

**MINIMUM STANDARDS FOR FIXED BASE OPERATORS AT
MADISON COUNTY EXECUTIVE AIRPORT**

WHEREAS, The Madison County Executive Airport Authority, being a public corporation created under and pursuant to the laws of the State of Alabama, hereinafter referred to as the “Authority” owns and operates a public airport known as the Madison County Executive Airport, hereinafter referred to as “Airport”; and

WHEREAS, the Authority desires that certain aeronautical services and activities by furnished by and engaged in for the benefit of the general aviation flying public, operating either as General Fixed Base Operators or Special Fixed Base Operators, depending upon their scope of operation and activities; and

WHEREAS, the Authority, in recognition of the statutory prohibition against granting an exclusive right to conduct aeronautical activity on the airport imposed by § 308 of the Federal Airport Act and in contractual obligations contained in certain contracts between said Authority and the United States of America relative to the expenditure of federal funds for the development and operation of said Airport, desires that all such general aviation aeronautical activities be conducted on said Airport in a fair and equitable manner;

NOW, THEREFORE, the Board of Directors of the Authority, does hereby resolve that said aeronautical services and activities at said Airport shall hereafter be rendered by and engaged in by duly qualified operators so determined by the hereinafter established standards which are hereby adopted as the “Minimum Standards for Fixed Base Operators” as follows:

Section 1. APPLICATION PROCEDURES. Any applicant wishing to establish an aeronautical activity on the Airport shall be furnished a copy of these Minimum Standards, as amended, and shall make application in writing to the Authority, setting forth in detail the following:

- a) The name and address of the applicant;
- b) The proposed land use, facility and/or activity sought;
- c) The names and qualifications of the personnel to be involved in conducting such activity;
- d) The financial responsibility and technical ability of the applicant and operator to carry out the activity sought;
- e) The tools, equipment, services and inventory, if any, proposed to be furnished in connection with such activity;
- f) The requested or proposed date for commencement of the activity and the term of conducting the same;
- g) The estimated cost of any structure or facility to be furnished, the proposed specifications for same and the means or method of financing such construction or acquisition of facilities.

Section 2. NOTICE AND HEARING. Upon the filing of such an application with the Authority, it shall be immediately referred to the Authority and considered at the next scheduled meeting. If no meeting is scheduled within thirty (30) days from the filing of such an application, a meeting shall be called for considering same and notice thereof given to the applicant.

If such application involves conduct of an aeronautical activity for commercial purposes, all other persons then conducting commercial aeronautical activities on said Airport shall also be notified of the filing of such application and the time and place of the Authority meeting to consider the same.

Upon consideration of the application, the Authority shall determine whether or not the applicant meets the standards and qualifications herein established and whether or not such application should be granted in whole or in part, and if so, upon what terms and conditions, and shall make a written report and recommendation to the Airport Manager concerning the same.

Upon receipt of written recommendation of the Airport Manager, the Authority shall include said matter upon Agenda of the next regular meeting and, at such meeting or at a subsequent meeting to which it may be passed, shall approve, modify or reject such recommendations and application and immediately advise the applicant of the disposition in the matter.

Section 3. LEASE OR CONTRACT. Upon approval of any such application as submitted or modified, the Authority shall cause to be prepared a suitable lease or contract agreement setting forth the terms and conditions under which the fixed base operation shall be conducted. In every instance the lease or contract shall be conditional upon the following:

- a) Original and continued compliance with the Minimum Standards of each authorized aeronautical activity. Lease shall refer to and incorporate these standards by reference. Failure to comply after notification shall constitute grounds for termination or cancellation of the lease.
- b) Any structure or facility to be constructed or placed upon said Airport shall conform to all safety regulations of the State of Alabama and the Madison County, Alabama, shall conform with the requirements of current building codes and fire regulations of Madison County, Alabama, and shall be approved prior to commencing construction by the Authority and any construction commenced will be diligently pursued to completion. Performance bonds commensurate with the value of the construction shall be required.
- c) The Authority shall reserve the right to modify or alter those standards from time to time; however, any increase or expansion in the Standards shall not apply retroactively to an existing lease but would be applicable at time of renewal or extension of any leasehold term.

Section 4. STANDARD REQUIREMENTS FOR ALL OPERATORS. Each individual or corporation desiring to conduct aeronautical activities on the airport must satisfy the Authority:

- a) That the applicant has sufficient management experience and available personnel to conduct the proposed service or activity in an efficient and workmanlike manner.
- b) That the applicant is financially responsible and able to provide the facilities and services proposed.
- c) That the applicant has or can reasonably secure necessary certificates from the FAA or other authority where the same are required for the activity proposed.
- d) That the applicant has or can furnish suitable indemnity insurance or bond to protect and hold the Authority harmless from any liability in connection with the conduct of the activity proposed.
- e) The rates or charges for any and all activities and services of such operators shall be determined by the Operator, subject to the approval of the Authority, and subject, further, to the requirements that all such rates or charges shall be reasonable and be equally and fairly applied to all users of the services.
- f) No operator shall be permitted to operate at the Airport without a fully executed lease agreement with the Authority containing provisions for strict compliances with these minimum standards and regulations and containing such other special provisions as may be determined by the Authority to be necessary on account of any building or other construction which may be required under such lease or any other special circumstances which may be applicable to such particular operator.
- g) Land use maps approved and duly recorded by the Authority in the minutes of the meeting adopting this resolution show the present and future fixed base operators' areas on the Airport property, and this land use map is hereby made a part of these minimum standards the same as if set out in full herein.
- h) All fixed base operators shall abide by and comply with all state, county and city laws and ordinances, the rules and regulations of the Authority governing such Airport, and the rules and regulations of the Federal Aviation Administration.
- i) All contracts and leases between such operators and the Authority shall be subordinate to the provisions of any existing or future agreement between the Authority and the United States, relative to the operation or maintenance of the Airport, the execution of which has been or may be required as a condition precedent to the expenditures of federal funds for the development of the Airport properties.
- j) No fixed base operators shall sublease or sublet any premises leased by such operator from the Authority, or assign any such lease, without the prior written approval of the Authority, and any such subletting or assignment shall be subject to all of the minimum standards herein set forth.

Section 5. GENERAL FIXED BASE OPERATOR. A General Fixed Base Operator shall be only those individuals, corporations or firms which are authorized to engage in and furnish a full range of aeronautical activities and services which shall include, as a minimum, the following:

- a) Sale and dispensation of aviation gasoline, fuels and oils.

- b) Aircraft storage consisting of a minimum of 2,400 square feet of hangar space and tie-down spaces for a minimum of 10 aircraft.
- c) Adequate and efficient ramp service.
- d) Capability to perform FAA approved major aircraft engine and accessory maintenance and to furnish necessary tools and equipment.

Section 6. STANDARDS FOR SPECIFIC AERONAUTICAL SERVICES. In addition to meeting the requirements set forth in Section 4 above, each operator conducting the following specific activities shall meet the requirements set forth below:

- a) Fuel and Oil Sales. Persons conducting aviation fuel and oil sales on the Airport shall be required to provide:
 - 1) Hard surface ramp space accessibility by taxiway with electric pumps and tank storage having a capacity equal to the minimum tank truck load deliverable for 80/87 and 100/130 grade aviation fuel and, if public demand requires, also provide standard jet fuel.
 - 2) Properly trained line personnel on duty at least twelve hours of every calendar day, seven days a week, and on call by readily accessible telephone at other hours during the day or night.
 - 3) Proper equipment for repairing and inflating aircraft tires, servicing oleo struts, changing engine oil, washing aircraft and aircraft windows and windshields, and for recharging or energizing discharged aircraft batteries and starters.
 - 4) Conveniently located (air conditioned) lounge or waiting room for passengers, and airplane crews of itinerant aircraft, together with sanitary rest rooms and public telephones.
 - 5) Adequate towing equipment and parking and tie-down area to safely and efficiently move aircraft and store them in all reasonably expected weather conditions.
 - 6) Adequate inventory of at least two brands of generally accepted grades of aviation engine oil and lubricants.

In conducting fueling operations, every operator shall install and use adequate grounding facilities at fueling locations to eliminate the hazards of static electricity and shall provide approved types of fire extinguishers or other equipment commensurate with the hazard involved in fueling and servicing aircraft.

- b) Aircraft Engine and Accessory Maintenance. All persons operating aircraft engine and accessory maintenance facilities shall provide:
 - 1) Sufficient hangar space to house any aircraft upon which such service is being performed.
 - 2) Suitable storage space for aircraft awaiting maintenance or delivery after repair and maintenance have been completed.

- 3) Adequate shop space to house the equipment and adequate equipment and machine tools, jacks, lifts and testing equipment to perform major overhauls as required for FAA certification and repair of parts not needing replacement on all single engine land and light multi-engine land general aviation aircraft.
 - 4) At least one FAA certified air frame and engine mechanic available during eight hours of the day, five days per week and on call at other times.
 - 5) Facilities for washing and cleaning aircraft.
 - 6) Storage of aircraft undergoing repair. Aircraft shall not be stored for salvage operations. Any aircraft undergoing repair and to be in a non-airworthy condition in excess of 30 days shall be screened from public view.
 - 7) Separately partitionable space with adequate exhaust fans and fire protection for spray painting if this type work is performed.
- c) Flight Training. All persons conducting flight training activities shall provide:
- 1) At least one full-time (eight hours per day, six days per week) properly certified flight instructor for single engine land airplanes
 - 2) At least one dual equipped single engine land aircraft properly equipped and maintained for flight instruction and such additional types of aircraft as may be required to give flight instructions of the kind advertised.
 - 3) Adequate classroom space for at least ten students with proper rest room and seating facilities.
 - 4) Adequate mock-ups, pictures, slides, film strips or other visual aids necessary to provide proper ground school instruction.
 - 5) Properly certificated ground school instructor providing regularly scheduled ground school instructions sufficient to enable students to pass the FAA written examinations for private pilot, commercial and instrument ratings.
 - 6) Continuing ability to meet certification requirements of the FAA for the flight training proposed.
 - 7) Adequate public liability and property damage insurance sufficient to protect the Operator and the Authority from legal liabilities involved.
- d) Aircraft Charter and Taxi Service. Persons operating aircraft charter and taxi service shall provide:
- 1) Passenger lounge, rest room and telephone facilities as required of an operator for fuel and oil sales.
 - 2) Adequate table, desk or counter for checking in passengers, handling ticketing or fare collection, handling of luggage.
 - 3) Shall have available properly certificated suitable aircraft with properly certificated and qualified operating crew, one of which shall be located at the airport and ready for departure during at least eight hours of daylight operation

daily and at other times, standby units and crews available upon call within one hour's notice.

- 4) Shall provide passenger liability insurance of at least \$100,000 per passenger seat and property damage liability of at least \$1,000,000.
- e) Aircraft Rental and Sales. Persons conducting aircraft rental and sales activity shall provide:
- 1) Suitable office space for consummating sales and/or rentals and keeping of the proper records in connection therewith.
 - 2) Hangar storage space for at least one aircraft to be used for sales or rental.
 - 3) For rental, at least two airworthy aircraft suitably maintained and certificated.
 - 4) Adequate facilities for servicing and repairing the aircraft or satisfactory arrangements with other operators on the Airport for such service and repair.
 - 5) There shall be available, at least during eight hours of the working day, a properly certificated pilot capable of demonstrating new aircraft for sale or for checking out rental aircraft.
 - 6) The minimum stock of readily expendable spare parts, or adequate arrangements for securing spare parts required for the type of aircraft and models sold.
 - 7) Current up-to-date specifications and price lists for types and models of new aircraft sold.
 - 8) Proper check lists and operating manuals on all aircraft rented and adequate parts catalogue and service manual on new aircraft sold.
- f) Crop Dusting and Spraying. Persons seeking to conduct crop dusting or spraying of agricultural chemicals shall be required to satisfy the Authority that:
- 1) Suitable arrangements have been provided for the safe storage and containment of noxious chemical materials; no poisonous or flammable materials shall be kept or stored in close proximity to other facility installations at the Airport.
 - 2) The Operator shall have available properly certificated aircraft suitably equipped for the agricultural operation undertaken.
 - 3) The Operator shall make suitable arrangements for servicing the aircraft with adequate safeguards against spillage on runways and taxiways or pollution or disbursement of chemicals by wind to other operational areas on the Airport.
 - 4) All federal, state and local environmental and ecological laws, rules and regulations concerning the use and storage of all chemicals utilized in the crop dusting operation have been and will be met.
 - 5) Adequate insurance and bonds assuring compliance with the Authority's regulations governing such operations and adequate recompense for persons or entities damaged by such operations have been obtained and will be continuously maintained.

- g) Combination Activities. A person conducting a combination of the specific activities listed hereinabove shall not be required to duplicate the requirements of the individual activities but where the requirement of one activity is sufficient to meet the requirement of a separate activity to be conducted the one facility shall be sufficient to meet both requirements.

Section 7. A SPECIAL FIXED BASE OPERATOR shall be any individual, corporation or firm which is authorized to engage in one or a combination of services and activities listed in Section 6b through 6f above. Any Special Fixed Base Operator shall be completely governed by the same minimum standards as to any activity or service involved as is herein made applicable to a General Fixed Base Operator at said Airport.