

STANLY COUNTY AIRPORT AIRCRAFT STORAGE LEASE POLICY
Stanly County Airport Authority

Purpose:

The purpose of this policy is to detail the procedures used to manage aircraft hangars at the Stanly County Airport (KVUJ), New London, NC ("Airport"). The hangars are identified by building name and letter and hangar by number for the buildings on the drawings found in Appendix A.

Objectives:

The Stanly County Airport Authority ("Authority") uses public funds to build and maintain aircraft hangars of various sizes at the Airport. The objectives of those expenditures are to: 1) enhance the economic development opportunities in Stanly County; 2) expand the property tax base in Stanly County; 3) boost aviation activities at the Airport through flying and fuel purchases; and 4) broaden the aviation community in Stanly County.

Privately Owned Hangars:

Currently there are no privately owned hangars at the Airport. This type of hangar would be privately owned and built on property leased from the Airport. Over time, the ownership of this type of hangar would revert to the Airport. Until the hangar reverts to the Airport the owner of the hangar would be free to determine what aircraft use their hangar, subject to compliance with all terms of their lease, this Hangar Policy, Airport Minimum Standards, Airport Rules and Regulations, and applicable laws. The hangar design and construction would require prior Authority approval and be consistent with all national, state and local laws and codes.

Maintenance Hangars:

Currently there are no hangars on Airport property that are approved/designated for maintenance activities.

Common/Community Hangars:

Common/Community hangars are used to accommodate multiple aircraft in a single large facility. Currently there are no common/community hangars on Airport property.

Enclosed T-Hangars (Turbine):

The Tony M. Dennis Hangar Building "A" (4 spaces) is designated for turbine aircraft when possible. Non-turbine aircraft using this hangar are subject to being displaced by the Authority to accommodate turbine aircraft that better meet the objectives detailed above at the sole discretion of the Authority.

Owners of non-turbine aircraft wishing to store their aircraft in the enclosed turbine hangar must submit a Hangar Application to the Authority, and when a space becomes available, subject to the approval by the Authority, execute a Month-to-Month Hangar Lease.

Owners of non-turbine aircraft stored in the Turbine Hangar, who wish to have a hangar where they are not subject to being displaced, must submit a second Hangar Lease Application to the Authority. Absent a second application, tenants do not have a priority for another hangar should they be displaced by a turbine aircraft.

Enclosed T-Hangars (Non-Turbine):

The Tony M. Dennis Hangar Building "B" (10 spaces) is designated for non-turbine aircraft. Aircraft owners who desire to rent a space for their aircraft in the enclosed non-turbine hangar must submit a Hangar Lease Application to the Authority, and when a space becomes available, subject to approval of the Authority, execute a Month-to-Month Lease.

Open-T Hangars (Non-Turbine):

The Open-T Hangar Buildings "A" and "B" (8 spaces each) are designated for non-turbine aircraft. Aircraft owners who desire to rent a space for their aircraft in the non-turbine Open-T hangars must submit a Hangar Lease Application to the Authority, and when a space becomes available, subject to approval of the Authority, execute a Month-to-Month Lease.

Tie-Down Spaces:

Tie-down spaces on the ramp are available for nightly or long-term use subject to payment of a tie-down fee at a rate as determined by the Authority. Assignment of tie-down spaces is handled by the Airport Staff. Aircraft based at the Airport may rent a tie-down space long term by entering into a Month-to-Month lease.

Electricity:

The enclosed hangars have electrical service. That service is provided through a single meter for each building that is billed to and paid by the Airport.

Hangar Lease Application:

Owners or lessees of airworthy aircraft who wish to rent a hangar must submit a Hangar Lease Application to the Authority. The Hangar Lease Application is provided in Appendix B or can be requested from the Airport staff. Applications will not be accepted by telephone. Completed application forms may be submitted in person, by mail, or by email. When received and the information requested has been provided the received date and time will be recorded on the application and upon approval it will be added to the appropriate Hangar Waiting List.

Applications are subject to approval or denial by the Authority, in its sole discretion.

An applicant may withdraw their application by making the request in writing (it may be by fax or email) to the Airport.

A business or individual may have more than one Hangar Application active at one time. All Applications from the same entity must identify on the application a specific aircraft owned by the applicant that is not reflected on any other active application.

Applicants' wishing to share a hangar requires that each party must complete a Hangar Lease Application denoting that they intend to share the hangar and with whom. Upon approval of the applications; when a space becomes available and a lease is executed then each party will be billed by the Airport for their equal share of the required rental fee. The Airport will not arrange any shared agreements; such agreements shall be reached between the parties desiring to share a hangar. Failure by any party that is part of the sharing agreement to pay the required monthly rental fee per the Airport Lease Agreement

will result in the loss of the hangar space by all parties. Sub-leasing of any hangar space by a lessee is strictly prohibited and will result in the immediate loss of the hangar space.

Hangar Waiting List:

The Airport maintains the Hangar Waiting List of applicants as approved by the Authority who have submitted applications and are awaiting an available hangar. Priority on the Waiting List is determined by the date and time a completed application is received. The date and time the application is received is noted on the Hangar Application and a copy is provided back to the applicant as a receipt. The Authority reserves the right, in its sole discretion, to 1) not accept an application for hangar lease, 2) decline to place an applicant on the hangar waiting list, or 3) remove an applicant from the hangar waiting list.

An applicant may move up in priority on the Waiting List by someone above them either taking an available hangar or withdrawing their application. Upon Authority approval the Airport will notify the highest priority applicant when a hangar is available. Within five (5) working days of receiving written or verbal notice of the availability of a hangar that applicant must make one of three choices: 1) accept the available hangar; 2) pass on the available hangar and wait for the next one to become available; or 3) withdraw their application. If the applicant chooses to take the hangar or withdraw their application, they will be removed from the Waiting List and everyone below them will move up one spot in priority. If the applicant chooses to wait for the next available hangar they will continue to be the highest priority applicant on the Waiting List and the next highest priority applicant will be offered the same three choices with the same five (5) day time limit to make their choice.

The applicant whose name appears at the top of the Waiting List may, at the sole discretion of the Authority, be offered or denied the first available space. A non-exclusive list of factors which may be taken into account when the Authority considers approving or denying an applicant's application for an airport hangar or tie-down lease include:

- A. Past or present violations of Airport policy, minimum standards, rules and regulations, or lease agreement;
- B. Delinquencies and/or non-payment of Stanly County property taxes or rent for the use of County facilities;
- C. Past or present violations of Federal Aviation Administration (FAA) policies, rules, or regulations;
- D. Past or present violations of any federal, state, or local statutes, rules or regulations;
- E. Meritorious complaints received by the Authority, Stanly County, any law enforcement agency, or the FAA regarding the applicant(s);
- F. Threats or threatening behavior made to or concerning the Authority, Stanly County, or their respective officers, directors, employees, representatives, or agents;
- G. Any past revocation of an FAA issued license or certificate;
- H. Whether the applicant(s), based on past and/or present conduct, represents a potential security threat;
- I. Whether the applicant(s), based on past and/or present conduct represents a nuisance to the other airport tenants, employees, guests or airport operations in general;
- J. Any acts of terrorism or sabotage, attempted acts of terrorism or sabotage; and
- K. Any other factors that the Authority deems relevant in their sole discretion.

If the Authority determines that an applicant who appears at the top of the Waiting List is not eligible for a lease the applicant will be provided a written notice specifying the reason for denial at the address provide on the applicant Hangar Lease Application.

If an applicant(s) wishes to appeal the decision regarding their eligibility for a hangar lease, the applicant(s) will have ten (10) working days from the notice of the decision to appeal in writing to the Stanly County Airport Authority at 43222 Lowder Aviation Parkway, New London, NC 28127.

If an applicant accepts an available hangar but would like the opportunity to get a different one, they may begin the process again by submitting a New Hangar Lease Application. Their name will be placed at the bottom of the Waiting List.

Experimental aircraft applicants may apply to the Hangar Waiting list; however, so long as a waiting list exists, experimental aircraft in the build stage(s), will not be considered for hangar space. Only airworthy (FAA definition) aircraft may acquire a hangar. Experimental owners may be skipped over until the aircraft is flyable.

Positions on the Hangar Waiting list shall not be transferred, traded or sold.

Removal from Hangar:

A hangar lease may be terminated for failure to pay the rent in a timely manner, failing to abide by the terms of the lease, Airport minimum standards, rules and regulations, FAA rules and regulations, and/or failure to file any documents due to the Stanly County Tax Office or pay taxes due on their aircraft.

Aircraft Acquisition:

Lessee must have an aircraft registered to the applicant/lessee within ninety (90) days from the date the Airport Authority receives the applicant's acceptance and hangar rental payment. Failure to have an airworthy aircraft registered to the applicant/lessee in the hangar within 90 days of acquiring the aircraft or hangar may result in the termination of the rental agreement and be removed from the hangar.

Renewal of Leases:

In its sole discretion, the Authority may consider renewal of leases for existing tenants on terms consistent with the then standard lease.

Newly Constructed Hangars:

Existing tenants, in good standing, may request the opportunity to upgrade into a newly constructed hangar when and if they become available. This would be based on their seniority/move in date for their existing hangar. Existing tenants in this situation may not accept the new hangar as a secondary hangar; they must vacate their existing hangar. Any such moves would be at the approval of the Authority.

Miscellaneous:

The Authority reserves the right to amend this policy at any time, in its sole discretion, including as required for compliance with any and all Local, State and Federal Statutes and Regulations and/or under circumstances where the Authority determines that it is in the best interest of the Airport.

To the extent possible, that in the event that any provision of this policy is determined to be unenforceable, such provision shall be stricken and the remaining provisions shall continue to have full force and effect.

The Authority and the Airport shall apply this policy to all applicants without regard to race, color, sex, religion, national origin, or disability.

Hangar fees are periodically subject to change. There shall be no decrease in monthly rates.

This Stanly County Airport Aircraft Storage Lease Policy was approved and adopted by a majority vote of the Stanly County Airport Authority on the 2nd day of February, 2021.