

**MINIMUM STANDARDS FOR AERONAUTICAL ACTIVITIES**  
**WAYNE COUNTY AIRPORT**  
**6020 N. HONEYTOWN ROAD**  
**SMITHVILLE, OH 44677**

The owner of the Wayne County Airport, hereinafter referred to as the “Airport”, is the Board of Wayne County Commissioners, hereinafter referred to as the “County”, or “Board” or the “Lessor”.

The purpose of the Minimum Standards For Aeronautical Activities is: to establish uniform minimum standards and procedures to govern public and private tenants and aeronautical activities in order to enhance and promote the safe and efficient operation and maintenance of the Airport; to enhance its orderly growth; to preclude the granting of an exclusive right to conduct an aeronautical activity in violation of Federal Grant Assurances; and to assure a fair and reasonable opportunity, without discrimination, to all applicants to qualify, or otherwise compete, for available Airport facilities and the furnishing of selected aeronautical services. These activities must be framed within the context of the Airport’s ability to sustain itself financially; to continue to attract economic development; and to serve the citizens of Wayne County.

To help satisfy our purpose, all users and operators are encouraged to exceed these Minimum Standards; but none will be allowed to operate under conditions below the minimums. The right shall be reserved by the County to modify or add to the Minimum Standards.

In all cases where the words “standards” or “requirements” appear herein it shall be understood that they are modified by the word “minimum”.

**SECTION I - DEFINITIONS (In Alphabetical Order)**

**AERONAUTICAL ACTIVITY** - Any activity which involves, makes possible, or is required for the operation of aircraft, or which contributes to or is required for the safety of such operations.

The following activities, commonly conducted on airports, are aeronautical activities within this definition: aircraft hangaring and tie down, charter operations, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other included activities, repair and maintenance of aircraft, sale of aircraft parts, and any other activities which because of their direct relationship to the operation of aircraft can appropriately be regarded as an “Aeronautical”.

**AIRPORT** - Wayne County Airport, 6020 N. Honeytown Road, Smithville, OH 44677

**AIRPORT FACILITY** – means any portion of the Airport, including but not limited to parking areas, terminals, hangars, tie downs, rest rooms, picnic areas, fueling areas, runways, taxiways, roadways, access areas and maintenance areas as set forth in the most current Airport Layout Plan.

**AIRPORT LAYOUT PLAN (ALP)** - means the master planning document for the Airport. It identifies proposed development of the Airport over a five to twenty-year time frame.

**AIRPORT MANAGER** - The designated individual or duly authorized representative appointed by the County to manage and oversee the day-to-day operations of the Airport, including, but not limited to, those functions set forth herein and ensuring users and operators of the Airport follow these Minimum Standards.

**COMMERCIAL AVIATION OPERATOR** - is defined as a person, partnership, limited liability company, corporation or other entity engaging in an activity which involves, makes possible, or is required for the operation of aircraft, or which contributes to, or is required for the safe conduct and utility of, such aircraft operations, the purpose of such activity being to secure earnings, income, compensation or profit, whether or not such objective or objectives are accomplished. A commercial operator may be classified as either a Full Service Fixed Base Operator or a Specialized Aviation Operator.

**COUNTY** - Defined as the Board of Wayne County Commissioners, responsible for the operation of the Wayne County Airport.

**FLAMMABLE** – means any substance, whether fluid, gas or solid, susceptible to igniting readily or exploding.

**FULL-SERVICE FIXED BASE OPERATOR** (hereinafter “FBO”) - is defined as a person, partnership, limited liability company, corporation or other entity which is authorized and required by contract with the County to provide, at a minimum, the following Aeronautical Activities at the Airport:

- a. Sale of aviation fuel and lubricants.
- b. Tie down, hangar storage and parking.
- c. Aircraft maintenance.
- d. Aircraft washing.
- e. Ancillary ground services, including collection of landing and parking fees.
- f. Flight instruction.

**MINIMUM STANDARDS** - Those qualifications and criteria set forth herein as the minimum requirements to be met as a condition for a Commercial or a Non-Commercial Operator to conduct an Aeronautical Activity on the Airport.

**NON-COMMERCIAL OPERATOR** - is a person, partnership limited liability company, corporation or other entity that operates and either owns or leases aircraft for personal or recreational purposes. In the case of a business, the operation of aircraft must be an ancillary unit to support the business purposes by providing transportation for the exclusive use of its employees or agents. In all cases the Non-Commercial Operator neither offers nor provides Aeronautical Activity services for compensation provided, however, that Non-Commercial Operators may provide hangar storage services to the general aviation public under the terms and conditions set forth herein.

**OPERATOR** - as used in these Minimum Standards, the term “Operator” refers to both Commercial Operators and Non-Commercial Operators.

SPECIALIZED AVIATION OPERATOR (hereinafter "SAO") - is defined as a Commercial Operator that provides Aeronautical Activity services not included in the minimum services listed under the definition of a Full Service Fixed Base Operator. These include any one or a combination of the following:

- a. Aircraft sales
- b. Specialized aircraft airframe, engine and accessory maintenance and repair services (radio, instruments, propellers, painting, upholstery, etc.)
- c. Aircraft lease and/or rental services
- d. Flight training
- e. Air taxi service (charter)
- f. Specialized commercial flying services
- g. Aircraft management services
- h. Hangar management services

This class of operator is not authorized to sell fuel and lubricants or perform aircraft maintenance except as identified under Item b.

## **SECTION II - RULES OF OPERATION**

- A. All Aeronautical Activities on the Airport shall be conducted pursuant to the Federal Aviation Administration, the Ohio Department of Transportation – Office of Aviation, the Ohio Revised Code, the Federal Communications Commission, and the County.
- B. All flight operations will be conducted per standard traffic procedures as outline in the current Aeronautical Manual and Federal Aviation Regulations.
- C. All flight operations will be planned so as to avoid flight over populated areas whenever possible, particularly low levels and high noise levels, without compromising flight safety.
- D. Special events or demonstrations are only to be conducted with prior approval of all applicable regulatory bodies, including but not limited to the Federal Aviation Administration and Authority.
- E. All persons operating aircraft at the Airport shall hold at least a valid student pilot certificated unless otherwise authorized by the County, in writing.
- F. Aircraft shall taxi at a safe and reasonable speed for existing conditions.
- G. Aircraft that are unattended shall be properly secured and locked.
- H. Aircraft owner/pilot preventative maintenance and cleaning is to be performed in an area designated by the County and shall be confined to that maintenance to which owner/pilot is qualified and permitted to do as specified in Federal Aviation Regulations.
- I. All aircraft maintenance other than owner/pilot maintenance shall be completed by a qualified and licensed person or facility who shall enter into maintenance lease agreement

with the County prior to conducting such maintenance

- J. No aircraft operating from the Airport shall be operated for hire or to secure earnings, income, compensation or profit unless and until the owner/pilot of such aircraft enters into a lease agreement for such Aeronautical Activity with the County.
- K. All aircraft based at the airport shall be covered by liability insurance. Minimum coverage will be established by the County. Proof of insurance shall be submitted to the County before or upon execution of a lease, as requested. The County shall be named as additional insured.
- L. All fuel products dispensed into aircraft at the Airport shall be approved fuel for the specific aircraft.
- M. Self-fueling will be permitted only when in compliance with the following requirements:
  - 1. Self-fueling is accomplished only in areas designated by the County.
  - 2. Fuel may only be dispensed by pump from trucks and other containers in good operating condition and as approved by the Environmental Protection Agency and the State of Ohio Fire Marshall for fueling purposes.
  - 3. The aircraft fuel container and fuel truck must be properly grounded.
  - 4. All fuel filters shall comply with standards for the type of fuel being dispensed.
  - 5. Smoking during refueling is prohibited. No smoking shall be allowed within 100 feet of the fueling operations.
  - 6. Spills of fuel or oil must be immediately reported to the County, Environmental Protection Agency Emergency Response Team, and Smithville Fire Department.
  - 7. Aircraft owner is liable for damages to the property and the environment resulting from self-fueling operations. Aircraft owner must furnish proof of adequate liability insurance covering fueling operations to the County.
  - 8. An adequate fire extinguisher must be present on the fueling truck or other apparatus and must be fully charged and current.
  - 9. All fueling activities shall be conducted at least 100 feet away from any open flame.
- N. Only those people engaged in fuel handling, the maintenance or the operation of the aircraft being fueled shall be permitted within 100 feet of the aircraft during refueling.
- O. The County shall not be responsible for any loss or damage due to theft, vandalism or otherwise of any aircraft, vehicle, or equipment parked at the Airport or any personal articles stowed therein.]
- P. Prior to conducting any parachuting, sailplane or ultralight activities at the Airport, written approval of the County must be obtained.
- Q. If any provision of the Rules is designated or otherwise declared invalid or inappropriate, the remaining provisions shall continue to be in full force and effect.

### **SECTION III - PRE-QUALIFICATION REQUIREMENTS FOR COMMERCIAL OPERATORS**

A written agreement, properly executed by the County and the operator, is a prerequisite to tenancy on the airport and the commencement of any operations thereon. The provisions of any such contract must comply with the Minimum Standards. The requirements of Minimum Standards shall be incorporated into all leases and agreements between the County and any person or persons, firm, or corporation desiring to be based on the Airport and engage in any commercial aeronautical services and activities. The Minimum Standards and information relative to rentals, fees, and charges applicable to the aeronautical services included herein will be made available to the prospective commercial operator by the County at the time of application or during the contract negotiations.

The right shall be reserved by the County to modify or add to the Minimum Standards.

All operators and prospective operators are reminded that the Airport is governed by the County. Thus, all of its decisions are rendered by the Board of County Commissioners. Any representations, commitments or recommendations made by the County staff or personnel are subject to review and approval by the Board. Contingent upon: (a) an operators qualifications and ability to meet the Minimum Standards; (b) the execution of a written agreement with the County; and (c) the payment of the prescribed rentals, fees, and charges, an operator shall have the right and privilege of engaging in and conducting the selected activity or activities on the Airport as specified by the written contract. The granting of such right and privilege, however, shall not be construed in any manner as affording an operator any exclusive right or use of the premises and facilities of the Airport, other than those premises which may be leased exclusively to the operator, and then only to the extent provided in a written agreement.

The County reserves and retains the right for itself to use the Airport and to authorize others who may desire to use same, pursuant to applicable federal, state, and local laws, ordinances, orders, rules and regulations, pertaining to such use.

The County further reserves the right to designate the specific Airport areas in which aeronautical services may be conducted. Such designation shall give consideration to the nature and extent of the operation and the lands available for such purpose, consistent with the orderly and safe operation of the Airport and in conformance with the Airport Layout Plan.

The Minimum Standards shall not be construed in a manner to prohibit the owner of an aircraft from fueling, washing, repairing, painting or otherwise maintaining such aircraft; provided, however, that any fueling of aircraft is subject to certain minimum standards and regulations promulgated by the County for the construction and operation of a fueling facility and any applicable fuel flowage fee.

A prospective Commercial Operator (hereinafter "Applicant") shall submit, in written form, to the County, at the time of the application, the following information and, thereafter, such additional information as may be requested by the County.

**A. INTENDED SCOPE OF ACTIVITIES - PROSPECTUS**

An Applicant must submit a detailed prospectus identifying the scope and method of the proposed operation. The prospectus shall include, but not be limited to, the following:

1. The services to be offered.
2. The amount of land to be leased and required for operation.
3. The building space to be constructed or leased, and the estimated cost for same.
4. The number and type of aircraft to be provided, if applicable.
5. The number of persons to be employed.
6. The hours of proposed operation.
7. The insurance coverage to be maintained.
8. The name, address, and telephone number of the applicant and the proposed name of the business.
9. The names and qualifications of the principal personnel to be involved in conducting such activity.
10. The tools, equipment, services, and inventory, if any, proposed to be furnished and/or utilized in connection with such activity.
11. The requested or proposed date for commencement of activity and the length of term for providing same.
12. The plans for financing such operation and construction.
13. The proposed location and layout plan for any future development.

**B. FINANCIAL RESPONSIBILITY/CAPABILITY STATEMENT**

The applicant must provide a financial responsibility/capability statement (hereinafter "Statement".) In evidence of the applicant's financial responsibility, the Statement should include a reference from a bank or financial institution doing business in Northern or Central Ohio (or from such other source that may be acceptable to the County and readily verifiable through normal banking channels). In evidence of the applicants financial capability, the Statement should demonstrate the availability of resources to initiate operations for the construction of improvements and appurtenances that may be required in accordance with the applicants prospectus. The Statement should also indicate the applicant's ability to provide working capital to carry on the contemplated operations.

**C. EXPERIENCE STATEMENT**

The applicant shall furnish the County with a statement of past experience in the aviation services desired to be rendered.

## **SECTION IV - GENERAL REQUIREMENTS FOR AERONAUTICAL ACTIVITY**

### **A. REQUIREMENT OF A WRITTEN AGREEMENT**

All Commercial and Non-commercial Operators shall be permitted to operate at the Airport only under a written agreement executed with the County authorizing same.

### **B. SITE DEVELOPMENT STANDARDS**

#### **1. Requirements For Location**

The County shall permit Operators to locate their operations on Airport property only in such a manner as:

- a. To not encroach upon or interfere with any air carriers sterile areas
- b. To be in compliance with the Airport Layout Plan.

The County reserves the right for final approval on location decisions.

### **C. INSURANCE**

All operators shall procure and maintain insurance of the types and in the minimum limits as shall be set forth by the County. Such insurance may include without limitation, the following:

1. Comprehensive General Liability Insurance. This includes, if applicable, products, completed operations, and hangar keeper's liability.
2. Aircraft Liability Insurance. If applicable, for flight training and rental activities.
3. Ground Vehicle Liability Insurance. If applicable, for vehicles operated at the Airport.

The County may require that such policies name the County as an additional insured. Certificates of such insurance are to be provided upon request and are to include (if the County is an additional insured) that no modification or cancellation may become effective without 30 days advance written notice to the County.

**SECTION V - FIXED BASE OPERATOR**

An FBO, at a minimum, shall provide the Aeronautical Activities listed below. These activities may be authorized by the County to be rendered at the Airport only by an FBO.

- A. Sale of aviation fuel and lubricants.
- B. Tie down, hangar storage and parking.
- C. Aircraft maintenance.
- D. Aircraft washing.
- E. Ancillary ground services, including collection of landing and parking fees.
- F. Flight instruction.

In addition to these activities, an FBO may also provide any or all of the Aeronautical Activities listed in Section VI (B) through (I), below. The minimum standards for such activities are contained within such sections.

The following minimum standards and requirements apply to the activities and services which must be provided by an FBO.

A. **SALE OF AVIATION FUEL AND LUBRICANTS**

The FBO shall make adequate arrangements or contractual agreements with a reputable aviation gasoline and lubricant distributor to provide a reliable supply to meet the demands of the flying public.

1. **FACILITY REQUIREMENTS**

Sufficient ground area shall be procured to support above ground installation of fuel storage facilities. Minimum fuel capacity shall be:

10,000 gallons	100 Octane
10,000 gallons	Jet A

Standards for construction for aircraft fueling systems shall comply with County Development Guidelines and the laws and regulations of the State and Federal Environmental Protection Agency and all other applicable laws.

2. **EQUIPMENT REQUIREMENTS**

a. At least one (1) fuel service vehicle for each grade of fuel dispensed.

b. Minimum product capacity for each required fuel service vehicle per grade of fuel shall be:

600 gallons	100 Octane
1,500 gallons	Jet A

Secondary or backup vehicles may be less than required minimum product capacity.



Each fuel service vehicle shall be so equipped and maintained as to comply at all times with all applicable safety and fire prevention requirements or standards prescribed by:

- i. The County's Rules and Regulations,
- ii. State of Ohio Fire Code and State Fire Marshals Codes
- iii. National Fire Protection Association (NEPA) Codes
- iv. 14 CFR Part 139, Airport Certification, Section 139.321, Handling and Storing of Hazardous Substances and Materials
- v. Applicable Federal Aviation administration Advisory Circulars (AC), including AC-00-34, "Aircraft Ground handling and Servicing", and AC 150/5210-5 "Painting, Marking and Lighting of Vehicles Used on an Airport."

3. PERSONNEL REQUIREMENTS

- a. Sufficient service personnel trained in accordance with FAR Part 139.321 shall be on duty during hours of operation. One such trained and qualified service person shall be of supervisor capability.
- b. At least one (1) qualified fuel service employee shall be Aon call@ during all other hours.
- c. In accordance with all applicable laws and regulations and appropriate industry-wide practices, each FBO shall develop and maintain Standard Operating Procedures (SOP) should include a training plan with appropriate records, performance of fuel quality assurance test, equipment maintenance records and emergency response procedures to fuel fires and spills.

The SOP should also cover: 1) grounding and fire protection, 2) public protection, 3) control of access to storage areas, and 4) marking and labeling storage tanks and tank trucks, with identification of specific types and fuel octane designations. The SOP must be submitted no later than sixty (60) days after the FBO commences service. Periodic inspections may be conducted by the County to ensure compliance.

- d. All fuel service personnel shall be suitably uniformed and identified with the name of the company providing the service.

#### 4. FUELING RIGHTS

Each FBO shall have the right to compete with other FBOs for fuel service business, and the right to enter into formal contract fueling arrangements to provide contract fueling services. Each FBO shall be assigned an area in which they alone may service transient aircraft traffic.

#### 5. OPERATING REQUIREMENTS

- a. The FBO shall be capable of providing into-plane product delivery for all types of aircraft normally frequenting the airport.
- b. The FBO shall be capable of providing a response time to requests for fuel service not exceeding 15 minutes during required hours of operation and not exceeding one (1) hour at all other times.
- c. The FBO shall have an approved written Spill Prevention Contingency and Control (SPEC) Plan which meets County and Environmental Protection Agency regulations. An updated copy of such plan shall be filed with the County at least five (5) days prior to actual implementation.
- d. Fueling Services shall be continuously offered and available to the public between the hours of 0700 to Sunset daily; on-call fueling services shall be available at all other times. The County must be notified in writing when an FBO changes its hours of operation.

#### B. TIE DOWN, HANGAR STORAGE AND PARKING

These minimum Services shall include:

- Aircraft lead in/lead out and parking guidance services;
- Aircraft tie down and hangar storage (multi - or T);
- Chock management and monitoring engine start safety; and
- Aircraft repositioning

#### 1. FACILITY REQUIREMENTS AND CONSTRUCTION OF FACILITIES

- a. At least 12,000 square feet of hangar space in one location available for the storage of aircraft and a ground lease of 43,650 square feet (one acre).
- b. Sufficient office space for crew and passenger lounge facilities, including the availability of public telephones and restrooms and automobile parking on premises.
- c. Sufficient office space for dispatching fuel vehicles and personnel ground handling agents, providing customer services.
- d. Sufficient office space suitably equipped for pilot flight planning activities, including a readily accessible telephone with service to both Cleveland AFSS and Akron-Canton National Weather Service.

2. EQUIPMENT REQUIREMENTS

- a. Courtesy Vans - At least one (1) vehicle to provide such services as lead in/lead out and on-airport transportation of passengers, crews and baggage.
- b. One aircraft tug and standard universal tow bar of sufficient capacity to handle the towing requirements of selected general aviation aircraft normally frequenting the Airport.
- c. Fire Apparatus - An adequate number of approved and currently inspected fire extinguisher units in keeping with State, Local, and NFPA regulations shall be maintained within hangar confines, on aircraft ramp areas and as fueling truck equipment.
- d. Compressed Air Unit - At least one compressed air unit for inflating tires shall be readily available to the public at all times.
- e. Miscellaneous Equipment - Adequate quantities of chocks, ropes and other essential tie down equipment shall be maintained which conform to applicable recommendations for such materials as set forth in FAA Advisory Circular 20-35, entitled "Tie-Down Sense".

3. PERSONNEL REQUIREMENTS

- a. Sufficient qualified service personnel shall be available during the hours of operation, to provide the required services.
- b. All personnel assigned to these services shall have any required licenses or permits.
- c. All personnel assigned to these services shall be suitably uniformed and/or identified.

4. OPERATING REQUIREMENTS

- a. The FBO shall provide prompt, courteous and efficient service to the public at all times with adequate staffing to meet service demands.
- b. The FBO shall establish Standard Operating Procedures for the performance of all ground handling services and shall insure compliance with all applicable Authority Rules and Regulations and recommended standards as set forth in FAA Advisory Circular 00-34, entitled "Aircraft Ground Handling and Servicing".

C. MAJOR AND/OR MINOR AIRFRAME AND POWERPLANT MAINTENANCE

1. FACILITY REQUIREMENTS

- a. Sufficient hangar space for the conduct of required maintenance services.
- b. Sufficient shop space to support the performance of such services.

2. EQUIPMENT REQUIREMENTS

All equipment necessary to the proper performance of maintenance services on aircraft and powerplants, in accordance with applicable FAA regulations and manufacturers specifications. Such equipment shall comply with Authority Rules and Regulations, NFPA codes and other applicable governmental safety regulations.

3. PERSONNEL REQUIREMENTS

A minimum of one (1) FAA licensed airframe and powerplant mechanic properly trained and qualified to perform maintenance services on general aviation aircraft types frequenting the airport.

4. OPERATING REQUIREMENTS

- a. The FBO shall comply with all applicable Federal Aviation Regulations and County rules necessary for performance of maintenance services required by these standards.
- b. The FBO shall be qualified to perform reasonably comprehensive maintenance services on the airframes, powerplants, and associated aircraft systems of general aviation aircraft types up to 12,500 pounds gross weight and shall be capable of performing routine maintenance services on other general aviation aircraft types frequenting the airport.
- c. The FBO shall provide on demand, minor routine maintenance for aircraft.

5. HOURS OF OPERATION

- a. Aircraft and powerplant maintenance services shall be continuously offered and available to the public during normal business hours.
- b. "Call-in" maintenance services shall be offered for emergency customer needs at all other times.

D. AIRCRAFT WASHING

1. The FBO shall comply with all applicable Federal Aviation Regulations and County rules necessary for performance of washing and cleaning services.
2. The FBO shall comply with all local, state and federal storm water management regulations.

E. ANCILLARY GROUND SERVICES

1. The FBO shall maintain on file with the office of the Airport Manager a copy of their current rates and charges for services offered.

F. FLIGHT INSTRUCTION

1. Instructors shall maintain current certificates, ratings and endorsements as appropriate to, and compatible with, the training being conducted in compliance with all Federal regulations and requirements.

## **SECTION VI - COMMERCIAL AVIATION OPERATIONS**

The following Aeronautical Activities may be provided by a Commercial Operator at the Airport, provided the Operator complies with the minimum standards. To the extent that any of the following activities are provided by a Commercial Aviation Operator (CAO), the Minimum Standards regarding facilities and land can either be met by directly leasing the needed facilities from the County or through a sublease from an existing Operator at the Airport. In all cases a CAO must be under written agreement with the County to provide the authorized service. CAOs are prohibited from providing any of the services listed in Section II, Fixed Base Operators. However, FBOs are permitted to provide Commercial Aviation Operations.

### **A. FACILITY REQUIREMENTS**

Each CAO shall lease from the County an area of land on which will be erected a building, or sublease from an existing operator with the County's approval suitable accommodations for the conduct of business. Each Operator shall:

1. Maintain office facilities on the premises.
2. Provide automobile parking for its clientele on off-street premises.
3. If applicable, provide sufficient indoor or outdoor storage for aircraft so as not to obstruct or impair the operation of the Airport or the enjoyment of others.
4. Provide all other utilities and support facilities as required.

The County is under no obligation to construct and provide privately used aircraft aprons or taxiways. In the event the facility location requires the construction of either aprons and/or taxiways, these pavements shall meet the FAA standards for the largest aircraft type anticipated to use the Operators facility.

### **B. AIRCRAFT SALES**

#### **1. STATEMENT-OF-CONCEPT**

A Commercial Operator may engage in the sale of new and/or used aircraft through franchises or licensed dealerships or distributorships (either on a retail or wholesale basis) of an aircraft manufacturer, and provide such repair services, and parts as necessary to meet any guarantee or warranty on aircraft sold. For CAOs, contractual agreements may be made with existing FBO's for non-warranty repair service. CAOs providing aircraft sales pursuant to this concept may not provide major or minor airframe and powerplant maintenance services.

#### **2. MINIMUM STANDARDS**

##### **a. Services Provided**

A Commercial Operator authorized to provide aircraft sales shall comply with the following Minimum Standards Necessary and satisfactory arrangements

for repair and servicing of aircraft shall be provide in accordance with any sales guarantee or warranty period. Adequate inventory of spare parts for the type of new aircraft for which sales privileges were granted shall be maintained.

b. Dealership

The Commercial Operator shall hold an authorized factory sales or distributor franchise or sub-dealership, as well as all applicable licenses or permits that may be required by any law or regulation.

c. Aircraft

The dealership shall have available or on call at least one (1) current model demonstrator of aircraft in its authorized product line. Demonstrations of additional models of the manufacturer for which a dealership is held shall also be provided.

d. Hours of Operation

Premises shall be open and services available during normal business hours

e. Personnel

The Operator shall have in its employ, and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet its dealership obligations in an efficient manner, including at least one (1) person having a current commercial pilot certificate with ratings appropriate for the types of aircraft to be demonstrated. A responsible person shall be in charge to supervise the operations in the leased area during all business hours and with the authorization to represent and act for the dealership, and provide check ride pilots for aircraft sold.

f. Insurance Coverage

The dealership shall provide the necessary insurance as required by the County.

C. SPECIALIZED AIRCRAFT AIRFRAME, ENGINE, AND ACCESSORY MAINTENANCE AND REPAIR SERVICES

1. STATEMENT OF CONCEPT

A specialized aircraft airframe, engine, and accessory maintenance and repair Operator (“Specialized Operator”) provides one or a combination of specialized airframe, engine, and accessory overhaul and repair services (“Specialized Services”) on aircraft up to and including business jet aircraft and helicopters. “Specialized Services” are those services which involve a higher degree of skill, training and/or specific authority in order to render such services, all of which are distinct from, or in some way superior to, those maintained and repair services provided by FBO’s under Section II (B) (5) above.

Nothing herein shall preclude an FBO from being a Specialized Operator, provided that the Minimum Standards herein are met.

2. **MINIMUM STANDARDS**

a. Services Provided

The Specialized Operator shall provide sufficient shop space, equipment, supplies, and availability of parts equivalent to that required for certification by the FAA as an approved repair station.

b. Hours of Operation

The Specialized Operator shall have its facilities open and services available during normal business hours, and shall make provision for someone to be in attendance in the office at all times during the required operating hours.

c. Personnel

The Specialized Operator shall have in its employ, and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the one (1) person currently certified by the FAA with ratings appropriate to the work being performed, and who holds an airframe, powerplant, or an aircraft inspector rating, plus one (1) additional person not necessarily rated. The Specialized Operator shall maintain during all business hours, and responsible person in charge to supervise its operations on the Airport, and with the authorization to represent and act for and on behalf of the Operator.

d. Safety Precautions

The Specialized Operator shall conduct all maintenance operations in accordance with applicable Airport Rules and Regulations, National Fire Protection Association, and other applicable governmental safety regulations.

e. Insurance Coverage

The Specialized Operator shall provide the necessary insurance as required by the County.

D. AIRCRAFT LEASE AND/OR RENTAL SERVICES

1. **STATEMENT OF CONCEPT**

A Commercial Operation may engage in the lease or rental of aircraft to the public, and shall comply with the following standards.

2. **MINIMUM STANDARDS**

a. Hours of Operation

The dealer shall have its facilities open and services available during normal business hours. The dealer shall make provision for someone to be in



attendance in the office at all times during such times.

b. Personnel

The dealer shall maintain, during all business hours, a responsible person in charge to supervise its operations on the Airport, and with authorization to represent and act for and on behalf of the dealer.

c. Aircraft

The dealer shall have available for rental, either owned or under written lease, a sufficient number of aircraft to handle the proposed scope of its operation. All aircraft shall meet the relevant requirements of the FAA regulations. Copies of any lease agreements for aircraft not owned by the dealer shall be provided to the Aviation Director.

d. Insurance Coverage

The Operator shall provide the necessary insurance required by the County.

E. FLIGHT INSTRUCTION

1. STATEMENT OF CONCEPT

A Commercial Operator may engage in providing basic and advanced flight instruction for any type of fixed rotary wing aircraft for categories of pilots= licenses and ratings required (hereinafter "School").

2. MINIMUM STANDARDS

a. Hours of Operation

Weather permitting, the School shall have its facilities open and services available during normal business hours. The School shall make provision for someone to be in attendance in the office at all times during the required operating hours.

b. Personnel

The School shall have in its employ at least one (1) flight instructor who is properly certified by the FAA to provide the type of training offered. The School shall also provide at least one (1) current, properly certificated flight instructor who is available on call on a part-time basis. The School's facility shall be certificated by the FAA as a pilot school. The School shall maintain, during all business hours, a responsible person in charge to supervise its operations on the Airport, and with the authorization to represent and act for and on behalf of the School.

- c. Aircraft  
The School shall have available for use in flight training, either owned or under written lease, not less than two (2) properly certificated aircraft. One (1) of the required aircraft must be equipped for and capable of use in instrument flight instruction.
- d. Equipment and Facilities  
The School shall provide classroom facilities and be equipped with adequate mock-ups, pictures, slides, film strips, movies, video tapes, or other visual and training aids necessary to provide proper and effective ground school instruction. All materials, supplies, and training methods must meet FAA requirements for the type of training offered.
- e. Insurance Coverage  
The School shall provide the necessary insurance as required by the County.

F. AIR TAXI SERVICES - CHARTER

- 1. STATEMENT OF CONCEPT  
A Commercial Operator may engage in the business of providing air transportation of persons or property to the general public for hire, as an Air Taxi Operator (hereinafter "Service") as defined by the FAA. This classification shall also include air ambulance services.
- 2. MINIMUM STANDARDS
  - a. Personnel  
The Service shall have in its employ, and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the Minimum Standards set forth herein. All pilots employed shall hold current FAA commercial pilot and medical certificates and ratings appropriate to permit the flight activity offered by the Service. All flight crews shall be properly rated for the aircraft operated. The Service shall provide reasonable assurance of a continued availability of qualified operating crews with a reasonable notice period. The Service shall maintain, during all business hours, a responsible person in charge to supervise its operations on the Airport, and with the authorization to represent and act for and on behalf of the Service.
  - b. Aircraft  
The Service shall provide not less than one (1) multi-engine, all whether piston powered engine aircraft, and/or one (1) multi-engine turbine powered aircraft. All aircraft must meet the requirements of the Air Carrier Certificate. Copies of any lease agreements for aircraft not owned by the Service shall be provided to the Director of Aviation.
  - c. Insurance Coverage  
The Service shall provide the necessary insurance as required by the County.

G. SPECIALIZED COMMERCIAL FLYING SERVICES

1. STATEMENT OF CONCEPT

A Commercial Operator may engage in air transportation for hire (hereinafter “Special Service”) for the purposes of providing the use of aircraft for one or more of the activities including, but not limited to, those listed below:

- a. Nonstop sightseeing flights that begin and end at the Airport;
- b. Banner towing and aerial advertising;
- c. Aerial photography or survey;
- d. Power line or pipeline patrol;
- e. Fire fighting or fire patrol;
- f. Airborne mineral exploration;
- g. Any other operations not previously covered or requiring a FAR Part 135 Certificate.

1. MINIMUM STANDARDS

a. Hours of Operation

The Special Service shall have its facilities open and services available during normal business hours. The Special Service shall make provision for someone to be in attendance in the office at all times during the required operating hours, or shall have an answering service, page system, or other acceptable method for the public to contact the Operator.

b. Personnel

The Special Service shall have in its employ, and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the Minimum Standards set forth in a safe and efficient manner, but never less than one (1) person having a current commercial pilot certificate with appropriate ratings for the aircraft to be flown.

c. Aircraft

The Special Service shall provide and have based upon its leasehold, either owned or under written lease, not less than one properly certificated aircraft suitably equipped for, and meeting FAA requirements for, the type of operation offered.

d. Insurance Coverage

The Operator shall provide the necessary insurance as required by the County.

## H. AIRCRAFT MANAGEMENT COMPANY

### 1. STATEMENT OF CONCEPT

A Commercial Operator may engage in providing comprehensive management services for individual owned and/or corporate owned aircraft (hereinafter “AMC”).

### 2. MINIMUM STANDARDS

#### a. Services Provided

An AMC may provide any service included in the Aeronautical Activities set forth in this Section III as well as financial management, scheduling, or any other service not included in the scope of FBO services.

#### b. Personnel

An AMC shall have in its employ sufficient trained and qualified personnel to provide the services offered.

#### c. Insurance Coverage

An AMC shall provide the necessary insurance as required by the County.

## I. HANGAR MANAGEMENT SERVICES

### 1. STATEMENT OF CONCEPT

A Commercial Operator may engage in the construction and/or management of hangar storage for aircraft. This includes open span hangar storage or multi-unit individual hangars.

### 2. MINIMUM STANDARDS

#### a. Hours of Operation

Such an Operator shall make these facilities available dependent on the needs of its leased tenants.

#### b. Personnel

Adequate personnel properly trained to provide the services and manage the facilities.

#### c. Facility Requirements

At least 5,000 square feet of hangar space in one location available for the storage of aircraft and a ground lease of 10,000 square feet. All other facility requirements applicable to Specialized Aviation Operators (except A3) and all applicable building codes shall apply.

#### d. Insurance Coverage

Necessary insurance as required by the County shall be provided.

## **SECTION VII - NON-COMMERCIAL OPERATIONS**

Non-Commercial Operators at the Airport shall comply with the Minimum Standards described in this section. Notwithstanding anything contained herein to the contrary, Non-Commercial Operators may provide additional hangar storage space for aircraft other than their own aircraft.

### **A. FLYING CLUBS**

In an effort to foster and promote flying for pleasure, develop skills in aeronautics, including pilotage, navigation and an awareness and appreciation of aviation requirements and techniques, the category of Flying Club is added to the Minimum Standards.

All flying clubs desiring to base their aircraft and operate on the Airport must comply with the applicable provisions of these Minimum Standards.

1. The club shall be a non-profit entity (corporation, limited liability company, association or partnership) organized for the express purpose of providing its members with an aircraft, for their personal use and enjoyment only. The ownership of the aircraft, must be vested in the name of the flying club. The property rights of the members of the club shall be equal and no part of the net earnings of the club will inure to the benefit of any member in any form (salaries, bonuses, etc.). The club may not derive greater revenue from the use of its aircraft than the amount necessary for the operations, maintenance and replacement of its aircraft.
2. Flying clubs may only conduct aircraft flight instruction for the members of the club.
3. All flying clubs are prohibited from providing Aeronautical Activities.
4. The flying club, with its permit request, shall furnish the County a copy of its charter and bylaws, articles of association partnership, agreement or other documentation supporting its existence; a roster, or list of members, including names of officers and directors, to be revised on a semi-annual basis; number and type of aircraft; evidence that aircraft are property certificated; evidence that ownership is vested in the club; and operating rules of the club. The books and other records of the club shall be available for review at any reasonable time by the County or its authorized agent.
5. A flying club, that has an agreement with the County, shall abide by and comply with all federal, state and local laws.
6. A flying club shall provide the necessary insurance required by the County.
7. A flying club which violates any of the foregoing, or permits one or more members to do so, may be required to terminate all operations at Wayne Airport.

B. NON-COMMERCIAL OPERATORS - CORPORATE FLIGHT DEPARTMENTS/PRIVATE BUSINESSES

A Non-Commercial Operator who desires to operate from privately owned or leased hangars and provide storage facilities for its own aircraft shall meet the following Minimum Standards:

1. FACILITY REQUIREMENTS

An area of land shall be leased from the County on which will be erected a building of suitable accommodations. Each private business shall:

- a. Maintain office facilities on the premises.
- b. Provide automobile parking for its employees and guests on off-street premises.
- c. If applicable, provide sufficient indoor or outdoor storage for aircraft so as not to obstruct or impair the operation of the airport or the enjoyment of others.
- d. Provide all other utilities and support facilities as required.

The County is under no obligation to construct and provide privately used aircraft aprons or taxiways. In the event the Facility location requires the construction of either aprons and/or taxiways, these pavements shall meet all FAA standards for the largest aircraft type anticipated to use the Operator's facility.

2. OPERATIONAL REQUIREMENTS

- a. The non-commercial operator shall use the leased premises for the operation of an aircraft storage hangar. The hangar's primary purpose shall be used for the storing, servicing, conditioning, maintaining, repairing and rebuilding such operator's own aircraft, or aircraft leased, and for any purpose either necessary or incidental thereto. In the case of subleasing, the same above-mentioned rights are afforded the sub-lessee. Sub-lessees of Non-Commercial Operators are not eligible for self-fueling rights.
- b. The Non-Commercial operator understands and agrees that it is the County's policy that only an authorized FBO is permitted to fuel the aircraft of others.
- c. With prior approval, an area within the Non-commercial Operator's hangar may be subleased.

3. INSURANCE COVERAGE

The operator shall provide the necessary insurance required by the County.

**SECTION VIII - NON-FBO AVIATION FUEL DISPENSING FACILITIES**

Any Non-Commercial Operators (hereafter referred to as Operator(s)) desiring to construct or commence use of existing facilities to dispense aviation fuels for their own aircraft, must meet the following minimum standards.

A. GENERAL REQUIREMENTS

Operators who have written lease agreements with the County at the adoption of the Minimum Standards will be authorized to continue the practice of utilizing self-operated fuel dispensing facilities in the manner acceptable to the County as long as the practice is for the service of aircraft owned or leased by the Operator and in accordance with the existing lease agreement.

Existing and all additional Operators of fuel storage tanks shall certify to the County their compliance with federal and state regulations governing proper installation, spill and overfill protection, corrosion protection, leak detection and financial responsibility in accordance with the federally mandated deadlines.

Each Operator shall enter into an annual fueling agreement with the County. The agreement shall cover current safety, operational and maintenance requirements, applicable insurance and payment of fuel flowage fees.

Each Operator shall certify annually that they have properly trained and qualified personnel to operate and maintain its aircraft fueling systems.

B. FACILITY REQUIREMENTS

1. LAND

The leased premises shall consist of a minimum of 10,000 square feet to provide space for all buildings, aircraft storage, employee and visitor parking and above ground fuel storage facilities.

2. FUELING REQUIREMENTS

The Operator requiring a self-operated fuel dispensing facility must own or lease aircraft to be fueled. The Operator shall be required to enter into a fueling agreement with the County.

The agreement shall require the tenant to pay fuel flowage fees on the actual amount of fuel delivered. Fuel flowage fees shall be paid as long as the tank is not temporarily or permanently closed.

Fuel flowage fees shall be determined by the County from time to time. Presently, the fuel flowage fee is \$.22 per gallon.

All Fuel storage tanks constructed after the adoption of the Minimum Standards shall be above ground, bulk fuel storage processing plants with a minimum capacity of 10,000 gallons and minimum 500 gallon mobile fueler restricted to the Operator's premises. The mobile fueler is considered a part of the aircraft fueling system. The County may consider underground facilities in its discretion, provided reasonable standards may be adopted in conjunction thereunder.

The Operator shall construct and maintain its facilities at its own expense, and shall conduct self-fueling operations in compliance with all applicable federal, state, local and industry standards, laws, ordinances and regulations, whether currently in effect or enacted hereafter.

Totally Mobile fuel dispensing equipment shall not be permitted as a substitute for a self-operated fuel dispensing facility.

3. **BUILDINGS**

The Operator shall lease or construct a minimum of 3,000 square feet of aircraft storage space plus properly lighted and heated space for work, office space, storage, a visitor waiting room that includes restroom facilities and a public telephone.



## **SECTION IX - MISCELLANEOUS**

### **A. APPLICABILITY OF MINIMUM STANDARDS TO CURRENT OPERATORS**

These Minimum Standards shall not apply so as to affect Operators at the Airport which have a current, valid lease and/or use agreement with the County on the effective date of the adoption hereof. However, after any lease and/or use agreement with the County expires, or is terminated, or if the Operator wishes to modify, delete, increase, or expand its services, full compliance shall be made with the appropriate provision of the Minimum Standards.

For new Operators, the pertinent Minimum Standards for such Operator shall be based upon the nature of its initial business venture. If, at a later date, the business is expanded to encompass new and additional types of services, then, in such event, the Minimum Standards established for these additional services shall immediately apply.

In the event that a current Operator which has a valid lease and /or use agreement with the County does not have the minimum types or amounts of insurance coverages required by the County for the categories of services offered by the Operator, then the County shall determine whether additional insurance coverage shall be obtained by the Operator.