



Stanly County
AIRPORT

MINIMUM STANDARDS

FOR

AERONAUTICAL ACTIVITIES

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As a Stanly County Ordinance*

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PART I GENERAL INFORMATION

Section 1. Purpose

These Standards shall establish the minimum requirements to be met as a condition for any person conducting or proposing to conduct aeronautical activities on Stanly County Airport (“SCA”). As operator of SCA, the Stanly County Airport Authority’s (the “Authority”) goal in adopting these Standards is to encourage the development of quality aeronautical services and to make the airport available for aeronautical activities on fair and reasonable terms without unjust discrimination.

Section 2. Definitions

As used in these Standards, the following terms shall have meanings set out below, unless the context clearly requires otherwise:

AERONAUTICAL ACTIVITY OR SERVICE—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.

AIRPORT—Any property or facility constituting the Stanly County Airport (“SCA” or “Airport”) that is owned or operated by the Authority.

AIRPORT DIRECTOR – The person or entity designated by the Authority who shall have immediate charge of enforcing the rules and regulations of the Airport.

AUTHORITY – The Stanly County Airport Authority as Sponsor of the Airport.

EXCLUSIVE AIRCRAFT LEASE—Aircraft leased by written lease to a single lessee for a minimum of six (6) months, which aircraft may not be rented, re-leased, or used by the owner during the term of the lease. Such aircraft shall be for the exclusive use of, and under the exclusive control of, the lessee and may only be used for the express purpose of lessee’s aeronautical operator agreement with the Authority. Aircraft leased in this manner may be self-serviced and self-fueled by the lessee in accordance with these Standards.

FAA—The Federal Aviation Administration of the United States of America, its successors and assigns.

MINIMUM STANDARDS—The standards which are established by the Authority as the minimum requirements any person must meet as a condition of the right to conduct an aeronautical activity on the Airport (also referred to herein as “Standards”).

NFPA –The National Fire Protection Association.

OPERATOR -- Any Person providing commercial Aeronautical Service at the Airport.

PERSON—Any individual, partnership, firm, organization, association, company, or corporation.

RENTAL AIRCRAFT—Means aircraft leased orally to more than a single lessee or for less than six (6) months. Aircraft leased in such a manner shall not be self-maintained, self-serviced, or self-fueled by the lessee.

SELF-FUELING—Self-fueling is defined as the fueling of an aircraft by the owner of the aircraft, the owner’s employee, or the exclusive lessee of the aircraft, as specifically approved by the Authority, using resources supplied by the aircraft owner.

SELF-SERVICE—Self-service is defined as activities such as adjusting, repairing, cleaning, and otherwise providing service to an aircraft, provided the service is performed by the owner of the aircraft, the owner’s employee, or the exclusive lessee of the aircraft, as specifically approved by the Authority, with resources supplied by the aircraft owner.

SELF-SERVICE FUELING—Self-service fueling is defined as the fueling of an aircraft by the pilot using commercial fuel pumps installed for that purpose. The fueling facility may or may not be attended by the vendor.

SPECIALIZED AVIATION SERVICE OPERATION OR OPERATOR (SASO)—An Operator that offers a single or limited commercial service. Examples of these specialized commercial services may include those aeronautical services identified in Part III of these standards.

Section 3. Statement of Policy

The Authority will provide a fair and reasonable opportunity, without unjust discrimination, to all qualified persons to compete for the right to construct, lease, or sublease appropriate space on SCA to conduct aeronautical activities that are not currently provided exclusively by the Authority. Prior to starting any operations, an Operator must enter into an agreement with the Authority. Such agreement will recite the terms and conditions under which the activity will be operated on the Airport, including, but not limited to, the term of the agreement; the rentals, fees, and charges; and the rights and obligations of the respective parties. The granting of such right or privilege, however, shall not be construed in any manner as affording the Operator any exclusive or continuing right of use of the premises or facilities of the Airport, other than those premises which may be leased exclusively to the Operator for the term of the lease, and then only to the extent provided in the written agreement.

The Authority reserves the right to lease an existing facility or any portion of an existing facility to a SASO in order to maximize facility use and business opportunities. A lease of this nature shall be at the Authority’s sole discretion and shall be considered to meet the minimum facility requirements as defined in Part III of these Standards.

The Authority further reserves the right to designate from time to time the specific areas where individual aeronautical services or a combination of aeronautical services may be conducted, and to determine whether or not there is sufficient, appropriate, or adequate

space at the proposed site to meet the minimum requirements established herein. Such determination shall consider the nature and extent of the proposed operation and the sites available for such purpose, consistent with the current Airport Master Plan and the orderly, safe, and efficient operation and development of the Airport.

These Standards will not grant any right or privilege that prevents any person from operating aircraft on the Airport, or from performing any services on its own aircraft with its own employees (including self-servicing and self-fueling) that it may choose to perform, in accordance with these Standards and established regulations and requirements of the Authority relating to such activity.

The Authority reserves the right to amend these Standards from time to time as conditions require.

Section 4. Proprietary Exclusive Activities

As provided for in FAA Airport Compliance Order 5190.6B, the Authority has exercised its proprietary right to provide certain aeronautical activities exclusively, including aircraft fueling, aircraft servicing, and property management.

- A. Aircraft Fueling: The Authority shall be the sole commercial purveyor of aviation petroleum products at SCA.

While the Authority reserves the exclusive right to sell all aviation fuel products at the Airport, FAA regulations allow an aircraft owner to self-fuel his or her aircraft provided the aircraft owner meets certain specific criteria as established by the FAA and the Authority. Accordingly, the Authority has adopted a Self-fueling Permit in the interest of preserving the Airport's exclusive fueling rights and to accommodate an owner's aircraft self-fueling activities.

An aircraft owner may self-fuel owned or exclusively leased aircraft providing such operation is conducted in accordance with NFPA 30 and 407, Aircraft Fuel Storage and Servicing, latest adopted edition; Advisory Circular 150/5230-4, Aircraft Fuel Storage, Handling, and Dispensing on Airports; Air Transport Association standards for jet fuel quality control at Airports, as applicable and as may be amended. Self-fueling shall be conducted only in those areas designated by the Authority from time to time. Aircraft owners may only conduct self-fueling operations after first obtaining a Self-Fueling Permit from the Authority.

A co-op (an organization formed by several aircraft owners for the purpose of self-fueling) is prohibited from engaging in self-fueling operations.

- B. Aircraft Servicing: The Authority shall be the sole provider of aircraft servicing which shall include, but is not limited to, parking, securing, loading and unloading, fluid level servicing, and other such services that are commonly associated with aircraft arrivals and departures.

Aircraft self-servicing, like self-fueling, may also be accomplished by an aircraft owner provided such servicing is accomplished by the aircraft owner, his employees, or the exclusive lessee of an aircraft, using resources supplied by the aircraft owner and provided such operations are conducted in accordance with established regulations of the Authority.

- C. Property Management: The Authority shall be the sole lessor of Airport property and facilities for Aeronautical Activities at SCA. Such activities may include, but are not limited to, those services identified in Part III of these Standards.

Section 5. Insurance Requirements

Every Operator shall procure and maintain continuously in effect for the duration of its activities upon the Airport, at Operator's sole expense, insurance of the types and in at least such minimum amounts as indicated below or otherwise determined by the Authority. Such insurance shall be placed with a company, or companies, authorized to do business in the state of North Carolina and satisfactory to the Authority:

- A. Comprehensive General Liability: \$1,000,000 Bodily Injury and Property Damage Combined Single Limit.
- B. Products and Completed Operations Liability (if applicable): \$1,000,000 Combined Single Limit.
- C. Aircraft Liability (if applicable): \$1,000,000 Bodily Injury and Property Damage Combined Single Limit.
- D. Insurance in the full replacement value of all Personal Property, Equipment, and Trade Fixtures on the Leased Premises.
- E. Ground and Hangar Keeper's Liability (if applicable): Adequate coverage for any single aircraft in storage or care and a limit covering the total value of those aircraft but not less than \$100,000 for damage to any one (1) aircraft and \$500,000 per each occurrence.
- F. Chemical Liability Insurance (if applicable): Minimum of \$400,000 Combined Single Limit.
- G. For aircraft owners involved in Self-Fueling Operations: A Comprehensive Aircraft Liability policy indicating that the coverage includes owner's fueling/defueling operations with fueling equipment owned and/or operated by the aircraft owner. The minimum shall be \$1,000,000 Combined Single Limit for Bodily Injury and Property Damage.
- H. Builder's Risk: During any construction on a leased site, the Operator shall furnish Builder's Risk Insurance insuring the contract price, with the Authority listed as the named insured. Any deductibles under the builder's risk policy shall be the responsibility of the Operator.

I. Workers' Compensation Insurance as required by North Carolina Statutes.

All required insurance shall include the Authority as an additional insured. The Operator's insurance shall not be subject to cancellation or material alteration until at least thirty (30) days' prior written notice has been provided to the Authority. Operator shall provide the Authority with annual Certificates of Insurance evidencing that all of the established requirements have been met. The Authority may vary the types and minimum amounts of insurance coverage required based upon the precise nature of the aeronautical activities to be conducted by the Operator.

The amount or amounts of all required policies shall not be deemed a limitation of the Operator's agreement to indemnify and hold harmless the Authority and CRA, and in the event the Operator or the Authority shall become liable in an amount in excess of the actual coverage provided, then the Operator shall save Authority and CRA harmless from the whole thereof, except in the event of negligence of the Authority, and then only to the extent of that negligence.

Section 6. Construction and Site Development Standards

All construction undertaken by Operators shall be in accordance with applicable design and construction standards and approved by the Authority after a complete review prior to any work being done. All improvements must be in full compliance with all applicable federal state and local laws, codes, ordinances and other regulatory measures that are consistent with the activity for the planned improvements. Construction or alterations must be submitted to the FAA on form 7460-1 (Notice of Proposed Construction and/or Alteration) and receive a favorable determination prior to the commencement of any construction activity. Upon completion of the improvement or alteration a copy of "As-Built" plans will be delivered to the Airport Director.

All Operators shall furnish to the Authority payment and performance bonds commensurate with any construction or alteration.

All improvements constructed on the Airport, other than trade fixtures, shall become a part of the land and belong to the Authority upon expiration, termination, or cancellation of the lease agreement between Operator and Authority covering such improvements. If Operator chooses to develop a site which is not currently served by taxiways, roadways, and/or utility services, the Operator may be responsible for extending such services and pavement surfaces to its site at Operator's sole expense, unless otherwise negotiated with the Authority. All such utility services and pavement areas shall be constructed in full compliance with Authority and FAA standards.

Section 7. General Operational Requirements

A. Operators shall employ trained personnel in such numbers as are required to meet the applicable Minimum Standards set forth herein in an efficient manner for each aeronautical activity or service being performed. Operator's personnel shall be on duty during the applicable operating hours. The Operator shall also provide a

- responsible person in the office, if required, to supervise the operations in the leased area and on the Airport, with authorization to represent and act for and on behalf of the Operator during all business hours. Operator shall provide the Authority with a roster of qualified personnel who are available after normal business hours to respond to emergency situations involving Operator's activities.
- B. Operator shall control the conduct, demeanor and appearance of its employees. Operator shall train its employees and ensure that they possess such technical qualifications and hold the required certificates, permits, licenses, and ratings to conduct Operator's business activities on the Airport. It shall be the responsibility of Operator to maintain close supervision over its employees to assure a high standard of service to Operator's customers.
 - C. Cross-utilization of personnel between aeronautical services may be permitted to the extent that personnel qualifications and licensing requirements and the applicable operating hours of these Standards are met.
 - D. No aircraft or other vehicle may be left unattended or parked, or any object or structure placed, built, or left to remain at any point on the Airport where such object would protrude through any imaginary surface so as to create an obstruction under FAR Part 77 or applicable Zoning Ordinances.
 - E. Operator's personnel who drive motor vehicles on the Airport proper shall do so only in strict accordance with the Airport rules and regulations, applicable federal, state, and local laws, ordinances, codes, or other similar regulations now in existence or as may be hereafter modified, amended or enacted.
 - F. Operator shall permit the Authority to enter upon its leased premises at any reasonable time for any purpose necessary, incidental to, or connected with the Operator's performance of its obligations with respect to these Standards or the terms of any operating agreement or in the exercise of the Authority's governmental functions; for fire protection or security purposes; or to inspect or maintain the premises; or to do any other task deemed necessary or desirable for the proper operation of the Airport.
 - G. The rates or charges for any and all activities and services of Operator shall be determined by the Authority and subject to the further requirement that all such rates or charges shall be reasonable and be equally and fairly applied to all users of the services.
 - H. Operator shall provide prompt, courteous, and efficient service to the public and provide an adequate means of contact to meet service demands. Operator shall adhere to the highest ethical and aviation service community standards in the conduct of its activities.
 - I. Operator shall commit no unlawful nuisance, waste, or injury on the leased premises and will refrain from doing anything which may result in the creation,

commission, or maintenance of such nuisance, waste, or injury to property on the Airport.

- J. Operator shall refrain from creating or allowing on its premises any obnoxious odors or smokes, or noxious gases or vapors. The creation of exhaust fumes by the operation of internal combustion engines or aircraft engines of other types, so long as such engines are maintained and are being operated in a proper manner, is not a violation of this paragraph, nor shall the reasonable operation of Operator's business constitute such violation, although some odors, gases, and vapors may result therefrom.
- K. Operator shall refrain from doing anything which might interfere with the effectiveness or accessibility of the Airport's public utilities systems, drainage or sewer system, storm water management system, fire protection system, sprinkler system, alarm system, or fire hydrants and hoses, if any are installed or located on or in Operator's leased premises. Operator shall refrain from doing any act or thing upon the Airport which will invalidate or conflict with any fire, property, or liability insurance policies covering the Airport.
- L. Operator shall remove or dispose of debris and other waste material (whether solid or liquid) arising from Operator's activities. Any garbage, debris, or waste which may be temporarily stored in the open shall be kept in suitable garbage or waste receptacles made of metal and equipped with tight-fitting covers of a design sufficient to contain whatever may be placed therein. Operator shall use extreme care when removing all such waste. Any Hazardous Waste generation, storage, or disposal shall comply with all applicable federal, state, and local regulations.
- M. Operator shall keep and maintain its leased premises and all improvements in a neat and orderly condition, and in good and substantial repair, condition, and appearance. Operator shall keep mowed and in a sightly condition all landscaping and grass areas within its leased premises. Operator shall also maintain all aprons, ramps, taxiways, roadways, and parking lots that are constructed by Operator or reserved for the exclusive use of Operator.

PART II LEASING INFORMATION

Section 1. Ground Space, Facilities, and Accommodations

No person shall use the Airport or any portion thereof or any of its improvements or facilities for commercial, business, or aeronautical activities without first complying with these Standards and obtaining the required approval and written consent to commence those activities by entering into such agreements as may be prescribed by the Authority. Notwithstanding any other provisions of these Standards, the provisions of any existing lease agreement in effect upon the date these Standards are adopted shall prevail over the requirements of these Standards but only for the current term of that lease and only to the extent provided for in the lease.

Except as provided for herein, each SASO shall provide and maintain an office located upon the Airport which shall be available to the public by appointment or during business hours posted in a prominent place at the Operator's place of business. The office must include a waiting room with appropriate furnishings, restrooms, and a public telephone unless adequate facilities currently exist, as determined by the Authority. Offices shall contain an adequate amount of interior floor space to appropriately conduct the business it is intended for and shall be suitably provided with heating and air conditioning.

Unless otherwise provided by the Authority, all activities of the Operator shall be conducted on an area or areas of sufficient size to accommodate all services that the Operator is approved to perform, allowing for future growth and additional services as contemplated by the Authority or the Operator at the time of application, but as limited by the space available on the Airport. The Operator shall conduct its business operations strictly within the areas assigned to it by the Authority, and its operations shall not in any way interfere with the operations of other Operators, agencies, or other businesses operating on the Airport, the use of the Airport by the general public, or with any common use areas. The Operator shall not use any common use areas except as authorized by these Standards and Airport rules and regulations.

Section 2. Application

A prospective Operator shall submit to the Authority, in written form, at the time of application, the following information, and, thereafter, such additional information as may be requested.

- A. The description of services to be offered and the business plan to provide such services including aircraft ownership, if aircraft are to be used in the conduct of the business, and whether or not sub-tenants are to be used to meet these standards.
- B. The amount of land required for the proposed service and any proposed construction.
- C. The building space and facilities required or to be constructed.

- D. The number and types of aircraft to be utilized.
- E. The number of persons to be employed.
- F. The proposed hours of operation.
- G. The types and coverage limits of insurance to be maintained.
- H. Evidence of Operator's past experience, financial capability, and technical ability to perform and/or develop the proposed services and facilities.
- I. The name(s), address(es), and telephone number(s) of the principal(s) of the business and the proposed operating name of the business, as well as evidence of incorporation in the state of North Carolina, as applicable.
- J. The tools, equipment, services, and inventory, if any, that Operator will furnish for the proposed service.
- K. The proposed date for commencement of the activity and the requested length of term to conduct the same.
- L. The estimated cost of any structure or facilities to be constructed or furnished, proposed specifications, and the means and method of financing such construction.
- M. The intended location and layout plan of any proposed or future development.

Section 3. Action on Prospective Operator's Application

The Authority may deny any proposal to conduct commercial, business or aeronautical activities if, in the opinion of the Authority, it finds any one of the following:

- A. The Operator, for any reason, does not meet the qualifications and requirements established by these Standards, or is not prepared to meet same within a reasonable time as established by the Authority but not exceeding one year.
- B. The proposed operation or construction will create a safety hazard on the Airport.
- C. Approval to conduct the proposed service will require the Authority to spend funds or to supply labor or materials in connection with the proposed operation, or the operation will result in a financial loss to the Authority.
- D. No appropriate, adequate, or available land or facilities exist at the Airport which would accommodate the Operator's proposed activities on the date of the application or within a reasonable time thereafter.

- E. Airport development or construction required for the proposed operation does not comply or is inconsistent with the Airport Master Plan then in effect or conflicts with federal, state, or local rules and regulations.
- F. The development or use of the land area requested by the Operator will result in aircraft or building congestion or will unduly interfere with the operations of any present Operator on the Airport or might restrict aircraft access to any Operator's area.
- G. The Operator has either intentionally or unintentionally falsified the application or supporting documents or omitted relevant information.
- H. The Operator has failed to make full disclosure on the application or supporting documents.
- I. The Operator has a record of violating the rules and regulations of any other airport or FDOT aviation regulations, FAA standards or regulations, or any other rules and regulations applicable to the Authority.
- J. Any party applying or interested in the business has defaulted in the performance of any lease or any other agreement with the Authority or CRA.
- K. On the basis of current financial information, the Operator does not, in the opinion of the Authority, exhibit adequate financial responsibility to undertake the proposed services.
- L. The Operator cannot provide a performance bond or other adequate security in an amount required by the Authority to ensure performance of its obligations under its proposed lease or permit or ensure completion of any associated construction.
- M. The Operator has been convicted of any felony or a misdemeanor involving moral turpitude or has been barred from providing services to a governmental entity.

Section 4. Waiver of Standards and Service Pioneers

- A. Waivers: The Authority may, in its sole discretion, waive all or any portion of these Standards for the benefit of any governmental agency or public utility performing nonprofit public services to the aircraft industry if those services are performed for:
 - 1. The general public in time of emergency.
 - 2. Public services to the aviation industry or performing nonprofit emergency medical or rescue services to the public by means of aircraft.
 - 3. Fire prevention or firefighting operations

4. The Authority may further temporarily waive or reduce any of these Standards for nongovernmental Operators where the Authority, in its sole discretion, deems such waiver or reduction to be in the best interest or welfare of the Airport's operation and is not likely to conflict with future Operators providing like services.
- B. Service Pioneers: When an Operator wishes to qualify as a SASO in order to provide specific services not already provided at the Airport, these Standards may be modified for a limited period of time to encourage the expansion of services at the Airport. The temporary modification will be applied only where such services do not already exist, and only to the extent and for the period of time necessary to create an inducement to the establishment of such services.
- C. Other Aeronautical Services: Many types of aeronautical services may exist that are too varied to reasonably permit the establishment of specific minimum standards for each. When specific aeronautical services are proposed which do not fall within the categories listed in Part III or IV, such proposals will be evaluated on a case-by-case basis, taking into consideration the desires of the proponent, the needs of the Airport, and the public demand for such service.

Section 5. General Lease Clauses

A lease or agreement with the Authority might include some or each of the following provisions, as applicable, as required by federal, state, and local governments:

- A. Fair and Nondiscriminatory Provisions.
- B. Affirmative Action Assurances.
- C. Civil Rights Assurances.
- D. Minority and Disadvantaged Business Enterprise Assurances.
- E. Non-Exclusive Rights Provision.
- F. Lease Subordination to Other Government Agencies Clause.
- G. Indemnity and Hold Harmless Clause.
- H. Provisions reserving the Authority's right to develop and maintain the Airport.
- I. Other mandated provisions, as well as standard Airport lease clauses.

The most current form or amendment of each of the above lease provisions shall be obtained from the federal, state, and local governments and shall be included in each lease agreement at the time of execution. The lease agreement shall also contain all of the following items, among others:

- A. Term of agreement.
- B. A reasonable rental rate and/or Airport use fee to be paid to the Authority. This rate shall take into consideration any proposed capital improvements of the Operator and the use by the Operator of existing Airport facilities.
- C. Provision for a security deposit, performance bond, and construction performance and payment bonds, if appropriate.
- D. A provision requiring the Operator to provide Certificates of Insurance to the Authority for coverage specified by the Authority.
- E. A provision that any assignment must receive prior written approval of the Authority.

PART III MINIMUM STANDARDS FOR SPECIALIZED AVIATION SERVICE OPERATORS

Prospective Specialized Aviation Service Operators, in addition to any requirements provided in these Standards and the current Airport rules and regulations, shall meet the following minimum qualifications and requirements for each of the following services, all of which shall be conducted from an office located on the Airport.

Section 1. Aircraft Sales Services

Definition

An Aircraft Sales Services Operator is an entity engaged in the sale of new or used aircraft.

Minimum Standards

- A. Land—The Operator shall lease from the Authority an area of not less than 6000 square feet of land to provide space for storage and display of aircraft; paved private auto parking; paved aircraft apron; a paved pedestrian walkway; and all storage, utility and support facilities.
- B. Hangars and Other Buildings—The Operator shall lease or construct facilities providing at least 1500 square feet of climate controlled office, public lounge, public restroom and other related business space.
- C. Taxiway Access—The Operator shall provide paved access from its facilities to the Airport’s taxiway system. Such taxiway access shall meet all applicable Airport and FAA standards for the largest aircraft type anticipated to use the Operator’s facility.

NOTE: With prior written permission of the Authority, requirements “A” through “C” above may be satisfied through an aeronautical operator agreement for existing facilities, if available, with the Authority.

- D. Licenses and/or Certification -- New aircraft dealers shall hold an authorized factory sales or distributor franchise or sub-dealership. An Operator engaged in the sale of used aircraft must conform to the provisions of FAA Regulations, Part 47, Subpart C, and must possess a valid “Dealers Aircraft Registration Certificate,” FAA Form 8050. All aircraft dealers shall hold applicable licenses or permits that may be required by any law or regulation.
- E. Aircraft—A dealer of new aircraft shall have available or on-call at least one (1) current model demonstrator for the aircraft in its authorized product line. A new aircraft dealer shall provide for demonstration of additional models of the manufacturer for which a dealership is held. Dealers of used aircraft shall have reasonable access to aircraft offered for sale for purpose of demonstration.

- F. Hours of Operation—An Operator accepting walk-in customers shall have its premises open and services available during regular, posted business hours. The Operator shall make provisions for someone to be in attendance in the office at all times during the posted operating hours. Operators who do not post regular business hours shall provide for an adequate means of contacting the Operator to arrange an appointment (e.g., cellular phone, answering service, voice mail, pager, etc.) and must agree to contact the potential customer no more than 24 hours after the initial service inquiry.

- H. Personnel—The Operator shall employ, and have on duty during the appropriate business hours, trained personnel in such numbers as are required to meet these Standards in an efficient manner, but no less than one (1) properly certified and qualified pilot to provide demonstration and check rides for aircraft Operator intends to sell.

Section 2. Aircraft Lease/Rental Services

Definition

An Aircraft Leasing or Rental Operator engages in the lease or rental of aircraft to the public.

Minimum Standards

- A. Land—The Operator shall lease from the Authority an area of not less than 6000 square feet of land to provide space for storage of aircraft; paved private auto parking; paved aircraft apron; a paved pedestrian walkway; and all storage, utility and support facilities.

- B. Hangars and Other Buildings -- The Operator shall lease or construct facilities providing at least 1500 square feet of climate controlled office, public lounge, public restroom and other related business space.

- C. Taxiway Access—The Operator shall provide paved access from its facilities to the Airport’s taxiway system. Such taxiway access shall meet all applicable Airport and FAA standards for the largest aircraft type anticipated to use the Operator’s facility.

NOTE: With prior written permission of the Authority, the requirements of “A” through “C” above may be satisfied through an aeronautical operator agreement for existing facilities, if available, with the Authority.

- D. Hours of Operation—Operator accepting walk-in customers shall have its premises open and services available during regular, posted business hours. The Operator shall make provisions for someone to be in attendance in the office at all times during the posted operating hours. Operators who do not post regular business hours shall provide for an adequate means of contacting the Operator to arrange an appointment (e.g., cellular phone, answering service, voice mail,

pager, etc.) and must agree to contact the potential customer no more than 24 hours after the initial service inquiry.

- E. Personnel—The Operator shall employ, and have on duty during the posted business hours, trained personnel in such numbers as are required to meet these Standards in an efficient manner, but no less than one (1) properly certified and qualified pilot to provide demonstration and check rides for any aircraft it intends to lease or rent.
- F. Aircraft—The Operator shall have available either owned or leased aircraft for lease or rental in sufficient quantity to handle the proposed scope of its operation. At least one (1) of these aircraft should be equipped for and capable of flight under instrument weather conditions. Copies of any lease agreements for aircraft not owned by the Operator shall be provided to the Authority.

Section 3. On Demand Aircraft Charter Services

Definition

An On Demand Aircraft Charter Operator engages in the business of air transportation (persons or property) to the general public for hire, on demand, on an unscheduled basis under the requirements of the FAR Part 135.

Minimum Standards

- A. Land—The Operator shall lease from the Authority an area of not less than 6000 square feet of land to provide space for storage of aircraft; hangars and other buildings; paved private auto parking; paved aircraft apron; a paved pedestrian walkway; and all storage, utility, and support facilities.
- B. Hangars and Other Buildings—The Operator shall lease or construct facilities providing at least 1500 square feet of office, public lounge, public restroom, and public telephones and shall provide sufficient space for adequate processing of passengers, their luggage and/or freight.
- C. Taxiway Access—The Operator shall provide paved access from its facilities to the Airport's taxiway system. Such taxiway access shall meet all applicable Airport and FAA standards for the largest aircraft type anticipated to use the Operator's facility.

NOTE: With prior written permission of the Authority, the requirements of "A" through "C" above may be satisfied through an aeronautical operator agreement for existing facilities, if available, with the Authority.

- D. Hours of Operation—Operator accepting walk-in customers shall have its premises open and services available during regular, posted business hours. The Operator shall make provisions for someone to be in attendance in the office at all times during the posted business hours. Operators who do not post regular

business hours shall provide for an adequate means of contacting the Operator to arrange an appointment (e.g., cellular phone, answering service, voice mail, pager, etc.) and must agree to contact the potential customer no more than 24 hours after the initial service inquiry. The Operator shall provide “on call” service during off hours.

- E. Personnel—The Operator shall employ, and have on duty during the posted operating hours, trained personnel in such numbers as may be required to meet these Standards in a safe and efficient manner, but never less than two (2) persons who hold current FAA commercial pilot certificates with appropriate ratings to permit the flight activity offered by the Operator. All flight crews shall be properly rated for the aircraft operated. The Operator shall provide reasonable assurance of the continued availability of qualified operating crews within a reasonable notice period.
- F. Aircraft—The Operator shall provide and have based upon its leasehold properly certificated aircraft, at least one (1) of which should be a multi-engine aircraft. Such aircraft may be owned by or leased to Operator. All aircraft except for rotorcraft should be equipped for and capable of use under instrument conditions, and currently certificated and continuously airworthy. Copies of any lease agreements for aircraft not owned by the Operator shall be provided to the Authority.
- G. Special Provisions—The Operator shall provide evidence of a current FAA Part 135 Certificate or a provisional Part 135 Certificate.

Section 4. Aircraft Flight Training Services

Definition

An Aircraft Flight Training Services Operator engages in instructing pilots in dual and solo flight training, in fixed or rotary wing aircraft, and provides such related ground school instruction as is required before taking a written examination and flight check ride for the category or categories of pilot’s licenses and ratings involved.

Minimum Standards

- A. Land—Operator shall lease from the Authority an area of not less than 6000 square feet of land to provide space for storage of aircraft; paved private auto parking; paved aircraft apron; a paved pedestrian walkway; and all storage, utility, and support facilities.
- B. Hangars and Other Buildings—Operator shall lease or construct hangar facilities providing at least 1500 square feet of space for offices, classrooms, pilot briefing room, pilot and public lounge, public restrooms, and public telephones.
- C. Taxiway Access—Operator shall provide paved access from its facilities to the Airport’s taxiway system. Such taxiway access shall meet all applicable Airport

and FAA standards for the largest aircraft type anticipated to use the Operator's facility.

NOTE: With prior written permission of the Authority, requirements "A" through "C" above may be satisfied through an aeronautical operator agreement for existing facilities, if available, with the Authority.

- D. Hours of Operations—Operator accepting walk-in customers shall have its premises open and services available during regular, posted business hours. The Operator shall make provisions for someone to be in attendance in the office at all times during the posted operating hours. Operators who do not post regular business hours shall provide for an adequate means of contacting the Operator to arrange an appointment (e.g., cellular phone, answering service, voice mail, pager, etc.) and must agree to contact the potential customer no more than 24 hours after the initial service inquiry.
- E. Personnel—Operator shall employ, or have available on call, a sufficient number of properly rated instructor pilots certified by the FAA to provide the type of training desired.
- F. Certificates—If the Operator is an FAR Part 141 approved Flight School, Operator shall provide evidence of such FAA certification.
- G. Aircraft—Operator shall have available for use in flight training, either owned or leased to Operator, not less than two (2) properly certificated aircraft, at least one (1) of which should be equipped and fit for use for instrument flight instruction. Copies of any lease agreements for aircraft not owned by Operator shall be provided to the Authority.
- H. Equipment and Facilities—Operator shall provide classroom facilities for at least ten (10) students and be equipped with adequate audio and visual aids for effective ground school instruction. All materials, supplies, and training methods must meet FAA requirements for the type training offered.

Section 5. Aircraft Maintenance and Repair Services

Definition

An Aircraft Maintenance and Repair Services Operator provides one or a combination of airframe and power plant repair services on aircraft up to and including business jet aircraft and helicopters. This category shall also include the nonexclusive sale of aircraft parts and accessories.

Minimum Standards

- A. Land—Operator shall lease from the Authority an area of not less than 6000 square feet of land to provide space for hangars and other public buildings;

paved private auto parking; paved aircraft apron; a paved pedestrian walkway; and all storage, utility, and support facilities.

B. Hangars and Other Buildings—Operator shall lease or construct hangar facilities providing at least 1500 square feet of space for offices, public lounge, public restrooms, and public telephones. Aircraft painting areas, if provided, shall be segregated from all other areas.

C. Taxiway Access—Operator shall provide paved access from its facilities to the Airport's taxiway system. Such taxiway access shall meet all applicable Airport and FAA standards for the largest aircraft type anticipated to use the Operator's facility.

NOTE: With prior written permission of the Authority, requirements "A" through "C" above may be satisfied through an aeronautical operator agreement for existing facilities, if available, with the Authority.

D. Services Provided—Operator shall provide sufficient shop space, equipment, supplies, and inventory of aircraft parts. Further, the Operator shall provide emergency aircraft recovery services and equipment necessary to promptly remove disabled general aviation aircraft of the largest type normally expected to use the Airport from the airfield.

E. Certificates—If the Operator is an FAR Part 145 approved Repair Station, Operator must possess all of the tools and equipment necessary to maintain such certification and shall provide evidence of FAA certification to the Authority.

F. Hours of Operation—Operator shall have its facilities open and services available no less than eight (8) hours daily, five (5) days per week. Operator shall make provisions for someone to be in attendance in the offices at all times during the required operating hours. Operator shall provide for mechanical services during off-hours, nights, and holidays through an "on-call" system, answering service, or pager.

G. Personnel—Operator shall employ, and have on duty during the appropriate business hours, trained personnel in such numbers as are required to meet these Standards in a safe and efficient manner, but never less than one (1) person currently certified by the FAA with ratings appropriate to the work being performed and holding an airframe and power plant (A & P) rating, plus one (1) additional person not necessarily rated. Unless operating as an FAA-approved Repair Station under FAR Part 145, the Operator shall also employ and have available or on-call at least one person who holds an Aircraft Inspector (IA) rating.

H. Safety Precautions—Operator shall conduct all maintenance operations in accordance with applicable Airport Rules and Regulations, National Fire Protection Association recommendations, and other applicable safety regulations.

Section 6. Aircraft Component and Support Services

Definition

An Aircraft Component and Support Services Operator engages in the business of the repair and installation of avionics, instruments, propellers, and accessories, aircraft painting, upholstery, and similar aircraft components and support services. This category of Operator also includes the nonexclusive sale of new and/or used components described above. Operator may furnish one or any combination of the above services.

Minimum Standards

- A. Land—Operator shall lease from the Authority an area of not less than 6000 square feet of land to provide space for buildings and hangars; paved private auto parking; paved aircraft apron; a paved pedestrian walkway; and all storage, utility, and support facilities.
- B. Hangars and Other Buildings—Operator shall lease or construct hangar facilities providing at least 1500 square feet of space for offices, shops, parts storage, public lounge, public restrooms, and public telephones. Aircraft painting areas, if provided, shall be segregated from all other areas.

Mobile aircraft support services engaging in aircraft washing, detailing, or similar specialized aircraft servicing not requiring certification by the FAA may be permitted at the discretion of the Authority.

- C. Taxiway Access—Operator shall provide paved access from its facilities to the Airport's taxiway system. Such taxiway access shall meet all applicable Airport and FAA standards for the largest aircraft type anticipated to use the Operator's facilities.

NOTE: With prior written permission of the Authority, requirements "A" through "C" above may be satisfied through an aeronautical operator agreement for existing facilities, if available, with the Authority.

- D. Hours of Operation—Operator shall have its facilities open and services available, no less than six (6) hours daily, five (5) days per week. Operator shall make provisions for someone to be in attendance in the offices at all times during the posted operating hours.
- E. Certificates—Operator shall maintain and provide evidence of all appropriate repair shop certificates and ratings issued by the FAA, Federal Communications Commission (FCC), or other appropriate agency.
- F. Personnel—Operator shall have in its employ, and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet these Standards in a safe and efficient manner, but never less than one (1) person currently certified by the FAA with appropriate ratings for aircraft radio, avionics,

instrument or propeller repair, as applicable, plus at least one (1) other repair person, not necessarily rated.

- G. Equipment—Operator shall provide all equipment necessary to the proper performance of installation and maintenance services in accordance with applicable FAA and FCC regulations and manufacturers' specifications.
- H. Safety Precautions—Operator shall conduct all maintenance operations in accordance with applicable Airport Rules and Regulations, National Fire Protection Association recommendations, and other applicable safety regulations.

Section 7. Aerial Applications Services

Definition

An Aerial Applications Services Operator engages in crop dusting, agricultural spraying, or other commercial use of chemicals with the use of specially-equipped aircraft. Such an Operator shall hold an agricultural aircraft operator certificate issued by the FAA under Part 137 and shall comply with the applicable requirements of any governmental regulatory agencies, including, but not limited to, the EPA, North Carolina DEQ, the Authority, and the Airport.

Minimum Standards

- A. Land—Operator shall lease from the Authority an area of not less than 6000 square feet of land to provide space for hangars and other buildings; paved private auto parking; paved aircraft apron; a paved pedestrian walkway; chemical loading, cleaning, and servicing area; parking space for loading vehicles and equipment; and storage, utility, and support facilities.
- B. Hangars and Other Buildings—Operator shall lease or construct hangar facilities providing at least 1500 square feet of space for offices and restrooms.
- C. Taxiway Access—Operator shall provide paved access from its facilities to the Airport's taxiway system. Such taxiway access shall meet all applicable Airport and FAA standards for the largest aircraft type anticipated to use the Operator's facilities.

NOTE: With prior written permission of the Authority, requirements "A" through "C" above may be satisfied through an aeronautical operator agreement for existing facilities, if available, with the Authority.

- D. Hours of Operation—Operator shall be available "on-call" 24 hours per day during the normal aerial application season.
- E. Personnel—Operator shall have in its employ no less than one (1) person holding a current FAA commercial pilot certificate and properly rated for the aircraft

being used, and who meets the requirements of Part 137 of FAA Regulations and applicable regulations of the State.

- F. Premises and Equipment—Operator shall provide a segregated chemical storage area, protected from public access if located on the Airport, such that it will provide the greatest safeguard to the public. Operator shall provide tank trucks for the handling of liquid spray and mixing liquids and shall provide adequate ground equipment for handling and loading of dusting materials. All aspects of the Operator’s proposed operation must meet with the approval of applicable environmental and governmental agencies. Due to the potential hazard posed by the chemicals and corrosives used in agricultural spraying and aerial applications, Operator’s leasehold must be utilized for that sole purpose, and may not be combined with a facility providing any other aeronautical service. Operator shall conform to all federal, state, and local laws, ordinances or regulations applicable to the safety and environmental protection of services offered. Operator shall be responsible for supplying waste disposal systems as mandated by all governmental agencies.

- G. Aircraft—Operator shall provide and have based upon its leasehold at least one (1) properly certificated aircraft either owned or leased. The aircraft must be suitably equipped for, and meet all FAA requirements for, the type of operation provided.

Section 8. Multiple Specialized Aviation Services

Definition

A Multiple Aeronautical Services Operator engages in any two (2) or more of the aeronautical services described in Part III of these Minimum Standards.

Minimum Standards

- A. Land—For two aeronautical services, the operator shall lease from the Authority an area of not less than the combined square footage for the two proposed services as required in Part III hereof to provide auto parking; paved aircraft apron; paved pedestrian walkways; and all storage, utility, and support facilities.

NOTE: For every additional service being proposed beyond the initial two, the Operator shall increase the land, along with all other facility requirements, (e.g., auto parking, walkways, apron, hangar, etc.) by one-quarter, unless otherwise required by the Authority.

Example: Two services – _____
Three services – _____
Four services – _____

NOTE: With prior written permission of the Authority, requirements “A” through “D” above may be satisfied through an aeronautical operator agreement for existing facilities, if available, with the Authority.

- B. Hangars and Other Buildings—The Operator shall lease or construct hangar facilities providing the combined square footage for the two proposed aeronautical services as required in Part III hereof for aircraft storage, working area, and the properly lighted, air conditioned, or heated space for offices, workshops, public lounge, public restrooms, public telephones, storage and customer processing. If three or more aeronautical services are provided, the hangar and office square footage shall be increased 25% for each additional service. If one of the multiple services provided is aircraft maintenance and repair, at least 11,600 sq. ft. of aircraft storage and working area shall be provided. If flight training is one of the multiple services offered, the operator shall provide classroom and briefing room facilities as required by these standards.
- C. Aircraft Apron—The Operator shall provide a minimum of 10,000 sq. ft. of paved aircraft parking and operating apron on its leased premises. If three or more aeronautical services are to be provided, apron space shall be increased to appropriately accommodate each additional aeronautical service.
- D. Taxiway Access—Operator shall provide paved access from its facilities to the Airport’s taxiway system. Such taxiway access shall meet all applicable Airport and FAA standards for the largest aircraft type anticipated to use the Operator’s facilities.
- E. Hours of Operation—Operator shall adhere to the hours of operation required elsewhere in these Standards for each aeronautical service being performed.
- F. Personnel—Operator shall have in its employ, and on duty during the posted business hours, trained personnel in such numbers as are required to meet the Standards as provided for in this Part for each aeronautical service the Operator intends to provide. Multiple responsibilities may be assigned to meet the personnel requirements for each aeronautical service being performed by the Operator.
- G. Aircraft—Operator shall comply with the aircraft requirements, including the equipment thereof, for each aeronautical service to be performed; however, multiple uses can be made of all aircraft except aircraft used for crop dusting, aerial application, or other commercial use of chemicals. In order to meet these requirements, a minimum of two (2) aircraft must be owned or leased by the Operator and based on the Operator’s leasehold. Copies of any lease agreements shall be provided to the Authority.
- H. Equipment—Operator shall provide the facilities, equipment, and services required to meet the Standards as provided for in this Part for each aeronautical service the Operator is performing.

- I. Insurance Coverage—Operator shall obtain, as a minimum, that insurance coverage which is equal to the highest single coverage requirement of all of the aeronautical services being performed by the Operator.

PART IV INDEPENDENT AERONAUTICAL OPERATORS

The Authority recognizes that certain aeronautical operations do not interface directly with the public and, therefore, do not necessarily require public facilities to satisfactorily conduct business. An aeronautical service provider of this type is considered to be an Independent Aeronautical Operator and must obtain a permit from the Authority to conduct such business upon the Airport. The Independent Aeronautical Operator Permit provides operating regulations and guidelines and sets forth appropriate fees to be paid to the Authority for the privilege of using the landing area in connection with their business operation.

An Independent Operator provides a single-service aeronautical activity on the Airport and may include, but is not limited to, aerial advertising, aerial photography or survey, power line or pipeline patrol, firefighting or fire patrol, or airborne mineral exploration.

PART V MINIMUM STANDARDS FOR FLYING CLUBS

All flying clubs desiring to base their aircraft and operate on the Airport must comply with the applicable portions of these Standards and the Airport Rules and Regulations. However, they shall be exempt from regular commercial Operator requirements upon satisfactory fulfillment of the following:

- A. Flying Club Ownership Requirements—Each club shall be a nonprofit entity (corporation, association, or partnership) organized for the express purpose of providing its members with one or more aircraft for their personal use and enjoyment only. The lease or ownership of the aircraft must be vested in the name of the flying club or owned on a pro rata basis by all of its members. The property rights of the members of the club shall be equal, and no part of the net earnings of the club shall inure to the benefit of any member in any form (such as salaries, bonuses, etc.). The club may not derive greater revenue from the use of its aircraft than the amount necessary for the operation, maintenance, and replacement of its aircraft and facilities.
- B. Operating Regulations—A club's aircraft shall not be used by other than bona fide members of the club, and by no one for hire, charter, or air taxi. Flight instruction may be given in the club aircraft by one club member to another club member, providing no compensation is given for such instruction. Otherwise, flight instruction may only be given by a commercial operator with a current operating agreement with the Authority.

Any qualified mechanic who is a registered club member and part owner of the aircraft owned and operated by a flying club shall be allowed to perform maintenance work only on the aircraft in which the mechanic has ownership. The club shall not become obligated to pay for such maintenance work, except that such mechanic may be compensated by credit against payment of club dues or flight time.

All flying clubs and their members are prohibited from leasing, selling, trading, or bartering any goods or services whatsoever to any person or firm other than to a member of such club, except that a club may sell or exchange its capital equipment for replacement or liquidation purposes.

Flying clubs are required to arrange a method for the reservation, dispatch, and general operation of club aircraft. This requirement may be met through the use of an automated or other reservation/dispatch system or through an arrangement with an existing based Aeronautical Service Provider.

- C. Membership and Organizational Data—At the time of application for exempt status as a flying club, such club shall provide to the Authority a copy of its charter and by-laws, articles of incorporation, association, partnership agreement or other documentation supporting its existence; evidence of the club's status as a nonprofit organization; roster or list of members, including names of officers and directors, to be revised on a semi-annual basis; evidence of insurance in the

amounts determined by the Authority; number and type of aircraft; evidence that all aircraft are airworthy and properly certificated; evidence that ownership of the aircraft to be used are vested in the club; and the operating rules of the club. The books and records of the club shall be available for review at any reasonable time by the Authority.

- D. Letter of Authorization—Authority shall issue a Letter of Authorization to the flying club upon receipt and acceptance of all documents identified in paragraph “B” above.

- E. Violations—Flying clubs shall abide by and comply with all federal, state, and local laws, ordinances, regulations, and the established Airport Rules and Regulations. In the event that a club violates any of the foregoing or any of these Standards, or permits any of its members to do so, the Authority shall notify the club in writing of such violations. If the club fails to correct such violations within 15 days of the date of the notice, the Authority may terminate the club’s *exempt* status, demand the club's removal from the Airport, or take other appropriate action.

PART VI MINIMUM STANDARDS FOR CORPORATE HANGAR TENANTS

A Tenant that desires to operate from privately-owned hangars and provide other related services for its own aircraft, such as aircraft tie-down and parking, shall meet the following minimum operating standards: The square footage requirements below will be negotiated on a per tenant basis per their corporate/business requirements.

- A. Land—The leasehold shall contain not less than _____ square feet of land to provide space for all buildings; paved aircraft parking apron; paved private employee automobile parking; vehicular driveways and service roadways; and minimum building setbacks. If the Tenant is permitted to operate a self-maintained aviation fueling facility, such facility shall be located within the Authority's fuel storage facility site, subject to applicable building and fire codes in effect at the time of construction of the fueling facility. In addition to the minimum leasehold requirement for hangar facilities, the Tenant shall provide, at its own expense, paved taxiway access to the Airport's existing taxiway system. Such taxiways provided by the Tenant shall be constructed in full conformance with applicable Authority and FAA standards for the largest type of aircraft normally expected to use the taxiway.
- B. Hangars and Other Buildings—Tenant shall lease or construct hangar facilities providing at least _____ square feet of aircraft storage space, and at least _____ square feet of properly heated and air conditioned space for offices, storage, and indoor restroom facilities. Paved aircraft parking apron shall be provided of a size so as to adequately accommodate the positioning of the Tenant's aircraft and shall not be less than _____ square feet.
- C. Personnel—Properly trained personnel shall be on site during all aircraft operations.
- D. Activities Permitted—Tenant may hangar, tie-down, adjust, repair, refuel, clean, and otherwise service its own aircraft, provided it does so with its own employees and equipment. Copies of all such Exclusive Aircraft Leases shall be provided to the Authority.
- E. Activities Prohibited—Tenant shall not sell, barter, trade, share, sublease, or in any other manner provide hangar space, fuel, or fueling facilities to any other Airport tenant or user, or to any other aircraft. No commercial aeronautical activity of any kind shall be permitted on the premises. No aeronautical services of any kind except operation and servicing of its own aircraft shall be permitted on the premises. Hangar, office, shop, or ramp space shall not be shared or used by anyone other than the Tenant. Tenant shall not exercise any other rights or privileges reserved to Aeronautical Service Operators as defined in these Minimum Standards.
- F. Use of Premises:

1. Only the Tenant shall be permitted to lease, use, and occupy the premises, including, but not limited to, the hangar, office, shop, or ramp space.
2. No aircraft shall be permitted to use or occupy the leased premises unless the aircraft is owned by Tenant.
3. All maintenance and service work conducted on the leased premises and performed on the Tenant's aircraft shall be performed only by direct, full-time, permanent employees of the Tenant, or by commercial aeronautical service operators based on the Airport who have written agreements with the Authority authorizing such Operators to conduct said activities.

PART VII GENERAL

- A. Adoption – These Minimum Standards shall become effective as written and adopted by the Authority on October 6th, 2020 and shall remain effective until amended, revised, repealed or replaced.
- B. Severability -- If one or more clause, section, or provision of these Minimum Standards shall be held to be unlawful, invalid, or unenforceable by final judgment of any court of competent jurisdiction, the invalidity of such clause, section, or provision shall not in any way affect any other clause, section, or provision of these Standards.
- C. Conflict with Other Regulations – In the event of conflict between these Minimum Standards and any rules or regulations promulgated by the FAA, the FAA rules and regulations shall prevail. In the event of a conflict between these Minimum Standards and any other rule or regulation applicable to the same area the more stringent rule or regulation shall apply.
- D. Penalty for Violation of Minimum Standards -- If the Airport Director determines that any of these Minimum Standards have been violated by an Person operating on the Airport, and that he or she cannot resolve the matter satisfactorily by notice to, and discussion with, the offending Operator, then the Authority may take formal action against the offending Operator. Such action may include, but not limited to, reprimand, fines, suspension of airport operations by the Operator, or revocation of the Operator’s right to conduct business at the Airport.
- E. Implied Knowledge of Minimum Standards – By publication and adoption of these Minimum Standards all Persons shall be deemed to have knowledge of its contents. Copies of these Minimum Standards are on file in the Airport Director’s office and shall be furnished to all aircraft owners and commercial Operators based at the Airport.