

**Minimum Standards
for
Commercial Aeronautical Activities
Seaside Municipal Airport
Seaside, Oregon**

Adopted February 8, 2006

All Commercial activity at the Seaside Municipal Airport must be approved by the City of Seaside

SECTION 1 AUTHORITY FOR AND PURPOSE OF MINIMUM STANDARDS

1.1 Compliance with Federal Law

The adoption of minimum standards for commercial aeronautical activities for Seaside Municipal Airport is intended to comply with federal law prohibiting the grant of exclusive rights to use an airport that has received federal funding through AIP funds. The adoption of minimum standards is highly recommended by the FAA as a means to comply with federal law and regulations concerning exclusive rights. The FAA does not require the adoption of minimum standards, but recommends adoption to ensure that an airport is managed in compliance with federal law. The City of Seaside intends to comply with federal law and in particular with FAA Advisory Circular 150/5190-5 (Exclusive Rights and Minimum Standards For Commercial Aeronautical Activities, effective April 7, 2000).

1.2 Compliance with State Law

The adoption of minimum standards for commercial aeronautical activities for Seaside Municipal Airport is intended to comply with state laws that address airport operations. This includes current and future agreements and obligations attached to the acceptance of state funds and airport property. Oregon law defines airports as the land that is used, or intended for use, for airport buildings or facilities. This includes the runways and taxiways, as well as areas used for aircraft parking, airport buildings and other airport facilities.

1.3 Commercial Activity Authorization

When the City determines that a person is engaged or proposes to engage in commercial activity at Seaside Municipal Airport, the City may grant that person permission to do so, may issue that person a permit with restrictions or conditions, may require the person to enter into a lease or agreement with the City, or may deny such permission. The City will consider the following criteria in determining if a commercial aeronautical activity will be authorized to conduct business:

1. The terms and conditions of any pre-existing commercial operators at the airport providing comparable services.
2. The impact of the new commercial activity on public safety and convenience. The City will impose conditions and restrictions necessary to ensure safety in the air and on the ground, and to preserve unobstructed traffic patterns and runway approaches.
3. The amount of space at the airport, the customary uses of the airport, and the compatibility of the new commercial activity with present and planned development at the airport.
4. The degree to which the new commercial activity complies with federal, state and local laws and regulations, including land use regulations.
5. Whether the new commercial activity is conducted for profit or non-profit and its promotion of aviation, safety or education.

1.4 Purpose of Minimum Standards

Minimum standards are intended to help meet the City of Seaside's goals. These include developing the airport as an integral part of the City's transportation network; creating and implementing strategies to protect and improve the airport; encouraging aviation related economic development on the airport; and attracting airport visitors. In addition, the City adopts these standards to ensure that:

- Any person who uses or accesses City-owned airport property or facilities for commercial activity shall compensate The city at fair market value (fair market rent) for such use and privileges.
- No person receives a competitive advantage through free or less-than-fair market value (rent) to utilize City facilities when other comparable commercial operators are compensating the City at fair market value (rent) for the same use.
- Airport public areas, roads, taxiways, runways and aprons remain available and open for public aeronautical use.

Minimum standards are adopted to provide the threshold entry requirements for those persons desiring to provide commercial aeronautical services to the public at the airport. The minimum standards are established based upon the conditions at the airport, the existing and planned facilities at the airport, and the current and future aviation role of the airport. The prospective commercial aeronautical operator shall agree to offer the described minimum level of services in order to obtain an agreement, permit or lease to operate at the airport. In summary, the airport minimum standards establish the minimum requirements to be met by individuals and companies for the privilege of providing commercial aeronautical services at the airport. All operators are encouraged to exceed the "minimum" in terms of quality of facilities and services. The implementation of minimum standards will assist the City in the management of Seaside Municipal Airport by:

1. Establishing uniform requirements and their application to all prospective operators.
2. Maintaining compliance with state and federal grant assurances.
3. Maintaining the orderly and efficient development of an airport and the airport's commercial aeronautical services.
4. Establishing a consistent level of entry into aeronautical service.
5. Ensuring adequate services and facilities by FBO operators to meet the needs of airport users.

These minimum standards are established specifically for Seaside Municipal Airport. The city recognizes the airport as an important component of the City's transportation network and tourist economy. The airport has the potential to generate economic growth and additional tourist business for the City. In addition to the federal grant assurance obligations, the City of Seaside has established minimum standards to foster safe, efficient, and high quality commercial aeronautical services for the airport users and tenants.

SECTION 2 DEFINITIONS

2.1 Definitions

All definitions contained in this section apply to the City of Seaside Airport Minimum Standards, and generally parallel the Oregon Department of Aviation Minimum Standards, Rules and

Regulations, Rates and Charges Policy, and Leasing Policies regarding State-owned category V Airports. Definitions are taken from Oregon Revised Statutes, Oregon Administrative Rule, Federal Aviation Regulations, Federal Aviation Administration Advisory Circulars, U.S. Department of Transportation Aeronautical Information Manual, and other sources as appropriate.

A. Aircraft

- (1) **Aircraft** - any contrivance used or designed for navigation or flight in the air but does not mean a one-person motorless glider that is launched from the earth's surface solely by the operator's power.
- (2) **Aircraft Fuel** - all flammable liquids composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating an internal combustion, jet, or turbine engine, which meet the standards of ASTM D910-Latest (AVGAS) and D1655-Latest (JETA).
- (3) **Aircraft Operation** - an aircraft arrival at, or departure from, the airport.
- (4) **Aircraft Owner** - a person or entity holding legal title to an aircraft, or any person having exclusive possession of an aircraft.
- (5) **Aircraft Parking and Storage Areas** - those hangar and apron locations of the Airport designated by the airport manager for the parking and storage of aircraft.
- (6) **Aircraft Rental** - the commercial operation of renting or leasing aircraft to the public for compensation.
- (7) **Aircraft Sales** - the sale of new or used aircraft through brokerage, ownership, franchise, distributorship, or licensed dealership.
- (8) **Based Aircraft** - an aircraft which the owner physically locates at the airport for an undetermined period, and whenever absent from the Airport, its owner intends to return the aircraft to the airport for long-term storage.
- (9) **On-Demand Operation** - any operation for compensation or hire as defined in FAR Part 119.

B. General

- (1) **Aeronautical Activity** - any activity or service conducted at the Airport that involves, makes possible, or is required for the operation of aircraft, or which contributes to or is required for the safety of such operations. These activities include, but are not limited to, on demand operations, aircraft fueling, aircraft storage, flight training, aircraft rental, aircraft sales, aircraft repair and maintenance, and any other activities, which because of their relationship to the operation of aircraft can appropriately be regarded as an "aeronautical activity."
- (2) **Airframe and Power Plant Maintenance** - the commercial operation of providing airframe and power plant services, which includes any of the following: the repair, maintenance, inspection, constructing, and making of modifications and alterations to aircraft, aircraft engines, propellers and appliances including the removal of engines for major overhaul. This category of service also includes the sale of aircraft parts and accessories.
- (3) **Airport** - means any area of land or water, within or without this state, that is used, or intended for use, for the landing and take-off of aircraft, and any appurtenant areas that

are used, or intended for use, for airport buildings or other airport facilities or rights of way, together with all airport buildings and facilities located thereon.

(4) Airport Layout Plan - the plan of an airport showing the layout of existing and proposed airport facilities, which has been approved by the FAA.

(5) Commercial Activity - the conduct of any aspect of a business, concession, operation, or agency in order to provide goods or services to any person for compensation or hire. An activity is considered a commercial activity regardless of whether the business is nonprofit, charitable, or tax-exempt.

(6) Commercial Operator (Operator) - a person, firm, corporation, or other entity conducting commercial aeronautical services or activities at the Airport for compensation or hire.

(7) Exclusive Right - a power, privilege, or other right excluding or debarring another from enjoying or exercising a like power, privilege, or right. An exclusive right can be conferred either by express agreement, by the imposition of unreasonable standards or requirements, or by any other means.

(8) General Aviation - all civil aviation operations other than scheduled air services and nonscheduled air transport operations for remuneration or hire.

(9) Hazardous Material - any substance, waste, or material which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, or otherwise hazardous, and is or becomes regulated by any governmental authority, agency, department, commission, board, agency or instrumentality of the United States, the State of Oregon, the City of Seaside, or any political subdivision thereof, and the presence of which requires investigation, removal and/or remediation.

(10) Minimum Standards - the qualifications or criteria, which may be established by the Airport owner as the minimum requirements that shall be met by businesses engaged in on airport aeronautical activities for the right to conduct those activities. These "operating" Minimum Standards are different from and not related to the Airport "dimensional & layout" minimum standards described in the Oregon Administrative Rules 738, Division 20.

C. Governmental

(1) The city – the city of Seaside.

(2) Airport Manager - The designated individual or duly authorized individual appointed by the City Manager to administer and manage all operations of the Airport and Airport facilities, and to supervise all Airport projects, with due consideration of the recommendations of the airport advisory committee.

(3) Airport Advisory Committee – the committee designated by the City Council to make recommendations to the Council and City staff on issues surrounding the airport.

(4) FAA - the Federal Aviation Administration.

(5) FAR - the Federal Aviation Regulations as published by the FAA.

D. Fueling

(1) Fueling or Fuel Handling - the transportation, sale, delivery, dispensing, or draining of fuel or fuel waste products to or from aircraft.

(2) Fuel Storage Area - any portion of the Airport designated temporarily or permanently by the City as an area in which aircraft fuel or any other type of fuel may be stored or loaded.

(3) Self-Fueling - Fueling an aircraft by the pilot using fuel pumps installed for that purpose. The fueling facility may or may not be attended by the owner/operator of such a facility. The use of this type of facility is not considered to be self-service.

(4) Self-Service - Fueling or maintenance of an aircraft on airport property, performed by the aircraft owner or operator in accordance with the airports reasonable standards or requirements and using fuel obtained by the aircraft owner from the source of his/her preference.

E. Leases and Agreements

(1) Lease - the written contract between the City of Seaside and a Person (Lessee) specifying the terms and conditions under which a Person may occupy and operate from certain Airport facilities and/or property.

(2) Sublease - the written agreement stating the terms and conditions under which a third party Person leases space from a Lessee for the purpose of providing aeronautical services at the Airport.

(3) Agreement - the written agreement between the City of Seaside and a Person specifying the terms and conditions under which the Person may conduct commercial aviation activities or access the airport property "through-the-fence".

(4) Permit - administrative approval issued by the City of Seaside to a person or company to conduct a commercial aeronautical activity, and provide such services, to based and transient aircraft, only from facilities and locations where such services are authorized.

(5) Person -any individual, firm, partnership, corporation, company, association, joint stock association, or body politic; and includes any trustee, receiver, assignee, or other similar representative thereof.

(6) Through-the-fence commercial operation - a commercial activity that is directly related to the use of the airport but is developed or located off airport City-owned property beyond the City's control. It also includes services performed on the airport by individuals or companies which may or may not have a lease or permit from the City to perform such services.

F. Services

(1) Avionics Sales and Maintenance - the commercial operation of providing for the repair and maintenance of aircraft radios, instruments and accessories. Such operation may include the sale of new or used aircraft radios, instruments and accessories.

(2) Fixed Base Operator (FBO) - a full service commercial operator who engages in the primary activity of aircraft refueling and a minimum of one (1) of the following secondary activities: airframe and power plant maintenance, flight training, aircraft rental, on-demand operations, avionics maintenance and sales, and aircraft storage/hangars rentals.

(3) Flight Training - the commercial operation of instructing pilots in dual and solo flight, in any aircraft, and related ground school instruction as necessary to complete a

FAA written pilot's examination and flight check ride for various categories of pilots certificates and ratings.

(4) Flying Club - a non-commercial and nonprofit entity organized for the purpose of providing its members with any number of aircraft for their personal use and enjoyment. Aircraft must be vested in the name of the flying club owners on a pro-rata share, and the club may not derive greater revenue from the use of the aircraft than the cost to operate, maintain, and replace the aircraft.

(5) Preventive Aircraft Maintenance - maintenance that is not considered a major aircraft alteration or repair and does not involve complex assembly operations as listed in FAR Part 43.

(6) Specialized Aviation Service Operation (SASO) - an aeronautical business that offers a single or limited service according to established Minimum Standards. Examples of a SASO include, but are not limited to: flight training, aircraft maintenance, on-demand operation or ambulance, aircraft sales, avionics maintenance and sales, and aircraft storage.

(7) Mobile Service Provider (MSP) - a person or entity who provide commercial aeronautical services but does not operate out of owned or leased property on the airport.

G. Infrastructure

(1) Roadway - any street or road whether improved or unimproved, within the boundaries of the Airport and designated for use by ground vehicles.

(2) Taxilane - the portion of the Airport apron area, or any other area, used for access between taxiways and aircraft parking or storage areas.

(3) Taxiway - a defined path established for the taxiing of aircraft from one part of the Airport to another.

(4) UNICOM - a non-government communication facility which may provide airport information at certain airports.

(5) Vehicle Parking Area - any portion of the Airport designated and made available temporarily or permanently by the City for the parking of ground vehicles.

SECTION 3 APPLICATION OF MINIMUM STANDARDS

3.1 General application requirements

All persons conducting commercial aeronautical activities at the airport shall, as a condition of conducting such activities, comply with all the requirements set forth in these minimum standards. The minimum standards are deemed to be a part of each commercial airport operator's lease, license, permit or agreement with the City, unless any such provisions are expressly waived or modified by the City in writing. The mere omission of any particular minimum standards in a lease, license, permit or agreement shall not constitute a waiver or modification of the standard unless the document expressly states that the City waives application of that standard.

3.1.1 Existing operators

Updates to these minimum standards will not apply to commercial aviation operators who have a current lease, license, agreement or permit with the City. Minimum standards will be applied to existing operators upon renewal of the lease, license, agreement or permit. Existing operators who are unable to meet the minimum standards at the time of lease, license, agreement or permit renewal shall submit a plan outlining specific timelines for complying with the minimum standards. The City of Seaside must approve the plan prior to renewal of the lease, license, agreement or permit.

3.1.2 Multiple services

When a commercial operator conducts multiple activities pursuant to one lease, license, agreement or permit with the City, the commercial operator shall comply with the minimum standards established for each separate activity or SASO. If the minimum standards for one activity are inconsistent with the minimum standards for another activity, then the minimum standard that is stricter or imposes a higher standard shall apply.

3.2 Activities not covered by minimum standards

Activities with no specific minimum standard in this policy will be addressed by the City on a case-by-case basis in the commercial operator's written lease, license, permit or agreement.

3.3 Waivers or modifications

The City of Seaside may waive or modify any portion of these minimum standards for the benefit of a governmental agency performing non-profit public services, fire protection or emergency response operations. The City Manager or his designee may waive or modify any portion of these minimum standards for any person when it is determined that such waiver is in the best interest of the public and will not result in unjust discrimination against other commercial operators at the airport.

3.4 Application of minimum standards to "through the fence" agreement operators

The City of Seaside intends to fully exercise its statutory authority by requiring that all commercial users of the airport comply with these minimum standards, whether the commercial activity occurs on the city-owned portion of the airport or on portions of the airport in private ownership, if the commercial activities utilize the airport with a "through the fence" agreement. A "through the fence" agreement, also referred to as an access or ingress/egress agreement, authorizes a person or operator to access the city-owned portion of the airport from privately owned property for the purpose[s] stated in their agreement.

3.4.1 Proposed through-the-fence agreements

Any person or operator who proposes a new aeronautical service or new access to the airport using an ingress/egress agreement shall first apply to the City for approval of an agreement. The City will consider and evaluate a new development application on a case-by-case basis, with consideration to airport safety and operating efficiency factors.

3.5 Minimum standards review, revisions and amendments

The Airport Advisory Committee will conduct, at a minimum, a bi-annual review of the minimum standards document to determine the changes in the airport business and regulatory environment and make a recommendation to the Airport Manager. The Airport Manager may make revisions and amendments to the minimum standards after the biannual review and any other time necessary to comply with FAA regulations or to accomplish the City's goals. The Airport Manager will work closely with the Airport Advisory Committee to ensure that any proposed revision or amendment is consistent with the City's goals for the airport and in compliance with federal and state law.

3.6 Enforcement

The City has established fair, practical and reasonable minimum standards for Seaside Municipal Airport. The minimum standards are susceptible to challenge if not enforced properly and uniformly. Any commercial business operator who is making an investment at the airport deserves the continuity of fair and uniform enforcement. It is the intent of the City to provide consistent, uniform, and fair enforcement of these minimum standards to accomplish the City's goals and promote successful commercial business operations at the airport.

SECTION 4 BUSINESS OPERATIONS

4.1 Employee Conduct and Customer Service Emphasis

The City of Seaside works diligently to provide high quality services to the needs and requests of airport users. As such, the City requires its commercial operators, businesses, and tenants to do the same. The City has the opportunity to position its airport as a high quality airport facility where customers and users have their needs met and exceeded. Consequently, the goal of the City is straight-forward: offer the tenants and users of the airport commercial operators that provide high quality customer service by meeting and exceeding customer needs through consistent, responsive, and professional service.

4.2 Management Control and Supervision

Each commercial operator is required to employ the necessary quantity of trained management and supervisors to provide for the efficient, safe, and orderly compliance with its lease, agreement, or permit obligations.

4.3 Personnel Training and Certification

All commercial operator personnel shall be fully qualified and trained to provide a high quality standard of courteous, efficient, and safe service to the public and customers. Personnel shall meet all Federal, State, and local training and certification requirements applicable to their individual duties and company services.

4.4 Interference with Utilities

No operator shall do or permit to be done anything that may interfere with the effectiveness or accessibility of the Airport or public utility system, drainage system, sewer system, fire

protection system, sprinkler system, alarm system or fire hydrant. If an operator discovers such a situation, the operator is required to notify the local fire department or utility company and the City immediately.

SECTION 5 MINIMUM STANDARDS FOR FIXED BASE OPERATORS

5.1 Primary Aeronautical Services

A Fixed Base Operator (FBO) is an entity engaged in the business of providing the primary service of staffed or unstaffed (self-fueling) aircraft fueling as described in Sections 5.6. Each Fixed Base Operator has the option to also provide any of the following secondary FBO services, which are described in Section 5.7: flight training, airframe and power plant maintenance, aircraft rental, and aircraft storage/hangars. Only the City or FBOs shall be permitted to provide fueling services and facilities at Seaside Municipal Airport. Each FBO may subcontract or use third party operators to provide any primary or secondary services. Subcontractors and third party operators shall meet all Minimum Standards. Each FBO shall conduct its business and activities on and from the leased/assigned premises in a professional manner consistent with the degree of care and skill exercised by experienced FBOs providing comparable products, services, and activities from similar airports in like markets.

5.2 Leasehold Size

5.2.1 Buildings

FBOs are not required to lease or construct a public use terminal building on the leasehold property. However, if a FBO chooses to lease or construct a public use terminal building, the building must be capable of meeting business demand as approved by the Airport Manager. Building plans shall be subject to review and approval by the Airport Advisory Committee, Airport Manager, and City Building Official. Color and style shall conform to existing buildings.

5.2.2 Vehicle Parking

Each FBO shall provide adequate parking to meet the needs of customers and employees in accordance with local building codes.

5.2.3 Aircraft Parking

Each FBO shall provide property for its aircraft operating area (ramp), independent of any building area, vehicle parking area, and fuel storage area. This aircraft operating area shall provide aircraft parking and tie-downs for all aircraft owned or operated by the FBO itself. In addition, the FBO shall provide property for other aircraft being serviced or otherwise engaged in business with the FBO during its normal course of business. FBO-required parking will not be required for short term transient aircraft or aircraft which only incidentally utilize the FBOs services. This tie-down ramp area shall be adequate to support all the activities of the FBO and all approved subtenants. The ramp shall be well maintained and kept clean and free of Foreign Object Debris (FOD).

5.3 Hours of Operation

Business hours, including holiday closures, must be recorded with the City in advance. If the FBO provides a self-fueling station, it must be readily accessible to customers, and be illuminated for nighttime operations.

5.4 Staffing and Employee Qualifications

5.4.1 Staffing

Even if each FBO self-fueling operation is unstaffed, each FBO shall provide the City, and keep current, a written statement of names, addresses, and contacts for all personnel responsible for the operation and management of the FBO and a point-of-contact with phone numbers for emergency situations.

5.4.2 Personnel Qualifications

All FBO fuel handling personnel shall be trained in the safe and proper handling, dispensing, and storage of aviation fuels. The FBO shall develop and maintain Standard Operating Procedures (SOP) for refueling and ground handling operations and shall ensure compliance with standards set forth in the Uniform Fire Code and FAA Advisory Circular 00-34A, Aircraft Ground Handling and Servicing. The SOP shall address bonding and fire protection, public protection, control of access to the fuel storage area, and marking and labeling of fuel storage tanks and fuel dispensing equipment, and shall be submitted to the City no later than thirty (30) days prior to the FBO commencing fueling activities. Additionally, the FBO shall comply with FAA Advisory Circular 150/5230-4, Aircraft Fuel Storage, Handling, and Dispensing on Airports, Airport rules and regulations, and all other applicable laws related to aircraft fuel handling, dispensing and storage. Each FBO shall obtain all applicable fueling certifications and permits, and receive periodic refresher training as required. The City and/or the FAA may periodically conduct inspections of the FBO activities and facilities to ensure compliance with laws, regulations, and Minimum Standards.

5.5 Insurance Requirements

Each FBO shall meet all city and state insurance requirements and shall therefore maintain the types and amounts of insurance as specified in the lease, permit or agreement.

5.6 Primary FBO Services

A. Fueling

Aircraft line service is not required for Seaside Municipal Airport FBOs, however, these services may be provided with a written agreement from the City. FBOs who provide fuel must comply with the following conditions:

(1) Each FBO who provides fuel must provide the sale and into-plane delivery of ASTM rated aviation fuels, lubricants and other aviation petroleum products. In addition, the FBO shall provide, store, and dispense either 100LL-octane avgas, Jet A fuel or both. All equipment used for the storage and/or dispensing of petroleum products must meet all applicable Federal, State, and local safety codes, regulations and standards.

(2) Each FBO who provides fuel shall provide a stationary fuel storage system which meets all applicable Federal, State and Local regulations and standards. The system shall be designed and operated to meet Air Transport Association (ATA) 103 requirements and the requirements of AC 150/5230-4. The 100LL and Jet A fuel storage tanks shall each be a minimum of five-hundred (500) gallon capacity, and the FBO shall also provide mobile or stationary dispensing equipment. Filter-equipped fuel dispensers with separate dispensing pumps and meter systems for each grade of fuel shall be provided. All metering devices must be inspected, checked and certified annually by appropriate local and State agencies.

(3) Each FBO who provides fuel shall have a fuel storage system designed in accordance with all EPA regulations including proper fuel spill prevention features and containment capabilities. In addition, each FBO shall provide a current copy of their fuel spill prevention control and countermeasures plan to the Airport Manager and Fire Marshal. Fuel inventories will be monitored in accordance with current EPA standards and copies shall be provided to the City when requested.

(4) After receiving prior written permission from the Airport Manager, an FBO may provide self fueling (card-reader or card-lock) equipment. Self-fueling equipment must be in compliance with State and local building codes and must comply with fueling equipment requirements set forth Sections 5.6.A.1-3

(5) Each FBO shall conduct the lawful, sanitary, and timely handling and disposal of all solid waste, regulated waste, and other materials including, but not limited to, sump fuel, used oil, solvents, and other regulated waste. The piling and storage of crates, boxes, barrels, containers, refuse, and surplus property is not permitted upon the FBO premises.

(6) Each FBO shall provide an adequate supply of properly located, type, size and operable fire extinguishers and other safety equipment in accordance with the Uniform Fire Code. All fire extinguisher certifications must be current.

B. Aircraft Line Services

Aircraft line service is not required for Seaside Municipal Airport FBOs, however, these services may be provided with a written agreement from the City.

C. Pilot Services and Concessions

A FBO is not required to lease or construct a building at Seaside Municipal Airport, but if a FBO chooses to do so, the FBO shall:

(1) Provide services and concessions inside their main building as approved by the Airport Manager and City Building Official.

(2) Maintain the building in good repair. Unsightly peeling of paint, excessive rust, loose materials or other obvious signs of disrepair shall be remedied at the earliest possible time.

(3) Paint the building a color that conforms with a uniform color scheme for all airport buildings, as determined by the Airport Advisory Committee.

5.7 Secondary FBO Services

A. Flight Training

A flight training services operator provides aircraft ground and flight instruction necessary to complete the written examination and flight check for any category of pilot certificate or rating.

A flight training services operator shall:

(1) Provide at least one (1) FAA certified flight instructor necessary to meet the flight training demand and schedule requirements.

(2) Provide one or more properly maintained and equipped aircraft, which is registered with the City, to accomplish the services offered.

(3) Ensure student pilots are in compliance with state registration laws.

B. Airframe and Power Plant Maintenance

An Airframe and Power Plant maintenance services operator provides any of the following: major and minor airframe, engine and accessory overhaul repair services on single and multi-engine piston driven propeller aircraft. (Turbine and jet aircraft maintenance services are optional.) An airframe and power plant maintenance operator shall:

(1) Operate the service from a ventilated shop space able to accommodate at least one aircraft on the airport.

(2) Have available a minimum of one (1) FAA-certified technician who possesses an airframe and/or power plant certificate, or conduct operations as a certified repair station pursuant to 14 CFR Part 145.

(3) Keep premises open and services available to meet market demand

(4) Provide equipment, supplies and parts required for general aircraft airframe and power plant inspection, maintenance and repair.

C. On-Demand Operations

An on-demand operator provides air transportation of persons or property to the general public for hire, either on a scheduled or unscheduled basis, or as defined by the FAR Parts 119 and 135.

An on-demand operator shall:

(1) Provide at least one (1) person who is appropriately certified and rated and registered with the City to permit the flight activity offered by the Operator.

(2) Provide one properly maintained and equipped aircraft, registered with the City, to accomplish the services offered

(3) An on-demand operator shall have and display, a current FAR Part 135 certificate.

D. Aircraft Rental

An aircraft leasing or rental services operator provides general aviation aircraft for leasing or rental to the public. An aircraft rental services operator shall:

(1) Have at least one (1) person available to meet customer needs.

(2) Keep aircraft and services available to meet market demand.

(3) Have available for rental, a minimum of one (1) owned or leased, certified, and airworthy aircraft that is registered with the City

(4) Ensure that all renters are in compliance with the state registration laws.

E. Avionics Maintenance and Sales

An avionics maintenance service operator provides the maintenance, repair, and installation of aircraft avionics, radios, instruments, and accessories. This service includes the sale of new or used aircraft avionics, radios, instruments, and accessories.

The operator shall:

(1) Operate the service in a ventilated shop space to accommodate at least one aircraft on the airport.

(2) Have at least one (1) trained and FAA certified technician.

(3) Keep premises open and services available to meet market demand.

(4) Hold the appropriate FAA repair station certificates for the types of equipment the operator plans to service and/or repair.

F. Aircraft Storage and Hangars

An aircraft storage and hangar service operator rents hangars, multiple T-hangars, and/or shade hangars to aircraft owners or operators for aircraft storage purposes. An aircraft storage and hangar service operator shall:

- (1) Make available the necessary amount of land to accommodate the proper quantity and size of hangars for the quantity of stored aircraft.
- (2) Make hangar operator contact name and phone numbers, hangar availability, and rental rates known to prospective customers via posted informational sign. A separate leased space is not required for this.
- (3) Hangar rentals shall at all times be primarily for aircraft storage. Supplemental uses in addition to aircraft storage may be allowed according to the specific lease agreement, or on a case-by-case basis, after review by the Airport Advisory Committee and approval by the Airport Manager. Notwithstanding any supplemental use, no hangar shall be rented for any purpose for which aircraft storage is not a primary use. Each based aircraft stored within the operator's hangar facilities must be in compliance with the state registration laws.
- (4) The design of privately constructed hangars or other structures shall be subject to approval by the Airport Advisory Committee, Airport Manager and City Building Official. Hangar color shall conform to a uniform color scheme for all airport buildings, as determined by the Airport Advisory Committee. Hangars shall be kept in good repair. Unsightly peeling of paint, excessive rust, loose materials or other obvious signs of disrepair shall be remedied at the earliest possible time.
- (5) Hangar tenant may only perform preventive aircraft maintenance in accordance with 14 CFR Part 43 within the hangar property. Any other aircraft maintenance must be performed by an appropriately permitted FBO, SASO, MSP or by the operator in accordance with 14 CFR Part 43.3(d). Experimental aircraft construction, restoration and maintenance is allowed in accordance with 14 CFR Parts 21 and 65. Painting, welding, and any type of hazardous or combustible material storage shall be permitted within the hangar property only in amounts allowed under the Uniform Fire Code. The piling and storage of crates, boxes, barrels, containers, refuse, and surplus property shall not be permitted outside the hangar. All maintenance activity shall be in accordance with the requirements of the Uniform Fire Code.

SECTION 6 MINIMUM STANDARDS FOR SPECIALIZED AVIATION SERVICE OPERATIONS

6.1 General Requirements

6.1.1 Compliance

Specialized Aviation Service Operations (SASOs) are persons or entities providing a single or limited number of commercial aeronautical activities. SASOs providing the same or similar services shall comply equally with all applicable Minimum Standards. However, the City will not require, without adequate justification, that a SASO meet all the criteria for a full-service FBO for the type of operation conducted.

6.1.2 Leased Space Requirement

Each SASO, excluding Aerial Applicators, shall lease the required amount of space from the City or an existing airport tenant as specified in each SASO Minimum Standards section. SASO's required to operate out of a building will ensure the building is of an appropriate size to accommodate the services being offered, is accessible to the public, and is marked with appropriate external signage. Each SASO shall provide an auto parking area appropriate for the needs of the business.

6.1.3 Responsible Personnel

Each SASO shall provide the City, and keep current, a written statement of names, addresses, and contacts of all personnel responsible for the operation and management of the SASO.

6.1.4 Insurance Requirements

Each SASO shall meet all city and state insurance requirements and shall therefore maintain the types and amounts of insurance as specified in the lease, permit, or agreement.

6.2 Flight Training

SASOs providing aircraft dual and solo ground and flight instruction necessary to complete the written examination and flight check for any category of pilot certificate or rating shall meet the following minimum requirements:

- (1) Provide at least one (1) or more FAA certified flight instructors, registered in accordance with the city requirements, necessary to meet the flight training demand and schedule requirements.
- (2) Provide one properly maintained and equipped aircraft, registered with the City, to accomplish the services offered.
- (3) Ensure student pilots are in compliance with the state registration laws.

6.3 Airframe and Power Plant Maintenance

SASOs providing any of the following: aircraft airframe and power plant maintenance, which includes either major or minor airframe maintenance, engine and/or accessory overhaul repair services on single or multi-engine piston driven propeller aircraft, shall meet the following Minimum Standards:

- (1) Operate the service from a ventilated shop space able to accommodate one aircraft on the Airport.
- (2) Have available a minimum of one (1) FAA-certified technician who possesses an airframe and/or powerplant certificate, or possess and operate pursuant to a repair station certificate pursuant to FAR Part 145.
- (3) Keep premises open and services available to meet market demand.
- (4) Provide equipment, supplies and parts required for general aircraft airframe and power plant inspection, maintenance and repair.

6.4 On-Demand Operations

SASOs providing on-demand air transportation of persons or property to the general public for hire, either on a scheduled or unscheduled basis, or as defined by the FAR Parts 119 and 135 shall:

- (1) Provide at least one (1) person who is appropriately licensed and rated and registered in accordance with the city requirements to permit the flight activity offered by the Operator.
- (2) Provide one properly maintained and equipped aircraft, registered with the city, to accomplish the services offered.
- (3) An on-demand operator shall have and display, a current FAR Part 135 Certificate.

6.5 Aircraft Rental

SASOs providing aircraft rental services to the general public shall:

- (1) Have at least one (1) person available to meet customer needs.
- (2) Keep aircraft and services available to meet market demand.
- (3) Have available for rental, a minimum of one (1) owned or leased, certified, and airworthy aircraft that is registered with the City.
- (4) Ensure that all renters are in compliance with the state registration laws.

6.6 Avionics Maintenance and Sales

SASOs providing avionics services, which includes the maintenance, repair, and installation of aircraft avionics, radios, instruments, and accessories, and includes the sale of such equipment, shall:

- (1) Operate the service in ventilated office or shop space able to accommodate at least one aircraft on the Airport.
- (2) Have at least one (1) trained and FAA certified technician.
- (3) Keep premises open and services available to meet market demand.
- (4) Hold the appropriate FAA certificates required for the types of services offered.

6.7 Aircraft Storage and Hangars

An aircraft storage and hangar service operator rents hangars, multiple T-hangars, and/or shade hangars to aircraft owners or operators for aircraft storage purposes. An aircraft storage and hangar service operator shall:

- (1) Make available the necessary amount of land to accommodate the proper quantity and size of hangars for the quantity of stored aircraft.
- (2) Make hangar operator contact name and phone numbers, hangar availability, and rental rates known to prospective customers via posted informational sign. A separate leased space is not required for this.
- (3) Hangar rentals shall at all times be primarily for aircraft storage. Supplemental uses in addition to aircraft storage may be allowed according to the specific lease agreement, or on a case-by-case basis, after review by the Airport Advisory Committee and approval by the Airport Manager. Notwithstanding any supplemental use, no hangar shall be rented for any purpose for which aircraft storage is not a primary use. Each based aircraft stored within the operator's hangar facilities must be in compliance with the state registration laws.

(4) The design of privately constructed hangars or other structures shall be subject to approval by the Airport Advisory Committee and Airport Manager. Hangar color shall conform to a uniform color scheme for all airport buildings, as determined by the Airport Advisory Committee.

Hangars shall be kept in good repair. Unsightly peeling of paint, excessive rust, loose materials or other obvious signs of disrepair shall be remedied at the earliest possible time.

(5) Hangar tenant may only perform preventive aircraft maintenance in accordance with 14 CFR Part 43 within the hangar property. Any other aircraft maintenance must be performed by an appropriately permitted FBO, SASO, MSP or by the operator in accordance with 14 CFR Part 43.3(d). Experimental aircraft construction, restoration and maintenance is allowed in accordance with 14 CFR Parts 21 and 65. Painting, welding, and any type of hazardous or combustible material storage shall be permitted within the hangar property only in amounts allowed under the Uniform Fire Code. The piling and storage of crates, boxes, barrels, containers, refuse, and surplus property shall not be permitted outside the hangar. All maintenance activity shall be in accordance with the requirements of the Uniform Fire Code.

6.8 Aircraft Sales

SASOs providing new and/or used aircraft sales and aircraft brokerage services shall:

- (1) Have at least one (1) qualified aircraft salesperson that has a current appropriate pilot certificate with appropriate aircraft type ratings and is appropriately registered with the City.
- (2) Keep premises open and services available to meet market demand.
- (3) SASO must be registered with the City as an aircraft dealer.

6.9 Aircraft Restoration, Painting, and Refurbishing

SASOs providing the restoration, painting and refurbishing of aircraft structures, propellers, accessories, interiors, exteriors, and components shall:

- (1) Have at least one (1) qualified person that has certificates appropriate for the work performed.
- (2) Keep premises open and services available to meet market demand.
- (3) Meet all requirements of the Uniform Fire Code.

6.10 Specialized Flying Services

SASOs providing specialized commercial flying services such as non-stop sightseeing tours, aerial photography or surveying, power line or pipeline patrol, firefighting or fire patrol, air ambulance, airborne mineral exploration, banner towing, and other air transportation operations specifically excluded from FAR Part 135 shall:

- (1) Provide at least one (1) person who holds a current FAA appropriate pilot certificate and medical certificate with ratings appropriate for the operator's aircraft.
- (2) Keep premises open and services available to meet market demand.
- (3) Own or lease at least one (1) airworthy aircraft.
- (4) Ensure pilots and aircraft are in compliance with the state registration laws.

6.11 Commercial Skydiving

SASO's engaging in the transportation of persons for skydiving, instruction in skydiving, and rental and sales of skydiving equipment shall:

- (1) Make available for skydiving either owned or under lease at least one properly certificated aircraft registered with the state.
- (2) The SASO shall meet or exceed the Basic Safety Requirements (BSR) of the United States Parachute Association (USPA), FAR Part 105, and related FAA Advisory Circulars. The jump plane pilot must hold an appropriate pilot certificate, be appropriately rated for the aircraft being operated, and be appropriately registered with the state.

6.12 Aerial Applicators

Aerial agricultural spraying or seeding SASO's shall:

- (1) Provide at least one (1) person who holds a current FAA appropriate pilot certificate with ratings appropriate for the operator's aircraft and be appropriately registered with the state.
- (2) Own or lease at least one (1) airworthy aircraft in compliance with the state registration laws.
- (3) Operate from a centrally drained and paved emergency spill prevention ramp of not less than ten thousand (10,000) square feet for aircraft loading and servicing. This area shall meet all current requirements of State, Federal, and local agencies.
- (4) Operator shall be in compliance with OAR 340-109-0010, Pesticide Residue Waste Management, and all applicable OAR's contained within Division 57, Pesticide Control, Oregon Department of Agriculture.
- (5) Operator shall employ certain safeguards and safe operating practices to prevent spillage, including:
 - a. Clean up and remove all containers at the end of each day's activities
 - b. Maintain all loading and mixing facilities in good condition
 - c. Use dry break devices or equivalent couplings to the aircraft-loading receptacle to prevent leaks of all materials
 - d. Aircraft and loading equipment will be positioned in such a manner as to not interfere with normal aircraft operations at the airport
 - e. In the event of a pesticide or pesticide solution spill, the contaminated surface material will be removed from the premises and the area of the spill will be treated with SuperBugs or an equivalent. In the event of a reportable amount of spilled pesticide, the operator will contain the material and contact those agencies that DEQ regulations require. The operator will have an appropriate spill kit with them whenever working on or from the airport.
- (6) All chemicals stored on airport must be stored in accordance with the Material Safety Data Sheet (MSDS) requirements for that chemical. MSDS sheets for chemicals stored on airport shall be made available to the City upon request.

SECTION 7 MINIMUM STANDARDS FOR MOBILE SERVICE PROVIDERS

7.1 General Requirements

7.1.1 Compliance

Mobile Service Providers (MSPs) are persons or entities that provide commercial aeronautical services but do not operate out of owned or leased property on the airport. Examples of MSPs include but are not limited to: mobile mechanics, flight instructors, aircraft detailers, and mobile

oil recyclers. Each MSP is required to obtain an Airport Operating Permit from the City. Airport Operating Permits must be renewed annually and require payment of a fee as established in the airport Rates and Charges Policy.

7.1.2 Responsible Personnel

Each MSP shall provide the City, and keep current, a written statement of names, addresses, and contacts of all personnel responsible for the operation and management of the MSP.

7.1.3 Insurance Requirements

Each MSP shall meet all city and state insurance requirements and shall therefore maintain the types and amounts of insurance as specified in the lease, permit, or agreement.

7.1.4 Personnel Qualifications

Each MSP shall provide sufficient qualified personnel necessary to meet the Minimum Standards for each aeronautical service provided. However, multiple responsibilities may be assigned to employees where feasible.

7.1.5 Registration Requirements

MSPs that operate aircraft shall ensure that aircraft and pilots are registered in accordance with the state registration requirements.

SECTION 8 SELF FUELING

8.1 Authorization Requirements

Self-fueling is the fueling of an aircraft by the pilot using pumps and equipment installed for that purpose. The fueling facility may or may not be attended by the FBO that owns and operates the equipment. The City of Seaside has the option to grant authorization for self-fueling operations to FBOs. All self-fueling operators shall apply to and receive approval from the City before commencing operations.

8.2 Fuel Products and Hours of Operation

Any City authorized self-fueling owner/operator shall be an FBO, as defined in Section 5. In addition, any self-fueling owner/operator shall provide, at a minimum, 100LL aviation gasoline. The products and equipment must meet all applicable Federal, State, and local regulations and requirements regarding safety, testing, filtering, inventory management, and quality assurance.

8.3 Fuel Storage and Dispensing Equipment

The fuel storage areas are the locations on the Airport designated temporarily or permanently by the city as the only areas in which aviation fuels may be stored. The fuel storage and dispensing equipment shall meet all applicable Federal, State, and local regulations and requirements, including FAA Advisory Circular 150/5230-4.

8.4 Environmental Compliance

The FBO providing the self-fueling operation shall be knowledgeable of and comply with all Federal, State, and local environmental laws, ordinances, rules and regulations. Operator shall provide the city a current fuel spill prevention, countermeasures, and control plan that contains methods and procedures to prevent, control, and clean up a fuel spill on airport property.

8.5 Reporting Requirements

Each FBO authorized to install and maintain a self-fueling system shall provide monthly fuel inventory reconciliation reports to the City listing the total amounts of fuel dispensed to all aircraft.

SECTION 9 FLYING CLUBS

9.1 Purpose

Flying clubs are non-profit entities organized for the purpose of providing its members with any number of aircraft for their personal use and enjoyment. Aircraft must be vested in the name of the club or owners on a pro-rata share, and the club may not derive greater revenue from the use of the aircraft than the cost to operate, maintain, replace or enhance the aircraft or fleet of aircraft. A flying club qualifies as an individual under the FAA grant assurances. As such, a flying club has the right to fuel and maintain the aircraft with its members.

9.2 Requirements

The City has the right to require a flying club to furnish documents such as insurance policies, club by-laws, meeting minutes and notifications, and a current list of members to ensure that the club remains a noncommercial and nonprofit organization.

9.3 Applicability to Minimum Standards

Because flying clubs are not commercial aeronautical activities, their regulation is not governed through these Minimum Standards, but rather through the Airport Rules and Regulations.