

# **PEARSON FIELD AIRPORT**

## **Rules and Regulations**

### **Including**

## **Minimum Standards for Commercial Operations**

Adopted by Vancouver City Council

11/1/2021

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# **Part I: Rules and Regulations**

## **ARTICLE 1. PURPOSE AND APPLICATION**

- A. Purpose of Rules and Regulations. In order to provide for the safety of Tenants and the general public and the efficient use of Pearson Field Airport facilities, these Rules and Regulations shall apply to Pearson Field Airport and to all public and private uses thereof. (Ord. M-2733, 1987) (FAA Order 5190.6b, Chapter 7, Section 7.8.c) (Ord. M-2733 (part), 1987).
- B. The Vancouver City Council has adopted Vancouver Municipal Code (“VMC”) Title 10, Aircraft and Airports. Nothing herein is intended to modify or supersede any provisions of VMC Title 10.
- C. These Rules and Regulations have been adopted by resolution of the Vancouver City Council. Proposed modifications must be approved by the Airport Manager, the City Manager, and adopted by City Council resolution.
- D. Application of Minimum Standards for Commercial Operations. The provisions contained in Part II of the Rules and Regulations are additional requirements intended to apply only to commercial aviation operators at the Airport. The City Council had adopted Minimum Standards for Commercial Activities at Pearson Field Airport. (Resolution M- 3857, 2015). Resolution M-3857 has been repealed and those Standards are now adopted as “Part II” of this document.
- E. The City Council has adopted, as to form, various rental and lease Agreements.

## ARTICLE 2. DEFINITIONS

Nothing in this chapter shall be construed to mean that the City intends to permit any violation of any federal or state law. FAA regulations, as currently adopted, including any future amendments, shall control. The following terms shall have the meanings indicated:

1. "Adjoining Private Property" means privately-owned property abutting or adjoining any part of the Pearson Field Airport.
2. "Aeronautical Activity" means any activity or service which involves, makes possible, or is required for the operation of Aircraft, or contributes to, or is required for, the safety of such operations. "Aeronautical Activity" includes, but is not limited to, Charter Operations (under either Federal Aviation Regulation [FAR] Part 121 or 135), charter brokerage, Aircraft hangar leasing, pilot training, Aircraft Rental and sight-seeing, aerial photography, crop dusting, fire suppression, aerial advertising and surveying, Aircraft Sales, leasing and servicing, Aircraft management, and sale of aviation petroleum products, whether or not conducted in conjunction with other included activities which have a direct relationship to the operation of Aircraft, repair and maintenance of Aircraft, sale of General Aviation Aircraft parts, and any other activities which because of their relationship to the operation of Aircraft can appropriately be regarded as an "Aeronautical Activity."
3. "Agreement" means the written agreement between the City (defined below) and a Person (defined below) specifying the terms and conditions under which the Person may conduct commercial aviation activities.
4. "Aircraft" means any contrivance used or designed for navigation or flight in the air, including but not limited to an airplane, sailplane, glider, helicopter, gyrocopter, ultralight, balloon, blimp, dirigible, unmanned aerial vehicle, remotely piloted vehicle or drone.
5. "Aircraft Operation" means an Aircraft arriving at, taxiing on, or departing from the Airport. For FAA statistical data, any Aircraft arrival or departure accounts for one operation.
6. "Aircraft Operations Area" or "AOA" means any area of an airport used or intended to be used for landing, takeoff, or surface maneuvering of Aircraft. An Aircraft Operations

Area includes such paved areas or unpaved areas that are used or intended to be used for the unobstructed movement of Aircraft in addition to its associated runway, Taxiways, or apron.

7. "Aircraft Owner" means a Person (defined below) holding legal title to an Aircraft, or any Person having exclusive possession of an Aircraft.
8. "Aircraft Parking and Storage Areas" means hangar and apron locations at the Airport (defined below) designed by the Airport Manager (defined below) for the parking and storage of Aircraft.
9. "Aircraft Rental" means the commercial operation of renting and leasing Aircraft to the public for compensation.
10. "Aircraft Sales" means the sale of new or used Aircraft through brokerage, ownership, franchise, distributorship, or licensed dealership.
11. "Airframe and Power Plant Maintenance" means the commercial operation of providing Airframe and power plant services, which includes, but is not limited to, any of the following: the repair; maintenance; inspection; construction; and modification or alteration to Aircraft, Aircraft engines, propellers and appliances, including the removal of engines for major overhaul. This category of service also includes the sale of Aircraft parts and accessories.
12. "Airport" means the land and facilities owned or controlled by the City of Vancouver known as the Pearson Field Airport.
13. "Airport Layout Plan" or "ALP" means the plan of an airport showing the layout of existing and proposed airport facilities which has been approved by the FAA.
14. "Airport Manager" means the individual or individuals designated by the City Manager as having responsibility and authority for management of the Airport.
15. "Aviation Advisory Committee" or "AAC" means that body which makes recommendations to the City Council, the City Manager, and the Airport Manager on matters pertaining to the Airport.

16. "Aviation Fuel", "AVGAS", or "Jet-A" means all flammable liquids composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating internal combustion, jet, or turbine engine, which meet the standards of ASTM D910-Latest (AVGAS) and DI 655-Latest (Jet-A).
17. "Avionics Sales and Maintenance" means the commercial operation of providing the repair and maintenance of Aircraft radios, instruments, and accessories. Such operation may include the sale of new or used Aircraft radios, instruments, and accessories.
18. "Based Aircraft" means an Aircraft that the owner physically locates at the Airport for an undetermined period, and, whenever absent from the Airport, its owner intends to return the Aircraft to the Airport for long-term storage. Aircraft not physically located at the airport for more than 50 percent of a calendar year shall not be considered Based Aircraft.
19. "Charter Operation" means any operation for compensation or hire as defined in FAR Part 119 and operated under FAR Part 135.
20. "City" means a municipal corporation organized under the constitution and statutes of the state of Washington known as Vancouver, Washington or Vancouver.
21. "Commercial Activity" means the conduct of any aspect of business, concession, operation, or agency in order to provide goods or services to any Person for compensation, profit, or hire. In addition, any activity that requires a business license or certification to be performed, whether for compensation or not, is considered a Commercial Activity.
22. "Commercial Operator" means a Person (defined below) conducting Commercial Activities or services at the Airport for compensation or hire, and/or providing a service which requires licensing or certification to be performed regardless of whether or not compensation is provided. Nonprofit organizations are not considered Commercial Operators.
23. "Commercial Service" means the actual conveyance of product or maintenance and repair, etc., provided by a Person (defined below) whether for compensation or not.

Typically, a Commercial Service is a task performed by a Commercial Operator or Commercial Operator's Employee for a customer.

24. "Employee" means any individual performing services at the Airport for another Person and designated as an employee so that federal/state unemployment insurance, federal social security, or federal withholding taxes are withheld from wages by the employer.
25. "FAA" means the Federal Aviation Administration.
26. "FAR" means the Federal Aviation Regulations as published by the FAA.
27. "Fees" and "Charges" mean costs directly imposed by the City upon users of the Airport for services or direct benefit.
28. "Fixed Base Operator" or "FBO" means a full-service Commercial Operator who engages in the activities that typically include Aircraft fuel sales; Airframe, Power Plant, and Avionics Maintenance and overhaul; Flight Training; and pilot supplies and Aircraft parts retail sales.
29. "Flight Instructor" means a Person who is properly licensed and certified by the FAA to provide flight instruction.
30. "Flight Training" means the commercial operation of instructing pilots in dual and solo flight in any Aircraft, and related ground school instruction as necessary to complete an FAA written pilot's examination and flight check ride for various categories of pilots' certificates and ratings.
31. "Flying Club" means a nonprofit corporation or organization (as evidenced by Articles of Incorporation or other appropriate documents) in which all Aircraft are equally owned or leased by all members of the corporation or organization.
32. "Fueling" or "Fuel Handling" means the transportation, sale, delivery, dispensing, or draining of fuel or fuel waste products to or from Aircraft or fuel trucks.
33. "Fuel Storage Area" means any portion of the Airport designated temporarily or permanently by the Airport Manager as an area in which Aircraft fuel or any other type of fuel may be stored or loaded.

34. "General Aviation" means all civil aviation operations (other than military), scheduled air services, and non-scheduled air transport operations for remuneration or hire.
35. "Hazardous Material" means any substance, waste, or material which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, or otherwise hazardous, and is or becomes regulated by any governmental authority, agency, department, commission, board, or instrumentality of the United States, the State of Washington, or any political subdivision thereof, and the presence of which requires investigation, removal, and/or remediation.
36. "Independent Contractor" or "IC" means one who contractually undertakes to perform services for another, but who is not controlled by the other nor subject to the other's right to control with respect to physical conduct in performing the services.
37. "Lease" means the written contract between the City and a Person (defined below) specifying the terms and conditions under which that Person enterprise may occupy and operate certain Airport facilities and/or property.
38. "Minimum Standards for Commercial Activity" or "Minimum Standards" means the qualifications or criteria established by the Vancouver City Council as the minimum requirements to perform commercial activities and operations on the Airport.
39. "Mobile Maintenance Provider" or "MMP" means a Person (defined below) that performs Aircraft maintenance that required certification or licensing, but is not a commercial Tenant at the Airport, and who temporarily rents space in a facility approved for Commercial Activity from a lessee for the purpose of performing occasional work on Airport Tenant-owned Aircraft.
40. "Mobile Service Provider" or "MSP" means a Person (defined below) that provides Commercial Activities or services on Airport property but does not operate out of owned or Leased property at the Airport. Examples of an MSP include washing or detailing Aircraft.
41. "Motor Vehicle" means automobile, truck, bus, public automobile, limousine, taxi, and any other vehicle by which Persons or property may be transported or carried on land, but not including Aircraft.

42. "Non-Aeronautical Services" means restaurants, car rentals, and any other non-aviation related services provided on the Airport.
43. "NTSB" means the National Transportation Safety Board.
44. "Operator" means the owner or the Person (defined below) controlling the operations of any certain Aircraft or Motor Vehicle.
45. "Permit" means administrative approval issued by the Airport Manager to a Person to conduct a commercial Aeronautical Activity and provide such services to based and transient Aircraft only from facilities and locations where such services are authorized.
46. "Person" means any individual, firm, partnership, corporation, company, association, joint stock association or body politic, and includes any trustee, receiver, assignee, or other similar representative thereof.
47. "Rental Agreement" means the written contract between the City and a Person specifying the monthly terms and conditions under which that Person may occupy and operate certain Airport facilities or property.
48. "Specialized Aviation Service Operation" or "SASO" means an aeronautical business that offers a single or limited service. Examples of a SASO include, but are not limited to: pipeline patrol, aerial photography/survey, scheduled commuter air service, air ambulance, Aircraft Sales, Aircraft Storage, propeller and/or Aircraft accessory repair and sales, Aircraft upholstery, Aircraft painting, Flight Training, fuel sales, and banner towing.
49. "T-Hangar" means a multiple Aircraft Storage building individually compartmentalized and normally Leased to individual airplane operators.
50. "Taxiway" means a defined path established for the taxiing of Aircraft from one part of the Airport to another; typically, from the aprons to the runway.
51. "Tenant" means any Person who through Agreement with the City occupies and controls use of Airport premises.
52. "Through the Fence Operator" means an individual, business, or organization located on property adjacent to an airport who has access onto and uses an airport.

53. "Tie-Downs" means City-owned ramp space where Aircraft can be tied down. Some Tie-Downs are available for rent on a monthly basis and others are available for transient Aircraft.

### **ARTICLE 3. AIRPORT GENERAL REGULATIONS**

- A. The Airport shall be open to the public for aeronautical use 24-hours a day, subject to reasonable restrictions for security, inclement weather, unsafe conditions at the Airport, and other reasonable restraints.
- B. The Aircraft Operation Area is open for public use in accordance with the rules and regulations governing the operation of Aircraft and the conduct of pilots as promulgated by the appropriate agencies of the United States government, the state of Washington, and the City.
- C. No Person or Persons shall be permitted to enter the runway or Taxiways except airmen, duly authorized personnel, passengers going to or from Aircraft, Persons having business to transact in offices located in hangars, or other Persons being personally conducted by Airport Tenants or Airport staff. Even the Persons so excepted who shall have the use of the runway and Taxiways, are limited to the necessary use of such space in connection with flights, inspections, and routine duties.
- D. Any permission granted by the Airport Manager or by designated representative, directly or indirectly, expressly or by implication, to any Person or Persons to enter or use any portion of the Airport, including Aircraft operators, crew members and passengers, spectators, pleasure and commercial vehicles, officers and employees of lessees, and also including other Persons occupying space on the Airport, Persons doing business with the City, its lessees, sub-lessees and permittees, and all other Persons, is conditioned upon such Persons' compliance and continued compliance with these Rules and Regulations. Entry upon or into the Airport by any Person shall be deemed to constitute an agreement by that Person to comply with all said Rules and Regulations.
- E. The Airport Manager, either directly or through an authorized City representative, may suspend or restrict any or all operations without regard to weather conditions whenever the Airport Manager finds such action is necessary in the interest of safety. The applicable NTSB and FAA rules and regulations shall be followed.

- F. The Airport Manager shall, at all times, have authority to take such actions as may be necessary to safeguard the public in attendance at the Airport. Every pilot, mechanic or other Person employed on or using the Airport shall cooperate with the Airport Manager in enforcement of these Rules and Regulations and to see that all Persons upon the premises use due care and caution.
- G. No Person or Persons shall store items or disabled Aircraft outside of any building within the Airport unless approved in writing by the Airport Manager.
- H. No Person shall enter the Airport with a dog or other animal unless the animal is restrained by a leash or properly confined as determined by the Airport Manager. No Person in charge of a dog or other animal shall permit the animal to wander unrestrained on any portion of the Airport. (VMC, Chapter 8.24.120)
- I. Smoking is prohibited within a minimum distance of twenty-five feet from entrances, exits, windows that open, and ventilation intakes that serve an enclosed area where smoking is prohibited so as to ensure that tobacco smoke does not enter the enclosed area through entrances, exits, open windows, or other means.
- J. The Airport Manager, or designated representative, may engage in discharging of a firearm or pyrotechnic device on Airport property for the purpose of taking and/or dispersing wildlife provided a) the individual is authorized by The Airport Manager to participate in wildlife mitigation; b) discharging of a firearm or pyrotechnic device is for the purpose of taking and/or dispersing wildlife that are a hazard to air traffic; c) taking or dispersing wildlife is done in accordance with applicable law, or regulation, including U.S. Fish and Wildlife Service authorizations. This section exempts authorized personnel from RCW 9.41.230 or other applicable code during the course of their duties provided the above requirements are met.

#### **ARTICLE 4. REFUSE – PROPERTY DAMAGE – TAMPERING**

- A. No Person shall throw, dump, or deposit any waste, refuse, litter, or garbage on the grounds of the Airport. All waste, refuse, litter, and garbage shall be placed and kept in closed garbage cans or containers, and all operating areas shall be kept in a safe, neat, clean, and orderly condition at all times.

- B. Anyone who intentionally destroys, injures, defaces, or disturbs in any way any building, sign, equipment, marker, or other structures or public property on the Airport shall be guilty upon conviction of a misdemeanor. Any Person responsible for the destruction or damage of Airport property, whether by accident or otherwise, shall pay the City for such damage and destruction, and, in appropriate cases, for other financial losses to the Airport which follow from such damage or destruction.
- C. No one may interfere or tamper with any Aircraft or start the engine of such Aircraft unless authorized to do so.

## **ARTICLE 5. ACCESS TO THE AIRPORT FROM ADJOINING PRIVATE PROPERTY**

Access to the Airport will not be permitted from Adjoining Private Property except by written Agreement. A control and security fence will be erected and maintained separating the Airport and private property.

## **ARTICLE 6. VEHICLE REGULATIONS**

- A. No one shall operate any vehicle (motorized or non-motorized) on the Airport in a negligent manner, nor in disregard of the rights and safety of others, nor at a speed likely to endanger any Person or property, nor shall such vehicle operation interfere with the movement of Aircraft.
- B. A Person not having a valid Motor Vehicle operator license shall not operate any Motor Vehicle on the Airport, nor shall any Person operate at the Airport any vehicle which is not properly licensed under the laws of the state of Washington or of another state.
- C. All vehicles operated on the Airport shall be driven at a safe and reasonable speed not to exceed 15 miles per hour.
- D. No Motor Vehicle shall be driven onto the Aircraft runway or Taxiways, without the express permission of the Airport Manager or designated representative, and then only in accordance with these Rules and Regulations, except in emergencies to attend to the needs of an Aircraft incident or accident.

- E. No one shall operate any Motor Vehicle on the Airport, except Fueling trucks, City operated or authorized patrol or emergency vehicles, management and maintenance vehicles, FAA maintenance vehicles, business Tenants and their employees going directly to and from their rented areas, and T-hangar or Tie-Down Tenants going directly to and from their rented areas.
- F. No go-carts, scooters, bicycles, or similar vehicles are permitted on the Aircraft runway and Taxiways of the Airport without prior approval of Airport Manager. Bicycle riding on the Airport property by Airport Tenants is allowed at Tenant's own risk.
- G. No one shall operate any commercial vehicle carrying passengers for hire on the Airport apron unless such operation is conducted with the approval of Airport Manager.
- H. Accident Reports. The driver of any vehicle involved in an accident at the Airport shall within 48 hours notify the Airport Manager. A written report may be requested.

## **ARTICLE 7. VEHICULAR PARKING REGULATIONS**

- A. No Person shall park a Motor Vehicle on the Airport other than in the manner and at places either posted as parking areas or with written permission by the Airport Manager or designated representative. No Person shall park or block Aircraft or vehicular movement. No Person shall block access to a T-hangar other than their own rented T-hangar, without permission of the Tenant.
- B. A T-hangar Tenant may park their own vehicles in their T-hangar.
- C. No one shall leave any Motor Vehicle in a public parking area in excess of one week unless express approval for such parking has been obtained from the Airport Manager. Any vehicle in violation of this section may be impounded at direction of the Airport Manager. All charges for towing and storage shall be at the owner's expense.
- D. Persons parking vehicles on the Airport do so at their own risk.

## **ARTICLE 8. GENERAL OPERATIONS**

- A. The Aircraft Operation Area is open for public use in accordance with these Rules and Regulations governing the operation of Aircraft and the conduct of pilots as promulgated by the appropriate agencies of the United States government, the state of Washington, and the City. All Rental Agreements, Lease Agreements, and Permits shall be subordinate to the provisions of any existing or future Agreements between the City and the United States government relative to the operation and maintenance of the Airport.
  
- B. "Fly Quiet" procedures may exist through cooperative agreement of Airport users, the community, and the City. Where these procedures exist, they are intended to be a voluntary effort on the part of Airport users to be good neighbors in the community.
  - 1. Aircraft operators are advised to utilize appropriate noise abatement practices whenever possible consistent with safety.
  - 2. Aircraft operators are advised to avoid overflights of Esther Short Park in Downtown Vancouver.
  - 3. Piston Aircraft operators are advised to use Aircraft Owners & Pilots Association (AOPA) "Noise Awareness Steps."
  - 4. Turbine Aircraft operators are advised to use National Business Aircraft Association (NBAA) "Standard Noise Abatement Departure Procedures" or comparable procedure of Aircraft manufacturer.
  - 5. Helicopter operators are advised to use Helicopter Association International (HAI) "Fly Neighborly" program.
  
- C. Repair of Aircraft, Aircraft engines, propeller, or apparatus (except emergency repairs to facilitate movement of an Aircraft) shall be made only in spaces designated for this purpose and described in the applicable minimum standards, a Lease, or Rental Agreement. Such work may only be performed by Persons working on their own Aircraft or who have a valid City business license, in conjunction with either approval by Airport Manager or a tenancy Agreement from the City.

## **ARTICLE 9. LANDING AND TAKEOFF RULES**

Landings and takeoffs shall be governed by FAA regulations as currently adopted and any future amendments.

## **ARTICLE 10. AIRCRAFT GROUND AND TAXIING RULES**

- A. At no time shall engines be operated within any hangar, shop, or other building. When an engine is being hand propped, a competent Operator shall be at the controls. The wheels shall be chocked, and/or operating parking brakes shall be set.
- B. No one shall taxi an Aircraft to or from the hangar line or to or from an approved Tie-Down until they have ascertained that there will be no danger of collision with any Person or object in the immediate area.
- C. No Aircraft shall be taxied except at a speed which is safe and reasonable under existing circumstances.
- D. Operators shall be responsible for all "prop wash" damage to property owned by others.
- E. An Aircraft that is not equipped with adequate brakes shall not be taxied near buildings or parked Aircraft unless it can be safely performed.
- F. No Aircraft shall be taxied by any Person upon a Taxiway which has been designated by Airport Manager as being closed. The closure of any Taxiway shall be done in accordance with FAA runway procedures.
- G. Aircraft awaiting takeoff shall stop at the runway holding line in a position to have direct view of Aircraft approaching or landing.

## **ARTICLE 11. AIRCRAFT PARKING**

- A. Unless otherwise provided in a rental or Lease Agreement, no Person shall use any area of the Airport for permanent or semi-permanent parking and storage of Aircraft or property without first obtaining permission from the Airport Manager. If anyone uses such area without first having obtained permission, then the Airport Manager may order in writing the Aircraft or other property impounded and stored at the expense of the

owner, without liability for damage or any costs arising from or out of such removal or storage. Reasonable efforts shall be made to notify owner prior to removal of Aircraft or other property.

- B. Aircraft shall be securely chocked and tied down by the owner or Operator when parked overnight or when conditions warrant chocking or tying down.
- C. Securing of Aircraft shall be the sole responsibility of the Operator of the Aircraft, and the City, its employees and agents shall in no way be held responsible to secure Aircraft or for the consequences of failure of the Operator to so secure.
- D. Transient parking is for temporary parking by visitors or guests only and not for Aircraft awaiting repairs except by approval from the Airport Manager. Emergency repairs are allowed but only for that amount of time required for repairs. The Airport Manager shall be advised of such time needed for repairs.

## **ARTICLE 12. DISABLED AIRCRAFT**

- A. As soon as permitted or directed by FAA or NTSB authorities or by the Airport Manager, Aircraft Owners and pilots are required to remove their disabled Aircraft promptly from any Aircraft Operations Area.
- B. Non-airworthy Aircraft, wrecks, "derelict", or parts thereof shall not be parked or stored anywhere on the Airport unless express authority for parking or storage has been granted in writing by Airport Manager.
- C. Should any Person refuse to remove an Aircraft or any parts thereof when directed to do so by Airport Manager in compliance with these Rules and Regulations, such Aircraft may be removed at the owner's or operator's expense and without liability to the City for damage which may result in such moving. (Ord. M-2733, 1987)

## **ARTICLE 13. FUEL HANDLING AND STORAGE REQUIREMENTS**

- A. Fuel storage and servicing equipment must comply with all City, state, and federal laws and regulations.

- B. Fueling hoses, fuel equipment, and fuel trucks shall be maintained in a safe, non-leaking condition.
- C. Fuel trucks shall proceed slowly and with caution on the Airport.
- D. When servicing Aircraft, Fuel trucks must be positioned so that they may be readily driven away to an open area without backing up in the event of emergency.
- E. A serviceable 2A-10-BC fire extinguisher shall be within ready reach of all Persons engaged in Fueling or defueling of Aircraft.
- F. All Aircraft shall be positively grounded while being fueled.
- G. Aircraft shall not be fueled or defueled while the engine is running or while such Aircraft is in a hangar or any enclosed area.
- H. No occupants or animals should be permitted inside an Aircraft being fueled.
- I. Aircraft master switch should be turned off during Fueling or defueling.
- J. Fuel spills that create a potential fire hazard shall promptly be reported to the Vancouver Fire Department with a request for assistance.

## **ARTICLE 14. RULES FOR RENTAL AND USE OF T-HANGARS**

The primary purpose of T-hangars is Aircraft Storage. Incidental storage of non-aeronautical items is allowed. Commercial Activities as described in the Minimum Standards for Commercial Activities are not allowed in T-hangars. Constructing amateur-built or kit-built Aircraft is permitted, provided that activities are conducted safely. There shall be no storage of items or activities prohibited by local or state law.

- A. Specific permitted uses of T-hangars include:
  - 1. Storing active Aircraft;
  - 2. Sheltering Aircraft for maintenance, repair, or refurbishment, but not indefinitely storing non-operational Aircraft;
  - 3. Constructing amateur-built or kit-built Aircraft provided that activities are conducted safely;

4. Storing Aircraft handling equipment, e.g., tow bar, glider tow equipment, workbenches, and tools and materials used to service, maintain, repair, or outfit Aircraft;
5. Storing materials related to an Aeronautical Activity, e.g., balloon and skydiving equipment, office equipment, teaching tools, and materials related to ancillary or incidental uses that do not affect the hangar's primary use;
6. Storing non-aeronautical items that do not interfere with the primary aeronautical purpose of the hangar, e.g., televisions and furniture;
7. Parking a vehicle at the hangar while the Aircraft usually stored in that hangar is flying, subject to these Rules and Regulations; and
8. Items described in FAR Part 43, Appendix A, Section C, Preventive Maintenance, and Federal Aviation Administration 14 CFR, Chapter 1 [Docket No. FAA-20140463] amended or changed.

B. Specific uses not permitted in T-hangars include:

1. Use as a residence;
2. Commercial Activities (However, operating, storing and maintaining an Aircraft used in the conduct of an owner's non-commercial activities [Minimum Standards 5.2] is permitted);
3. Operation of a non-aeronautical business, e.g., limo service, car and motorcycle storage, storage of inventory, and non-aeronautical business office;
4. Activities that impede the movement of the Aircraft in and out of the hangar or other aeronautical contents of the hangar;
5. Activities that displace the aeronautical contents of the hangar or impede access to Aircraft or other aeronautical contents of the hangar;
6. More than de minimis storage of household items that could be stored in commercial storage facilities;
7. Storage for longer than 12 months of derelict, non-airworthy or scrap Aircraft and parts;
8. Storage of items or activities prohibited by local or state law;

9. Storage of fuel and other dangerous and Hazardous Materials, except as allowed in Article 15 Fire Regulations; or
  10. Storage of inventory or equipment supporting a municipal agency function unrelated to the aeronautical use.
- C. Tenant shall not make alterations, additions, modifications, replacements, or improvements to either the interior or exterior of the rented space during the term of this Agreement without obtaining the Airport Manager's prior written approval, including, but not limited to:
1. Modifying existing wiring, installing additional outlets, fixtures, or the like;
  2. Painting, removing, defacing, modifying, bending, drilling, cutting or otherwise altering or modifying any part of the hangar structure or floor;
  3. Attaching any hoisting or holding mechanism (i.e. chain-fall, block, tackle or any other hoisting device) to any part of the hangar or passing any such mechanism over the struts or braces; or
  4. Hanging, attaching, or mounting anything to any portion of the hangar structure.
- D. T-hangar doors shall remain closed at all times when not in use.
- E. Aircraft engines shall not be operated inside T-Hangars.
- F. Use of gas-fired heaters is prohibited. UL-approved electrical heaters or dehumidifiers for avionics or engines, may be used with the written approval of the Airport Manager. All extension cords shall be appropriately rated, in good repair, and safely routed.
- G. Per FAA rules, short-term fair market non-aviation use of T-hangars may be authorized by the Airport Manger providing this use does not prevent aeronautical primary use.
- H. Provisions of Article 14 Use of T-hangars shall be included in T-hangar Rental Agreements.

## **ARTICLE 15. FIRE REGULATIONS**

Tenants and other users of the Airport shall comply with the International Uniform Fire Code as adopted by ordinance of the City.

- A. All Persons using the Airport or facilities of the Airport in any way shall exercise the utmost care to guard against fire and injury to Persons or property.
- B. Tenants shall provide one serviceable and readily accessible fire extinguisher, type 2A-10-BC, in each T-hangar.
- C. No Person shall smoke or carry any lighted cigar, pipe, cigarette, match, or any open flame in or upon the Airport within fifty feet of Fuel Storage Areas, fuel loading situations, Fuel Handling vehicles, or Aircraft being fueled or having fuel drained, or in any other place where smoking or open flame is prohibited.
- D. T-hangars shall be kept clean and free of debris and oily rags or other fire Hazardous Materials. Tenants shall provide "listed" metal receptacles with self-closing covers for the storage of oily wastes, rags, or other combustible material.
- E. Tenants shall keep floors of hangars and adjacent interior walls areas free and clear of all oil, grease, and other flammable material.
- F. No one shall keep, store, or use any flammable and/or combustible materials in T-hangars with the following exceptions:
  - 1. No more than five gallons total of flammable and/or combustible materials may be stored in well-maintained original storage containers and/or storage cabinets designed for that type of material;
  - 2. Incidental quantities of paint or dope required for allowed maintenance may be stored and used. Touch up painting and doping of small fabric areas is allowed provided hangar doors are opened to provide adequate ventilation. No spray-painting operation shall be conducted in T-hangars with the exception of spray can paint in its original container;
  - 3. Incidental quantities of cleaning fluids may be stored and used while hangar doors are opened to provide adequate ventilation; and
  - 4. Fuel or oil will be contained only in Aircraft or accessory tanks (i.e., Aircraft tugs) or stored in an approved container.
- G. Any container with flammable and/or combustible material is considered full for the purposes of fire inspections regardless of the quantity of material in the listed container.

- H. Unattended heating appliances are not allowed in T-hangars except for UL approved electrical heaters or dehumidifiers specifically approved for Aircraft avionics or engine use. UL approved battery chargers for aviation use may be used. All extension cords shall be appropriately rated and safely routed.
- I. With the exception of limited soldering and use of a heat gun, hot work including but not limited to welding, grinding, brazing, and cutting is prohibited. Gas-fired heaters are not allowed for use in T-hangars.
- J. Periodic inspections may be made by the Vancouver Fire Department to ensure compliance with these and other City fire regulations.

## **ARTICLE 16. POSTING REGULATIONS**

These Rules and Regulations, as well as current Airport plans (Master, Layout, Business, etc.) shall be posted on the Airport website. These Rules and Regulations shall be supplied to all Tenant applicants and interested parties upon request to the Airport Manager.

## **ARTICLE 17. PENALTIES FOR VIOLATIONS**

- A. Penalties for Non-Compliance. Generally, every Person who violates or fails to comply with any provision of these Rules and Regulations, or who operates or handles an Aircraft in violation of any provision of this document, except where noted as voluntary, may be promptly removed or ejected from the Airport by or under the authority of the Airport Manager, and may be deprived of the further use of the Airport and its facilities for such length of time as may be required to insure the safeguarding of the same and the public and its interest therein. In addition, any Person who violates or fails to comply with any of the requirements of this document may be referred to the proper authorities for further enforcement. All Persons on the Airport are entitled to quiet enjoyment. Any harassment by any individual upon another Person or Persons shall be grounds for removal.
- B. Traffic Violations. Any Person violating these Rules and Regulations and/or the traffic laws of the state of Washington or the City in connection with vehicular traffic on the Airport, shall be subject to prosecution in the appropriate court for such violation.

## **ARTICLE 18. AIRCRAFT WINGSPAN AND WEIGHT RESTRICTIONS**

- A. Aircraft shall not occupy any hangar, or Tie-Down, nor shall Aircraft be operated in areas of the Airport, where the Aircraft's wingspan exceeds the maximum approved wingspan designation for that area as specified by the Airport Manager or as published.
- B. Aircraft shall not occupy any hangar, or Tie-Down, nor shall Aircraft be operated in areas of the Airport, where the Aircraft's weight exceeds the maximum approved weight restriction for that area as specified by the Airport Manager or as published.
- C. The City assumes no liability for damage or loss resulting from Aircraft Operations in areas where Aircraft wingspan or weight exceeds the designated wingspan and weight restrictions. Any such operation and/or resulting damage is solely at the risk of the Aircraft Operator. (FAA Order 5190.6B, Chapter 7, Section 7.7.b)

# **Part II: Minimum Standards for Commercial Operations**

## **SECTION 1. POLICY, PURPOSE, AND AUTHORITY**

- A. The City will maintain Minimum Standards for Commercial Activities at the Airport, as required by the VMC Section 10.05.035. The Airport Manager and City staff shall use these Minimum Standards as a minimum threshold, and as guidance for making decisions related to the approval of commercial activities located at the Airport. In the event of a conflict between the Minimum Standards and any lawfully-executed commercial activities Agreement or Lease, the Commercial Activities Agreement or Lease shall control.
- B. The City Council has adopted VMC Title 10, Aircraft and Airports. Nothing herein is intended to modify or supersede any provisions of VMC Title 10.
- C. The Minimum Standards shall be reviewed every five years to ensure accuracy and compliance with applicable regulations. If significant changes in regulations or law indicate a need for additional review, the Airport Manager may initiate a single case or a full review of the Minimum Standards.
- D. The Minimum Standards are established to ensure sustainability of the Airport by providing a baseline set of requirements for:
  - 1. Public, operator and user safety.
  - 2. Predictable access and services expected at a working airfield.
  - 3. Predictable standards that provide a fair and equitable opportunity for commercial activities at the Airport.
- E. These Minimum Standards also help support aviation as an integral part of Washington's transportation network by creating and implementing strategies to protect and improve the aviation system, encouraging aviation-related economic

development and supporting aviation safety and education. In addition, the Vancouver City Council adopts standards to ensure that:

- The Airport remains compliant with all federal and state grant assurances.
- Any Person who uses or accesses Airport property or facilities for Commercial Activity compensates the Airport at fair market value (FMV) for such use and privileges.
- Airport public areas, roads, Taxiways, runways and aprons remain available for public Aeronautical Activity subject to Airport Rules and Regulations.

- F. All Persons conducting commercial activities at the Airport shall, as a condition of conducting such activities, comply with all applicable requirements set forth in these Minimum Standards. The Minimum Standards are deemed to be a part of each Commercial Operator's Lease, license, Permit or Agreement, unless any such provisions are expressly waived or modified by the Airport Manager in writing. The mere omission of any particular part of these Minimum Standards in a Lease, license, Permit or Agreement shall not constitute a waiver or modification of the standard unless the document expressly states that the City waives application of that specific standard. However, as above, if there is a conflict between the Minimum Standards and any lawfully executed commercial activities Agreement or Lease, the commercial activities Agreement or Lease shall control. Prior to establishing or conducting a Commercial Activity, the Person or corporation shall have secured all licenses, permits, certifications, and insurance required by state, federal, or City regulations, including a City business license required by VMC Title 5.04. Commercial Activity may only be conducted in facilities designated for commercial use by the City.
- G. Commercial Operators desiring to operate at the Airport may submit proposals to the Airport Manager. Proposals will be reviewed by the Airport Manager and City staff, including advisory input from the AAC or other advisory committees, as appropriate.

## **SECTION 2. AREAS AND DESCRIPTIONS**

- A. For future development of the Airport, it is important to designate areas for specific uses to ensure adequate space is available for Commercial Activity. Plans should include

strategies to restrict pedestrian, bicycle, and vehicle traffic at the Airport which helps to ensure the safety of ground crew and passengers during Aircraft ground operations and develop a coordinated traffic flow.

1. **Airport Layout Plan:** The City has adopted an Airport Layout Plan for the Airport that is approved by the FAA. The City reserves the right to change such plan as necessary to protect public safety and convenience or in connection with further development of the Airport for aeronautical purposes.
2. **Airport Runway and Taxiway:** The Runway and Taxiway system is a designated "Aircraft Only" operating area. This is to ensure safe coordinated flow of air traffic. No commercial, non-commercial, or non-aeronautical activities are allowed on the Runway or Taxiway, unless that activity involves the movement of Aircraft or other activity specifically authorized by the Airport Manager.
3. **Maintenance and Storage Facilities:** Maintenance facilities are those buildings and apron areas that are compliant with the requirements for maintenance activities, and that have been designated as such. Storage facilities such as T-Hangars and Tie-Downs are not compliant with requirements for maintenance beyond that specified in FAR, Part 43, Appendix A(c). The Airport diagram in Appendix 1 provides a graphic representation of these locations and the level of activity permitted.
4. **Future Airport Development:** Areas for future development are depicted on the ALP. The Airport Manager has the authority to issue Requests for Information (RFI), Requests for Qualifications (RFQ), or Requests for Proposal (RFP) for development. Requirements for consideration of commercial and private development will be addressed in those documents.
5. **Land Lease:** Commercial Operators seeking a land use Lease may submit the request in writing, which will be reviewed by the AAC and City staff. The Airport Manager will make the final decision on whether the Lease is in the best interest of the City and the Airport.
6. **Special Event Area:** Special areas for events may be temporarily established from time to time. Events must be approved by the Airport Manager prior to the start date. No Aircraft or vehicle may use a Special Event Area unless an Operations Plan has been approved by the Airport Manager.

7. **Through the Fence Operators:** Through the Fence Operators are not allowed on the Airport.

### **SECTION 3. LIABILITY AND INSURANCE**

Commercial Operators are required to obtain insurance, or bonds, or a combination of both, at contemporary limits required by the City. Commercial Operators must also agree to the City's contemporary liability and hold harmless requirements.

### **SECTION 4. APPLICATION OF THE MINIMUM STANDARDS**

The Minimum Standards are adopted to provide the minimum threshold requirements for those Operators providing Commercial Services at the Airport. Although this document specifically addresses Commercial Operators, these standards apply to all Commercial and non-commercial Operators at the Airport.

1. **Multiple Services:** When a Commercial Operator conducts multiple activities pursuant to one Lease, license, Agreement or Permit, the Commercial Operator shall comply with the Minimum Standards established for each separate activity. If the Minimum Standards for one activity are inconsistent with the Minimum Standards for another activity, then the Minimum Standard that is more restrictive or imposes a higher standard shall apply.
2. **Activities Not Covered by Minimum Standards:** Activities with no specific minimum standard, as outlined by these Minimum Standards for Commercial Operations, will be reviewed and approved by the Airport Manager on a case-by-case basis in the Commercial Operator's Lease, license, Permit or Agreement.
3. **Waivers or Modifications:** The Airport Manager may waive or modify any portion of these Minimum Standards for the benefit of a governmental agency performing public services, fire protection or emergency response operations, or when it is determined that such a waiver is in the best interest of the Airport users and the public and will not result in degradation of safety or reduction in fair and equitable opportunity for commercial activities on the Airport.

## **SECTION 5. GENERAL MINIMUM STANDARDS - COMMERCIAL OPERATORS**

Airports typically provide a variety of Commercial Services to be able to meet the needs of the flying public. This includes fuel, Aircraft and Avionics Maintenance and repair, and Flight Training as well as a variety of supporting activities such as pilot supplies sales. A Fixed Base Operator (FBO) is a single source provider of multiple services to the flying public. FBO services typically include Aircraft maintenance, fuel sales, and Flight Training. History has shown that it is in the best interests of the Airport to have at least one full service FBO.

### **5.1 Commercial Operators**

- A. Commercial Activities at the Airport shall be conducted to recognized industry standards and professional practices.
- B. Commercial Operators should establish standardized business hours that are commensurate with their customer needs. Business hours, including holiday closures, must be recorded with the Airport Manager in advance. Fuel and maintenance service providers shall install a card-lock (self-fuel) or post phone numbers and be on-call 24 hours a day to provide after-hours emergency assistance. Mobile Service Providers and Mobile Maintenance Providers, by the nature of their business are not required to have standardized scheduled business hours on the Airport.
- C. Depending on the services provided, Operators will be categorized as a particular type, which will also identify the level of service they are permitted to provide at the Airport.
- D. The list below identifies a variety of services that can be provided, individually or in combination with each other, on Airport property. These services comply with FAA and State regulations, which require all Airport property be used for aviation purposes unless alternate uses are authorized by the FAA. The City operates the Airport in accordance with these assurances and regulations with preference given to aviation related uses. However, nothing contained in these standards shall be construed to prohibit the City from approving an application for non-aeronautical activities for any reason it deems sufficient. Non-aeronautical

activities may be authorized by the Airport Manager, with concurrence of the FAA, only when space available on the Airport exceeds what is needed for aeronautical activities.

E. Approved services include:

1. **Aeronautical:** Aeronautical Operators are defined by the FAA as Fixed Base Operators, Specialized Aviation Services Operators, Independent Contractors, Mobile Service Providers, Mobile Maintenance Provider, and other aeronautical and non-aeronautical providers that may not fall under these categories. The City encourages additional complementary commercial aeronautical activities to expand the services provided.

a. **FBO and SASO Operator:** An FBO and SASO Operator are Commercial Operators engaged in the business of providing services to Aircraft users. An SASO Operator provides only a single “specialized” service or limited service, while an FBO provides multiple services. Other than the number of services provided, both the FBO and SASO Operator require the same applicable FAA certifications and licenses to perform services. Additionally, the Airport requires both FBOs and SASO Operators to meet the same minimum standards for the service they are providing.

It would be preferable that at least one FBO provide core services that are deemed necessary to serve the aviation community. Additional or secondary FBO's located on the Airport may include the same or different services. The core services are:

- Fuel sales;
- Airframe, Power Plant, and Avionics Maintenance and overhaul;
- Flight Training; and

- Pilot supplies and Aircraft parts retail sale.

SASO Operators shall provide singular services that enhance the overall operation of the Airport. The combined FBO and SASO services shall be complementary and provide an increased level of services to Airport Tenants and visitors.

- b. **Independent Contractor:** An IC is a Commercial Operator who may perform work for a FBO or SASO Operator who is authorized to operate at the Airport. The IC is not required to duplicate the required minimum standards of the contracting FBO or SASO Operator. An SASO Operator may only hire Independent Contractors to perform the same specialized service that the SASO Operator is authorized to perform.
  - c. **Mobile Service Provider:** An MSP is a Commercial Operator who performs minor services not requiring an airman's certificate or license. This is typically Aircraft washing and detailing, or similar activities.
  - d. **Mobile Maintenance Provider:** An MMP is a Commercial Operator who performs Aircraft maintenance that requires an airman's certificate or license (Airframe & Power plant, etc.). These operators will temporarily rent commercial space to perform "on demand" Aircraft maintenance services. Additional guidance and approval process for this level of Commercial Activity may be obtained from the Airport Manager.
2. **Non Aeronautical:** A Non Aeronautical Operator provides services that are not aviation oriented, including but not limited to auto restoration shops, administrative offices and aviation medical offices.

Existing FBOs may be authorized to provide Non-Aeronautical Services on a case-by-case basis. The Airport Manager shall review any Non-Aeronautical Services and issue a letter of authorization, or

for services that will be offered on a continuing basis, amend or add an addendum to the existing commercial Lease Agreement.

Commercial Operators desiring to place a new non-aeronautical Commercial Activity on the Airport shall forward a written request to the Airport Manager. The request shall demonstrate a benefit to the Airport, compatibility with Aircraft Operations, compliance with applicable code, licensing and insurance requirements, and the demographic the activity provides services for. The Airport Manager will review requests on a case-by-case basis and approve, forward for further review, or deny the activity.

## 5.2 Non-Commercial Operators

- A. The following standards apply to non-commercial activities at the Airport and to ensure that non-Commercial Operators do not have unfair advantage over Commercial Operators.
- B. All non-commercial corporate, non-profit and private Operators are required to comply with the following:
  - 1. **Non-Commercial Activities:** Activities conducted at the Airport under this section must be of a completely non-commercial nature and for the sole purpose of operating, storing and maintaining a corporate, non-profit or Personal Aircraft for incidental use as a hobby or in the conduct of the owner's non-aviation related business. Commercial services under this section shall not be offered to the public on any basis.
  - 2. **Sublets or Sub-Tenant:** Sublets shall be at fair market value, approved in writing by the Airport Manager, and the hangar owner shall have appropriate insurance for this activity.
  - 3. **Maintenance:** Maintenance of owned or leased Aircraft may be provided by the Aircraft Owner or the owner's bona fide Employees, provided that all applicable FAA certification, licensing, and standards are complied with. Maintenance beyond FAR, Part 43, Appendix A(c)

may only be performed in locations specified as maintenance facilities identified in Appendix 1.

4. **Fuel Storage and Handling:** Operators of owned or leased Aircraft may be permitted to store fuel and perform Fueling operations for their Aircraft. Fueling operations shall be performed by the Aircraft Owner, Operator, or the owner's bona fide Employees and no others. The owner/ Tenant shall meet the same regulatory and safety requirements of a commercial fuel service provider and pay the contemporary flowage fee. Designation and approval of storage facilities and / or the construction thereof are predicated upon the availability of adequate land for these facilities and upon adherence to the Airport Layout Plan.

### 5.3 Flying Clubs

- A. A Flying Club is a non-commercial, non-profit organization in which two or more members or associates own or lease Aircraft in common and/or in which the members have an ownership interest. Flying Clubs shall comply with the following standards:
  - All Aircraft shall be owned or be exclusively leased by the Flying Club.
  - Only club members may receive instruction in a club Aircraft.
  - A club must maintain and provide a current membership list to the Airport Manager.
  - Club Aircraft shall not be used by other than club members or for any type of commercial operations.
- B. In the event the club fails to comply with these conditions, or permits any member to do so, the Airport Manager will notify the club in writing of such violations. If the club fails to correct the violation within 15 days, the club may be required to terminate all operations at the Airport.

### 5.4 Private Operators

- A. Private Operators are individuals, corporations, or non-profit organizations

that own/lease and use their Aircraft for Personal transportation, recreation or activities that are incidental to their hobbies or non-aeronautical business.

- B. Maintenance beyond FAR, Part 43, Appendix A(c) may only be performed by private Operators in locations identified as maintenance facilities in Appendix 1. Private Operators wishing to conduct commercial activities are required to meet the commercial requirements specified elsewhere in this document.

## 5.5 Support Activities

- A. Support Activities may include a variety of concessions in support of pilots, passengers, and other logistical concerns. These services may include Automobile Rental and Food Services, which are typically located outside of the AOA.
- B. Requests to provide Support Activities not addressed below will be reviewed on a case-by-case basis and must meet all applicable standards.
  - 1. **Automobile Rental:** An FBO may provide an automobile (or other vehicle) rental service. All automobile and other vehicle rental operations not provided by an FBO shall be considered a Support Activity with the same considerations as an SASO or IC. Additionally, automobile rental, if not operated by the FBO, shall be classified as a "concession" and the Operators must obtain the necessary licenses and permits required by the City. The rental Operator shall have control of dispatching and maintenance of the rental vehicles. Rental vehicles must be stored in the Operator's leased area or as designated by the Airport Manager.
  - 2. **Food Services (Restaurant, Lounge or Food Cart):** The food service Operator shall have and maintain all City, county and state required business licenses and health permits.
    - i. Restaurant and lounge Operators must furnish permanent facilities for serving the general public, which shall include separate rooms for:

- Dining Area
  - Kitchen
  - Restrooms
- ii. Food Cart Operators must Lease land suitable to locate the Food Cart. Additional requirements include:
- Provide a suitable location for a dining patio
  - Provide a protective awning, or tent over the dining patio
  - Provide and maintain visually appealing trash receptacles for customer use
  - Establish agreements for use of existing restrooms on the Airport or locate Personal sanitation stations and portable restrooms for customer and Employee use.
- iii. All Food Service Operators shall maintain a visually appealing, clean and sanitary facility.

## **SECTION 6. SPECIFIC STANDARDS - COMMERCIAL AERONAUTICAL ACTIVITIES**

Specific requirements for various aeronautic activities and services are provided below. Any activity not identified will be considered on a case-by-case basis and must meet all applicable standards.

- A. **Aircraft Maintenance, Repair and Parts Sales:** An Airframe and Power Plant Maintenance Operator shall provide, at a minimum, services including: the repair, maintenance, inspection, constructing, and making of modifications and alterations to airframes, Aircraft engines, propellers and instruments, or the removal and installation of Aircraft engines for major overhaul. This category of service also includes the retail sale of Aircraft parts and accessories. An Airframe and Power Plant Maintenance Operator shall:

- Operate the service in a ventilated shop with Aircraft maintenance space of at least 3,600 square feet and the capability of accommodating at least three Aircraft for maintenance simultaneously.
- Employ and have on-duty a minimum of two mechanics; one (1) FAA-certified airframe and power plant mechanic and one (1) FAA-certified airframe and power plant mechanic with inspection authorization, and/ or conduct operations as a certified repair station pursuant to FAR Part 145.
- Keep premises open and services available during standard business hours, five (5) days a week.
- Provide for retail sales of equipment, supplies and parts required for General Aviation airframe and power plant inspection, maintenance and repair.
- Provide specialized maintenance and repair on historic Aircraft, including but not limited to fabric covering, wood airframe repair, and radial and inline engine maintenance.

B. **Avionics Maintenance and Sales:** An Avionics Maintenance Operator shall provide services including: the maintenance, repair, and installation of Aircraft avionics, radios, instruments, and accessories. This service includes the retail sale of new or used Aircraft avionics, radios, instruments, and accessories. An Avionics Maintenance Operator shall:

- Operate the service in a heated and ventilated shop space and Aircraft maintenance space capable of accommodating at least two Aircraft for Avionics Maintenance simultaneously.
- Employ and have on duty at least one trained and FAA-certified avionics technician and one on-call FAA-certified airframe and power plant mechanic with inspection authorization.
- Keep premises open and services available during appropriate business hours, five days a week.
- Hold the appropriate FAA repair station certificates for the types of equipment the Operator plans to service or install.

- Provide specialized maintenance and repair on historic navigation and communication radios and antenna systems, and mechanical, pneumatic and electrical flight instruments.

C. **Fuel Services:** The Fuel Service Commercial Operator must provide the sale of ASTM-rated brands of Aviation Fuels, lubricants, and other aviation petroleum products. In addition, the Fuel Service Operator shall provide, store, and dispense 100LL octane avgas, or the contemporary standard Aviation Fuel, and as market may support, provide Jet-A fuel. All equipment used for the storage or dispensing of petroleum products must meet all applicable federal, state, and local safety and environmental codes, regulations, and standards. A Fuel Services Operator shall:

- Ensure fuel is available 24 hours per day and seven days per week. This may require on-call staff or the installation of a self-service (card-reader or card-lock) system.
- Comply with all regulations including proper fuel spill prevention features and containment capabilities. In addition, the Operator shall provide a current copy of their fuel spill prevention, countermeasures, and control plan to the Airport Manager. Fuel inventories will be monitored in accordance with current Washington State DOE standards, and copies shall be provided to the Airport Manager when requested.
- Pay to the City a fuel flowage fee based on contemporary rates and actual volume dispensed.
- Provide filter-equipped fuel dispensers, if mobile dispensing services are provided, with separate dispensing pumps and meter systems for each grade of fuel. All metering devices must be inspected, checked and certified annually by appropriate local and state agencies. Specific training is required for all Employees prior to use of the mobile dispensing vehicle and system.
- Conduct the lawful, sanitary, and timely handling and disposal of all liquid and solid waste, regulated waste, and other materials including, but not limited to, sump fuel, used oil, solvents, and other regulated waste.
- Provide an appropriate supply of properly located type, size and operable fire

extinguishers and other safety equipment in accordance with the Uniform Fire Code. All fire extinguisher certifications must be current.

D. **Flight and Maintenance Training:** A Flight Training Services Operator or flight school provides Aircraft ground and flight instruction necessary to complete the written examination and flight check for any category of pilot certificate or rating. An Aircraft Maintenance Training Services Operator or "A&P" school provides classroom and practical instruction necessary to complete the written examinations to obtain any category of Aircraft mechanic certificate or authorization.

1. A Flight Training Services Operator shall:

- Employ and make available at least one or more FAA-certified Flight Instructor necessary to meet the Flight Training demand and schedule requirements.
- Provide one or more owned or leased certified, airworthy, and properly equipped Aircraft to accomplish the services offered and meet the schedule requirements.
- Provide a professional facility to conduct classroom training. The facility must, at minimum, provide heated classroom and flight planning areas, indoor restrooms, and a pilot lounge area.

2. An Aircraft Maintenance Training Services Operator shall:

- Employ and make available at least one or more FAA-certified Airframe and Power Plant mechanics, with prior inspection authorization approval, necessary to meet the classroom and shop training demand and schedule requirements.
- Provide Aircraft and or mockup training aids necessary for the educational program.
- Provide a suitable facility to conduct training. The facility must, at a minimum, provide a heated classroom, appropriate styles of shop and hangar-like facilities, indoor restrooms, and lounge area.

E. **Aircraft Rental:** An Aircraft Leasing or Rental Services Operator provides General Aviation Aircraft for leasing or rental to the public. An Aircraft Rental Services Operator shall:

- Keep premises open and services available during appropriate business hours, seven days a week.
- Have available for rental a minimum of two owned or leased, certified, airworthy, and properly equipped Aircraft.
- Ensure that all renters are in compliance with all applicable federal, state, and local laws, rules, regulations and policies.

F. **Pilot Services and Concessions:** Each FBO / SASO Operator shall provide the following services and concessions inside their main building when applicable to their primary service.

- Customer service counter and public lobby area with indoor restrooms.
- Provide basic pilot and/ or mechanic supplies for retail sale.
- Flight planning work area with weather service and communication links (Wi-Fi, etc.).
- Public telephones.
- Local ground transportation contacts.

G. **Charter Operations:** A Charter Operator provides for-hire air transportation of Persons or property to the general public either on a scheduled or "on-demand" basis and is further defined by FAR Parts 119 and 135. A Charter Operator shall:

- Employ and make available at least one Person who holds a current FAA commercial pilot certificate and medical certificate with ratings appropriate for the Operator's Aircraft.
- Provide at least one properly airworthy and properly equipped Aircraft to accomplish the services offered.

- Have and display a current FAR Part 135 Certificate.

H. **Special Flying Service:** FBOs and SASO Operators providing special flying services such as agricultural spraying or seeding, sightseeing tours, aerial photography or surveying, power line or pipeline patrol, firefighting or fire patrol, air ambulance, airborne mineral exploration, banner towing, and other commercial flying services operated under FAR Part 91. A special flying service operator shall:

- Employ and make available at least one Person who holds a current FAA commercial pilot certificate and medical certificate with ratings appropriate for the Operator's Aircraft.
- Own or Lease at least one airworthy and properly equipped Aircraft.
- If Operator performs aerial agricultural applications or other services involving commercial use of chemicals, shall provide a centrally drained and paved area of not less than 10,000 square feet for Aircraft loading, washing and servicing. This area shall meet all current federal, state and local agency requirements. The agricultural Operator shall also provide for the safe storage, handling, and containment of materials and equipment.

I. **Aircraft Storage and Hangars:** An Aircraft Storage and Hangar Service Operator leases and rents hangars and/or multiple T-hangars, to Aircraft Owners or Operators for Aircraft Storage purposes. An Aircraft Storage and Hangar Service Operator shall:

- Post informational sign with hangar Operator contact name and phone numbers, hangar availability, and rental rates inside the FBO's terminal. A separate leased space is not required for this service.
- Rent hangars only for Aircraft Storage purposes. It is the responsibility of both the Operator and owner of each Based Aircraft stored within the Operator's hangar facilities to comply with the rules and regulations of the Airport.
- Maintain all hangar buildings, improved properties, ramps, aprons, and taxi lanes in good working condition and keep them visually presentable.

J. **Aircraft Sales:** Aircraft Brokers or Sales Operators providing new and/or used Aircraft Sales and Aircraft brokerage services shall:

- Employ and have on duty at least one qualified Aircraft salesperson.
- Not perform any maintenance or charter activities.

K. **Aircraft Restoration, Painting, and Refurbishing:** FBOs and SASO Operators providing any restoration, painting and refurbishing of Aircraft structures, engines, propellers, accessories, interiors, exteriors, and components shall:

- Employ and have on duty at least one qualified Person who has certificates appropriate for the work performed.
- Meet all requirements of the Uniform Fire Code.
- Meet all air, water, Hazardous Materials, and environment standards required by federal, state, and local laws, regulations, and policies.

L. **Additional Aeronautical Services:** Operators desiring to conduct other Commercial Aeronautical Activities and Services not covered above shall outline the proposed operation in a letter to the Airport Manager. The Airport Manager will review the proposal and identify if there are facilities or land available for the activity or service. Additionally, prior to commencing any Commercial Activity, the Operator shall

- Provide all of the information identified in the previous sections of this document that are appropriate for the services to be offered.
- Obtain all certifications necessary to legally perform the services.
- Provide satisfactory evidence of technical competency to conduct the proposed services.
- Obtain all appropriate business licenses, and insurance.

The Airport Manager will review requests on a case-by-case basis and approve, forward for further review, or deny the activity.

## **SECTION 7. COMPLAINTS**

All complaints about any Commercial Operator or their Employees for violation of these Minimum Standards or Rules and Regulations shall be in writing and signed by the complainant and filed with the Airport Manager. The Airport Manager will investigate the complaint and provide feedback to the complainant.

## **SECTION 8. REVOCATION OF LEASE, LICENSE, PERMIT, OR AGREEMENT**

The City retains the right to terminate any Lease, license, Permit or Agreement covering a commercial or non-commercial operation and to revoke a Lease on any land or facility upon the Airport for any cause or reason provided by these Rules and Regulations or Minimum Standards, or by the Lease, license, Permit or Agreement itself, or by law, or for any of the following causes:

- The Operator filing a petition of voluntary or involuntary bankruptcy with respect to the operation.
- The Operator making a general assignment for the benefit of creditors.
- The abandonment or discontinuance of any operation at the Airport by the Commercial Operator or failure to conduct such operation or activity which the lessee, licensee or permittee has agreed to provide under the terms of their contract. If this condition exists beyond a specified period contained in a Lease or rent Agreement without prior written consent of the City, it will constitute an abandonment of the land or facilities and the Lease or license shall become null and void.
- The failure of an Operator to pay promptly when due all rents, Charges, Fees, or other payments in accordance with the applicable Leases, licenses, or Permits.
- The failure of the Operator to remedy any default, breach or violation of the Airport Rules and Regulations by them or their Employees within 30 days after notice from the Airport Manager.

- Violation of any federal, state or local standards, Rules and Regulations, or failure to maintain current licenses required for its operation.
- Intentionally supplying the City with false or misleading information or misrepresenting any material fact on the application or documents, or in statements to or before the City; or intentional failure to make full disclosure on financial statement or other required documents.