERSEDES 90-6001	DATED April 23, 1990
CHAPTER Maintenance and Operations	SECTION State Operated Rural Airports	APPROVED BY Signature on File

PURPOSE

This formalizes the policy and procedure (P&P) of the department on establishing guidelines for the enforcement of regulations under Title 17, Alaska Administrative Code, Chapter 45 (17 AAC 45) and provisions under airport agreements by maintenance and operations (M&O) field personnel.

POLICY

It is the policy of the department that M&O field personnel have the primary responsibility for the initial enforcement of certain regulations under 17 AAC 45 and provisions in a rural airport agreement, and that enforcement be carried out according to uniform procedures. This P&P applies to all state operated airports except Anchorage and Fairbanks International Airports.

Definitions

Agreement: A lease, permit or other written document along with related correspondence, that creates a contractual relationship between the department and a lessee on a rural airport, including a right of entry, a memorandum or letter of agreement, or a letter of non-objection.

Airport Manager: For a specific airport, means a person designated to carry out functions and responsibilities for the maintenance and operations of the airport. In case the airport manager is not available, a designated substitute/representative of the department may carry out the functions and responsibilities to supervise maintenance and operation at the airport.

Aviation Leasing: The department's Statewide Aviation Leasing Office is responsible for the airport leasing function for all regions.

Lessee: The business, agency, municipality, or person(s) with whom Aviation Leasing has entered into an agreement. Where this document uses the word lessee, also read

permittee, sublessee(s), subpermittee(s) or an authorized representative or agent of a lessee, permittee, sublessee or subpermittee.

PROCEDURE

1. Aviation Leasing will furnish the airport manager with a copy of each agreement that pertains to the respective airport.
2. The airport manager will become familiar with each agreement and shall maintain a copy at the respective work stations.
3. The airport manager shall maintain a copy of the 17 AAC 45 regulations for reference at the respective work stations, and provide upon request for public viewing.

Violation of Agreement or 17 AAC 45:

1. An airport manager, upon observing a violation of an agreement or regulation under 17 AAC 45, shall act as follows:

Verbal Notice of Violation:

- a) The airport manager shall obtain clarification from Aviation Leasing before taking action on a violation if uncertain as to the interpretation of a provision in an agreement or a regulation under 17 AAC 45.
 - b) The airport manager shall attempt to obtain a correction of the violation by verbal request to the lessee, either in person or by phone.
 - c) The airport manager shall maintain a record of the verbal request, with documentation of the date, time, person spoken to, and record a brief synopsis of the conversation. Digital photo documentation, where practical, is encouraged.
 - d) If the violation is corrected within the time period specified in the verbal request, no further action by the airport manager is required.
2. If the violation is not corrected within the time period specified in the verbal request, under the direction of a supervisor or Aviation Leasing, the airport manager will issue a written notice of violation.

Written Notice of Violation:

- a) Written notice includes electronic transmission, letter, memo or Notice of Field Violation form, shown on page 4 of this policy and procedure.
- b) Method of distribution includes hand delivery, electronic transmission or by mail.

STATE OF ALASKA

Department of Transportation and Public Facilities
POLICY AND PROCEDURE MANUAL

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- c) Written notice shall include:
 - Date
 - Airport on which violation occurred
 - Agreement number
 - Lessee Name
 - Description of premises (lot, block, etc) on which violation occurred
 - Nature or description of violation
 - Contract provision or 17 AAC 45 regulation violated
 - Time period for correcting violation
 - Airport Manager signature
 - Delivery Method
 - d) When determining a time period for correction of the violation, the airport manager will consider the safety, security and rights of other airport users and allow a reasonable amount of time to correct the problem.
 - e) A copy of the written notice of violation will be sent to Aviation Leasing, and a copy will be kept in the lessee's file at the respective airport.
3. If the violation is corrected within the time period specified in the written notice of violation, the airport manager will notify Aviation Leasing that the violation has been corrected. No further action by the airport manager is required.
 4. If the violation is not corrected within the time period specified in the notice of violation, the airport manager will notify Aviation Leasing. The airport manager may not take further action on a violation unless requested to do so by a supervisor or Aviation Leasing.

ATTACHMENT:

M&O Notice of Violation Form

AUTHORITY

AS 02.15.060
17 AAC 45

IMPLEMENTATION RESPONSIBILITY

Regional directors and section chiefs

DISTRIBUTION

All department employees via the DOT&PF website



**Department of Transportation & Public Facilities
Maintenance & Operations
Notice of Violation**

Lease/Permit

Title 17, Alaska Administrative Code, Chapter 45 (17 AAC 45)

_____ Date

_____ Airport

_____ Name on Lease or Permit

_____ Lease/Permit ADA #

_____ Person Receiving Notice of Violation

_____ Premises Description (Lot/Block, etc.)

I have observed the following violation(s) of your lease/permit, or 17 AAC 45:

Description of violation: _____

Provision of lease/permit or 17 AAC 45 violated: _____

Description of violation: _____

Provision of lease/permit or 17 AAC 45 violated: _____

You are directed to correct the violation(s) before the following date: _____

Contract violations constitute acts of default. Failure to comply with this notice can result in termination of your lease/permit, or your removal from the airport. (17 AAC 45.020)

_____ Airport Manager Signature

cc: Aviation Leasing
Maintenance & Operations Supervisor