

## **Chapter 3**

### **AIRPORT**

#### **7-3-1: ADMINISTRATIVE PROVISIONS:**

- A. Name Designated: The airport facility located approximately five (5) miles south of the city and owned by the city is hereby designated as the Green River airport.
- B. Scope Of Authority: The city's inherent power to contract and to enforce its policies and all of its ordinances related to the maintenance of order and the protection of its property, and all other pertinent provisions of the city shall be applicable to and effective upon the territory included in the Green River airport.
- C. Airport Manager:
1. The airport manager, with the concurrence of the mayor, is hereby authorized and directed to promulgate rules and regulations not in conflict with law or ordinance with reference to the use of the airport and control and management thereof.
  2. The airport manager, with the concurrence of the mayor, may restrict or terminate any person's privilege to use the airport facilities if that person violates this chapter or any of the airport rules or regulations. (1995 Code § 10-1-1)

#### **7-3-2: DEFINITIONS:**

As used herein, the following words and phrases shall have the meanings respectively ascribed to them by this section:

**ACCIDENT:** A collision between an aircraft or a vehicle, person, stationary object or other thing which results in property damage, personal injury or death; or an entry into or emergence from a moving aircraft or vehicle by a person which results in personal injury or death to such person or some other person, or which results in property damage.

**AEROBATIC FLYING:** Any activity, whether or not conducted on the airport, which involves, makes possible, or includes, but is not limited to, all activities commonly conducted on airports, such as charter operations, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, flying clubs, aerial advertising and surveying, air carrier operations, aircraft sales, aircraft service, aviation petroleum product sales, repair and maintenance of aircraft, sale of aircraft parts, sale of aircraft accessories, radio sales and

repair, navigation equipment sales and repair, and other activity which, because of its direct relationship with the operation of aircraft, can properly be regarded as an aeronautical activity.

**AIR TRAFFIC:** Aircraft in operation anywhere in the airspace and on that area of the airport normally used for the movement of aircraft.

**AIRCRAFT:** A device that is used or intended to be used for flight in the air.

**AIRCRAFT OPERATION:** An aircraft arrival at or departure from the airport.

**AIRCRAFT PARKING AND STORAGE AREA:** The open areas of the airport set aside for aircraft parking and storage space for the parking and storage of aircraft, or areas for the servicing of aircraft with fuel, lubricants or other supplies, or for making minor or emergency repairs to aircraft, or for any and all such purposes.

**AIRPLANE:** An engine driven fixed wing aircraft heavier than air, that is supported in flight by the dynamic reaction of the air against the wings; or any helicopter.

**AIRPORT:** All of the city owned or leased real or personal property comprising the Green River airport, located approximately five (5) miles south of the city of Green River, Utah, as now exists or as may hereinafter be expanded and developed, which shall include all of its facilities.

**AIRPORT MANAGER:** The duly appointed manager of the airport.

**CITY:** The municipality known as the city of Green River, Utah.

**CITY COUNCIL:** The city council of the city of Green River.

**COMMERCIAL AERONAUTICAL ACTIVITY:** Any "aeronautical activity", as defined in this section, which is conducted for profit and personal or collective gain.

**FIXED BASE OPERATOR:** Any person meeting the minimum standards for a commercial aeronautical activity established by this chapter and engaging in a least three (3) of the following commercial aeronautical activities: public aviation fuel sales; aircraft engine, airframe, and accessory sales and service; flight training; aircraft charter and taxi service.

**FLYING CLUB:** An association or group of more than three (3) persons, jointly owning or leasing aircraft, where payment is made to the club for the operating time of such aircraft.

**FUEL HANDLING:** The transportation, delivery, fueling and drainage of fuel or fuel waste products.

**FUEL STORAGE AREA:** Any portion of the airport designated by the airport manager as areas in which gasoline or any other type of fuel may be stored or loaded.

**LAYOUT/CONCEPT PLAN:** The currently approved, scaled dimensional layout of the entire airport properties, indicating current and proposed usage for each identifiable segment as approved by the city council and amended from time to time.

**MAYOR:** The duly elected or appointed mayor of the city.

**MOTOR VEHICLE:** A vehicle which is self-propelled.

**NONCOMMERCIAL AERONAUTICAL ACTIVITY:** Any "aeronautical activity", as defined in this section, which is conducted by a person or organization incorporated under the laws of the state of Utah as a nonprofit corporation, or as a duly organized nonprofit functioning incorporated association, and which is not conducted for personal or collective profit.

**OFF AIRPORT USER:** A person owning or controlling one or more aircraft stored, hangared, tied down, maintained or otherwise kept on property adjacent to the airport, and who requires access to the airport for the use of said aircraft.

**OPERATIONAL AREA:** Any place on the airport not leased or demised to anyone for exclusive occupancy.

**OWNER:** A person who holds legal title of an aircraft or vehicle, or in the event that the aircraft or vehicle is the subject of a conditional sale or lease thereof, the person entitled to possession.

**PERMISSION:** Permission granted by the airport manager pursuant to this chapter to engage in a specific aeronautical or other activity of the airport.

**PERMIT:** A permit is required for any person or business to conduct commercial activity on airport property when such activity is not pursuant to the terms of a lease for airport property.

**PERSON:** Any person, firm, general or limited partnership, corporation, trust or other association making application for, leasing or using any land or facility at the airport.

**STANDARDS:** The qualifications established herein, as amended from time to time by the city council, setting forth the minimum policies and requirements to be met as a condition for the right to conduct an aeronautical activity on the airport or use of the airport.

**TRAFFIC PATTERN:** The traffic flow that is prescribed for aircraft landing at, taxiing on, or taking off from the airport.

**VEHICLE PARKING AREA:** Any portion of the airport designated and made available, temporarily or permanently, by the airport manager for the parking of vehicles. (1995 Code § 10-1-2)

**10-1-3: RULES, REGULATIONS AND REQUIREMENTS:**

- A. Aeronautical Regulations; Compliance Required: It is the city's policy to require any aviator, or other person, to comply with all of the rules and regulations adopted and promulgated by the federal aviation administration, and the Utah state aeronautics commission in the use of the airport. All said rules and regulations so adopted and promulgated from time to time and the current version thereof are hereby adopted by reference and made a part hereof as fully as if the same and each of them were completely set forth herein. (1995 Code § 10-1-3)
  
- B. Civil Aircraft; U.S. License Required; Exceptions: It is the city's policy to prohibit any person to pilot any civil aircraft, unless such person is the holder of a currently effective pilot certificate of competency issued by the government of the United States, but this restriction shall not apply to any person operating an aircraft licensed by a foreign country with which the United States has a reciprocal agreement covering the operation of such licensed aircraft. (1995 Code § 10-1-4)
  
- C. Fuel Flowage Fee: The city, at its own option, may impose an aviation fuel flowage fee for aviation fuel delivered by any fixed base operator located at the airport. (1995 Code § 10-1-5)
  
- D. Aircraft Tie Down Fee: The city, at its own option, may impose a tie down fee for aircraft secured in public areas. (1995 Code § 10-1-6)
  
- E. Height Of Flight: It shall be unlawful for any airman, or other person, to fly or otherwise navigate any aircraft over the city limits at a lower altitude than one thousand feet (1,000') above ground level, except in landing or taking off from the airport and on the established landing pattern. (1995 Code § 10-1-7)
  
- F. Pilots; Commercial Flights: It is the city's policy to prohibit any person to carry any passenger for hire or reward in any aircraft unless such person has been properly licensed as a transport pilot or is a commercial pilot, and no person shall use any aircraft in commercial flights which has not been licensed and inspected in accordance with air commerce regulations of the federal aviation administration. (1995 Code § 10-1-8)

- G. Exceptions For Military: All officers and members of the United States army, the United States air force, the United States navy and officers and members of the national guard, while engaged in service of the United States, and all aircraft owned and operated under the authority of the United States army, United States air force, United States navy and national guard, shall be subject to the provision of this chapter, except as to licensing of aircraft and airmen. (1995 Code § 10-1-9)
- H. Landing Field: It shall be unlawful for any person to set up or maintain within the city limits any landing field for aircraft without written permission first obtained from the city council. (1995 Code § 10-1-10)
- I. Tampering With Aircraft: It is city policy to prohibit any person from interfering or tampering with any aircraft or to put in motion the engine of such aircraft, or use any aircraft, aircraft parts, instruments or tools without permission of the owner or by specific direction of the airport manager. (1995 Code § 10-1-11)
- J. Tampering With Airport Or Equipment: It is city policy to prohibit any person from interfering or tampering with any airport located within or under the jurisdiction of the city, or any landing field, airway, heliports or the equipment thereof. (1995 Code § 10-1-12)
- K. Accident Reporting: It is city policy to require persons involved in aircraft accidents occurring on the airport to make a full report thereof, including names and addresses, time, place and cause, and any inquiries occasioned thereby to the airport manager as soon after the accident as is possible. When a written report of an accident is required by federal aviation administration regulations, a copy of such report may be submitted to the airport manager in lieu of the report required by this subsection. (1995 Code § 10-1-13)
- L. Removal Of Aircraft: It is city policy for aircraft owners, their pilots or agents, to be responsible for the prompt removal of disabled aircraft and parts thereof, unless required or as directed by the federal aviation administration and the airport manager to delay such action pending an investigation of an accident. In the event of failure to promptly remove such disabled aircraft, the airport manager shall cause the aircraft to be removed and bill the owners thereof for all charges incurred in the removal of same. (1995 Code § 10-1-14)
- M. Refusal Of Clearance: The airport manager may delay or restrict any flight or other operations at the airport for any reason the airport manager believes justifiable to protect

life, limb or property. The airport manager may also prohibit the use in all or in part of the airport for any purpose, by any individual or group, as may be needed to protect public health, safety or welfare. (1995 Code § 10-1-15)

#### N. Airport Navigational Rules And Regulations:

1. Federal aviation administration regulations, together with Utah state and airport rules and regulations, are the rules for all airport use. The mayor will be the final authority in the interpretation of airport rules.
2. The city and the airport manager assume no responsibility for damages or theft to aircraft or other vehicles operated or parked at the airport. The field is open to other flying public, day and night, weather permitting. It is the city's policy to enforce the following:
  - a. Tie downs are available and mandatory for both permanent and transient aircraft.
  - b. Cars must be kept off the ramps, taxiway and runways, except for official vehicles on duty. Nonofficial vehicles may be driven to an aircraft for passenger/baggage loading and unloading. Drivers will proceed carefully through access gates and observe a speed limit of twenty (20) miles per hour while inside the fenced area. Upon completion of the passenger/baggage transfer, the vehicle will be driven to a designated parking area.
  - c. There shall be no maintenance for profit conducted on the ramp or in aircraft hangars. This is not meant to prohibit aircraft owners from performing routine caretaking functions such as oil changes, minor adjustments, washing, waxing and the like. However, nonemergency repairs to aircraft requiring the expertise of a licensed airframe and/or power plant mechanic shall only be performed on the premises by persons employed by entities licensed to operate on the airport.
3. The airport manager shall inform users of the airport's navigational and flight operations aids, and shall operate and maintain such aids.
4. The airport manager shall be responsible for formulating and informing aviators of the airport's pilot operational procedures. (1995 Code § 10-1-16)

O. Airport Use; Permits And Licenses: It is the city's policy to prohibit any person to use any land within the airport unless a valid contract or agreement has been executed with the city and said land is used in conformance with all laws, regulations and standards herein and elsewhere established for said use. No person shall be granted an exclusive right to conduct any aeronautical activity upon the airport, unless it would be infeasible to allow more than one person to conduct that aeronautical activity. Furthermore, no person shall be permitted to use any land or conduct any aeronautical activity or the solicitation of business in connection therewith unless such aeronautical activity is conducted in

accordance with the standards herein established, and is based upon the issuance of the proper permits or licenses. (1995 Code § 10-1-17)

- P. Application For Use: Applications for lease of ground and/or facilities on the airport, or for permission to carry on any commercial or noncommercial aeronautical activity on the airport, shall be made to the airport manager. The airport manager shall thereafter present the application to the mayor. The application shall be signed and submitted by a party owning an interest in the business, or the individual who will be managing the business, or partner of a partnership or a director or an officer of a corporation.
1. The mayor will not accept or take action on a request for any commercial or noncommercial activity until after the applicant, in writing, submits a proposal which sets forth the scope of operation proposed, including the following:
    - a. The name and address of the applicant.
    - b. The proposed land use, facility and/or activity sought, including layout of buildings, appurtenances and spaces to be occupied.
    - c. An organizational chart showing employees names, duty status and job qualifications.
    - d. Proof of sufficient available operating resources to sustain the operation for reasonable length of time. Operating resources shall not include prospective profits from the operation.
    - e. Names and financial statement of any proposed guarantors.
    - f. Pro forma operating statement for the first year.
    - g. A statement of tools, equipment, services and inventory, if any, proposed to be furnished in connection with such activity.
    - h. The requested or proposed date for commencement of the activity, and the term of conducting the same.
    - i. The estimated cost of any structure or facility to be furnished, the proposed specifications of the same, and the means or method of financing such.
    - j. The specific types and amounts of insurance proposed in accordance with minimum requirements for the activity.
    - k. Proposed operational hours.
  2. If requested by the mayor, the applicant shall submit the following supportive documents to the mayor, together with such other documents and information as may be required by the mayor, which shall include, but not be limited to, the following:
    - a. A current financial statement.

- b. A written listing of the assets owned or being purchased which will be used in the aeronautical activity.
  - c. A current credit report.
  - d. A written authorization from the FAA and the CAB and all aviation or aeronautical commissions, administrators or departments of all states in which the applicant has engaged in aeronautical activities, to supply the mayor with all information in their files relating to such applicant or his operation. The applicant shall execute such forms, releases and discharges as may be requested by any of these agencies.
  - e. Proof of insurance required by this chapter.
3. At the discretion of the mayor, all other persons then conducting aeronautical activities on the airport who, in the opinion of the mayor, would be directly affected by the granting of the application in question, may also be notified of the filing of such application. (1995 Code § 10-1-18)
- Q. Action On Application By Mayor: The mayor shall consider the application within a reasonable time and shall thereafter either approve the application, approve the application subject to reasonable conditions or deny the application. Upon approval or conditional approval, the city shall enter into a lease agreement with the applicant. Applications may be denied for one or more of the following reasons:
1. The applicant for any reason does not meet the qualifications, standards and requirements established by this chapter.
  2. The applicant's proposed operations or construction will create a safety hazard on the airport.
  3. The granting of the application will require expenditure of city funds, or use of city labor or materials in connection with the proposed operations, to an extent which, or at a time when, the city is unwilling to enter into such arrangements; or the operation will result in financial loss to the city.
  4. There is no appropriate, adequate or available space or building on the airport to accommodate the entire activity of the applicant at the time of the application.
  5. The proposed operation or airport development or construction does not comply with the concept/layout plan of the airport.
  6. The development or use of the area requested by the applicant will result in depriving existing fixed base operators of portions of the areas in which they are operating; or will result in a congestion of aircraft or buildings; or will unduly interfere with the operations of any present fixed base operator on the airport through problems in connection with the aircraft traffic or service, or preventing free access to the fixed base operator's area.



7. Any party applying, or interested in the business, has supplied the city, the mayor, or the airport manager with any false information or has misrepresented any material fact in his application or in supporting documents or has failed to make full disclosure on his application or in supporting documents.
8. Any party applying or interested in the business, has a record of violating the provisions of this chapter, or the rules and regulations of any other airport, federal aviation regulations, or any other rules and regulations applicable to the airport.
9. Any party applying, or interested in the business, has defaulted in the performance of any lease or other agreement with the city.
10. Any party applying, or interested in the business, has a credit report which contains derogatory information and who does not appear to be a person of satisfactory business responsibility and reputation.
11. The applicant does not appear to have or have access to the finances necessary to conduct the proposed operation for a minimum period of six (6) months.
12. Any party applying, or interested in the business, has been convicted of any crime or violation of any ordinance of such nature that it indicates to the mayor that the applicant would not be a desirable operator on the airport.
13. The protection of the health, welfare, safety or morals of the inhabitants of the city require such denial.
14. The applicant is unwilling or unable to post a performance bond equal to six (6) months' rental or a deposit of a cash equivalent, or advance payment of six (6) months' rental. (1995 Code § 10-1-19)

#### **7-3-4: AERONAUTICAL ACTIVITIES STANDARDS:**

- A. Standard Requirements For All Aeronautical Activity: In order for any proposed agreement to be approved by the mayor, the following findings must be made:
1. That the applicant has a history of management and/or personnel with the ability in conducting the same or similar or comparable type of service or activity in a good and workmanlike manner.
  2. That the applicant has the financial responsibility and ability to provide facilities and services proposed.
  3. That the applicant has, or can secure, necessary certificates from the FAA or other authority where the same are required for the activity proposed.

4. That the applicant has, or can furnish, suitable indemnity insurance or bond to protect and hold the city harmless from any liability in connection with the conduct of the activity proposed.
5. That the applicant will provide the city with a performance bond equal to or not less than six (6) months' rental, or other revenue, to the airport.
6. That the applicant can meet the minimum standards herein stated for the activity requested. (1995 Code § 10-2-1)

B. Standards For Commercial Aeronautical Activities: All persons engaging in commercial aeronautical activities shall meet the following general requirements:

1. Insurance: Carry property damage, personal injury and comprehensive public liability insurance policies. The insurance shall not be less than one million dollars (\$1,000,000.00) per occurrence general liability, with bodily injury liability of at least one hundred thousand dollars (\$100,000.00) per person to a total of five hundred thousand dollars (\$500,000.00) per occurrence and five hundred thousand dollars (\$500,000.00) property damage per occurrence. Lower limits liability may be negotiated if the business can show lower liability exposure than is normally associated with aeronautical activity.
  - a. The policy shall state that the insurance company shall have no right of subrogation against the city.
  - b. Such insurance must name the city as a coinsured and provide for specific coverage of the contractually assumed obligation to indemnify the city.
  - c. The permittee/lessee must maintain a current, authenticated certificate of insurance on file with the city. Failure to do so is cause for immediate suspension of operations under the permit/lease.
  - d. The permittee/lessee shall indemnify and hold harmless the city against any responsibility for damage, death, injury or loss to persons and property which may occur during the permit/lease period or as a result of such use.
  - e. The permittee/lessee shall furnish a copy of the insurance policy to the mayor. The policy shall stipulate that the city be notified thirty (30) days in advance of the termination or modification of the policy. For multi-year operations, the insurance policy must be provided the first year, but each subsequent year, the mayor may accept a valid certification of insurance. Those permittee/lessees holding insurance policies which only insure the permittee/lessee's employees must ensure that their employees also have the required insurance in effect, and that a certificate of insurance is furnished by the city. For short term and seasonal operations, the insurance need only be valid during periods of actual use.

- f. Provision of adequate building floor space, as determined by the mayor, meeting applicable laws and ordinances in which to carry on the commercial aeronautical activity.

2. Additional Regulations For Commercial Aeronautical Activities: Every person conducting the following specific commercial aeronautical activities shall meet the additional requirements as hereinafter set out:

- a. A fixed base operator must engage in at least three (3) of the following commercial aeronautical activities: aircraft engine, airframe and accessory sales and maintenance; flight training; aircraft charter and taxi service; or other commercial aeronautical activities subject to the minimum standards set forth below pursuant to each specific activity. In addition, a fixed base operator must meet the following standards:

- (1) Provide storage space sufficient to hangar craft.
- (2) Provide and maintain clean and appropriately finished separate restrooms, labeled male and female, available to the general public.
- (3) Provide a public telephone.
- (4) Provide a clean, well maintained and finished waiting room and pilot lounge.
- (5) Provide and maintain a hard surfaced parking area for at least four (4) aircraft.

- b. Only fixed base operators shall be licensed to conduct aviation fuel and oil sales or service to the public or the airport and shall be required to provide:

- (1) Two (2) grades of aviation fuel located in an approved storage facility.
- (2) An adequate inventory of at least two (2) brands of generally accepted grades of aviation engine oil and lubricants.
- (3) Property trained line personnel on duty.
- (4) Adequate and sanitary handling and disposal, away from the airport, of all trash, waste and other materials, including, but not limited to, used oil, solvents and other waste. The piling and storage of crates, boxes, barrels and other containers will not be permitted within the leased premises.
- (5) All refueling operations, procedures and equipment must be in compliance with applicable federal, state and local fire codes, ordinances and rules pertaining to fire safety as presently, or as hereinafter may be, adopted. These include, but are not limited to, the international building code, uniform fire code standards and national fire protection association standards.

- c. Duly licensed commercial aeronautical entities may conduct private fueling services for aircraft owned and operated by each such entity subject to the approval of the airport manager and/or the mayor, subject to the following standards:

- (1) Provision of approved fuel and oil storage facilities in a location designated by the airport manager.
  - (2) Provision of mobile fuel-dispensing equipment meeting all NFPA criteria to service aircraft.
  - (3) No refueling of any privately owned aircraft, other than by fixed base operators is permitted, except in designated fueling areas.
  - (4) Nothing herein shall be construed as waiving the fuel flowage fees, if any, to be paid to the city.
  - (5) All refueling operations, procedures and equipment must be in compliance with applicable federal, state and local fire codes, ordinances and rules pertaining to fire safety as presently, or as hereinafter may be, adopted. These include, but are not limited to, the international building code, uniform fire code standards, and national fire protection association standards.
- d. All persons operating aircraft engine, airframe and accessory maintenance facilities to the public for hire shall provide:
- (1) In case of airframe and/or engine repairs, sufficient hangar space to house any aircraft upon which such service is being performed.
  - (2) Suitable inside and outside storage space for aircraft awaiting repair or maintenance or delivery after repair and maintenance have been completed.
  - (3) Adequate shop space to house the equipment and adequate equipment and machine tools, jacks, lifts and testing equipment to perform top overhauls as required for FAA certification and repair of parts not needing replacements on all single engine land and light multi-engine land general aviation aircraft.
  - (4) At least one federal aviation administration certified airframe and power plant mechanic available eight (8) hours a day, five (5) days per week.
  - (5) Proper equipment for repairing and inflating aircraft tires, servicing oleostruts, changing engine oil, facilities for washing and cleaning aircraft, recharging or energizing discharged aircraft batteries and starters.
  - (6) Adequate towing equipment and parking and tie down area to safely and efficiently move aircraft and store them in all reasonably expected weather conditions.
- e. All persons conducting flight training activities shall provide:
- (1) At least one properly certified flight instructor.
  - (2) At least one dual equipped single engine land aircraft properly equipped and maintained for flight instruction and such additional types of aircraft as may be required to give flight instruction of the kind advertised.

- (3) Adequate office and classroom space, and adequate mockups, pictures, slides, film strips or other visual aids necessary to provide proper ground school instruction.
  - (4) Properly certified ground school instructors providing regularly scheduled ground school instruction.
  - (5) Continuing ability to meet certification requirements of the FAA for the flight training proposed.
  - (6) Adequate facilities for storing, parking, servicing and repairing all its aircraft or satisfactory arrangements with other operators licensed or otherwise permitted by the mayor on the airport for such services.
- f. Persons conducting an aircraft charter and/or air taxi service shall provide:
- (1) Passenger lounge, restroom and telephone facilities.
  - (2) Adequate table, desk or counter for checking in passengers, handling ticketing or fare collection and handling luggage.
  - (3) Suitable, properly certified aircraft with properly certified and qualified operation crew, one of which shall be located at the airport and ready for departure during at least eight (8) hours of daylight operation, five (5) days per week, except for legal holidays.
- g. Persons conducting an aircraft rental and sales activity shall provide:
- (1) Suitable office space for consummating sales and/or rentals and the keeping of proper records in connection therewith.
  - (2) Hangar storage space for at least one aircraft to be used for sales or rental.
  - (3) For rental, at least one airworthy aircraft suitably maintained and certified.
  - (4) Adequate facilities for servicing and repairing the aircraft or satisfactory arrangements with other operators licensed by the mayor on the airport for such service and repair.
  - (5) The minimum stock of readily available expendable parts, or adequate arrangements for securing spare parts required for the type of aircraft and models sold.
  - (6) Current up-to-date specifications and price lists for types and models of new aircraft sold.
  - (7) Proper checklists and operating manuals on all aircraft rented and adequate parts catalogue and service manual on new aircraft sold.
- h. Persons conducting aircraft commuter and air carrier service shall provide:

- (1) An adequately manned and operated terminal facility, including ticket and operations counter area, lounge and restroom facilities.
  - (2) A published schedule of operating times and rates.
  - (3) Reservations service with continuity of communication with public which will help to prevent overbooking, provide ease of tickets purchased, and cancellations, and provide interline reservations.
  - (4) Baggage handling service.
  - (5) Satisfactory evidence or reliability and responsibility, including FAA operating permit.
  - (6) Operator shall furnish airport reports on operations on a monthly basis.
- i. Commercial aeronautical activities other than those listed above, such as paint and upholstery shops, propeller shops, avionics shops, may also be operated on the airport. General standards will be as directed by the mayor or the airport manager and shall be in compliance with applicable local, state and federal rules and regulations.
  - j. Any person conducting a combination of the specific activities listed herein shall not be required to duplicate the requirements if the combination is sufficient to meet the requirements of the separate activity to be conducted.
3. Noncommercial Aeronautical Activities: Every person conducting the following specific noncommercial aeronautical activities shall meet the requirements hereinafter outlined:
- a. Persons seeking to operate flying clubs shall be required to:
    - (1) Furnish the airport manager with a current roster of allofficers and directors, including places of residence, business address and the telephone numbers, who are responsible for compliance by their members with all regulations of the airport.
    - (2) Document that the flying club, or any individual member thereof, is not providing instruction for other than its members, and is not engaging in charter service or in any other commercial aeronautical activity at the airport.
    - (3) Register all aircraft owned, leased or used by the flying club with the airport manager.
    - (4) Assure that each aircraft operated, owned or leased by the flying club is in full compliance with air worthiness requirements of the appropriate federal agency.
    - (5) Provide each aircraft owned by the flying club with valid and current aircraft liability insurance coverage in the following amounts: aircraft general liability, one million dollars (\$1,000,000.00); bodily injury, two hundred thousand dollars (\$200,000.00) each person, five hundred thousand dollars (\$500,000.00) each accident; property damage, five hundred thousand dollars (\$500,000.00) each

accident. Certificates of such insurance coverage shall be filed with the airport manager and the policy shall contain a provision whereby such insurance may be cancelled only after giving thirty (30) days' written notice to the mayor at the city offices.

- b. Other commercial or noncommercial activities may also be conducted at the airport subject to the issuance of a permit as set forth herein. The general standards stated above shall be applied as deemed appropriate by the mayor, upon the recommendation of the airport manager. (1995 Code § 10-2-2)

### **7-3-5: LEASE AGREEMENTS FOR NEW AIRCRAFT STORAGE HANGARS:**

- A. Applications: Applications for airport lease agreements for the construction of aircraft storage hangars on the airport property shall be made to the mayor. The application shall be signed and dated by the party interested in leasing said space. (1995 Code § 10-3-1)
- B. Minimum Application Information: The mayor will only accept or take action on request for construction for noncombustible type II N structures, as specified in the international building code. The applicant shall submit at least two (2) complete sets of plans and specifications. The plans shall include the following:
  - 1. Site, plot plan and elevation drawing.
  - 2. Footing, foundation or grade beam detail, to include floor section.
  - 3. Anchor bolt layout.
  - 4. Wall cross sections, column and rafter detail.
  - 5. End wall framing detail.
  - 6. Door and threshold details.
  - 7. Roof and sidewall panel layout.
  - 8. End wall and side wall panel layout.
  - 9. Mechanical, plumbing and electrical applicable.
  - 10. Certification for roof structure live load.
  - 11. Certification of wind stagnation pressure. (1995 Code § 10-3-3)

- C. Action By Mayor: The mayor shall consider the application within a reasonable time, and shall thereafter approve the application, approve the application subject to conditions, or deny the application. In approving each application, the mayor shall specify the following: (1995 Code § 10-3-3; amd. 2003 Code)
1. Color schemes or color patterns for each individual hangar, or multiple storage hangars to be constructed.
  2. Responsibility of each applicant to install asphalt taxiway hookups for each hangar.
  3. Any other requirements deemed reasonably necessary by the mayor. (1995 Code § 10-3-3)
- D. City Owned Hangars: Single aircraft hangars owned by the city shall be rented to persons for noncommercial use. Such hangars are to be assigned on a first come, first served basis with the airport manager maintaining a waiting list. The primary purpose of these hangars is to store and maintain privately owned aircraft that are registered and taxed in the city. Upon adoption of the ordinance codified herein, leases shall be offered to the current hangar tenants. The mayor will establish or adjust lease rates after consultation with the airport manager and hangar tenants. (1995 Code § 10-3-4)

## **7-3-6: COMPLIANCE AND ANNUAL REVIEW:**

- A. Incidents Of Noncompliance: When the airport manager or the mayor witness or become aware of a violation of the airport standards or any contract relating to other use of the airport, the manager shall issue a notice of noncompliance to the apparent violator.
1. The notice of noncompliance shall include the following: time and date of incident, the provision of this chapter or contract which appears to have been violated, action recommended to correct the noncompliance; and provide the alleged violator the right to appear before the city council at a regularly scheduled meeting within sixty (60) days.
  2. The mayor shall supply the city council with a copy of the notice of noncompliance along with any supporting documentation and a list of witnesses for its next scheduled meeting. The city council will consider this documentation along with the statement of any witnesses and any verbal or written response of the alleged violator.
  3. After due consideration, the city council may take one of the following actions:
    - a. Dismiss the notice of noncompliance if it was issued in error or is unsubstantiated by the record.



- b. Accept or modify the notice, in which case the recommended action to terminate the noncompliance shall be binding on the violator, and when the violations are repeated, sanction the apparent violator.
  - c. In either case, the city council shall provide a written determination to the alleged violator. (1995 Code § 10-4-1)
- B. Annual Review: Commercial operations permitted or under lease by the terms of this chapter may be subject to an annual review. Such review shall be conducted by the mayor in January, and cover provisions and requirements of the airport standards and review any incidents of noncompliance that have been recorded during the year. There are two (2) possible outcomes of the review:
  - 1. Acceptable performance is represented by: a) no violation of law, ordinance or contract provisions; and/or b) correction of all notices of noncompliance to the satisfaction of the mayor.
  - 2. Unacceptable performance is demonstrated by unresolved incidents of noncompliant performance, and a notice of noncompliance shall be issued. (1995 Code § 10-4-2)