

# **Proposed Schedule of Rates and Fees For Seaside Municipal Airport Seaside, Oregon**

**Adopted February 8, 2006**

## **Section 1. Revenue Disbursement**

All revenue generated from Seaside Municipal airport activities and services shall be distributed to the airport fund to be used for airport related expenses. All rates and fees are payable to the City of Seaside at City Hall, 989 Broadway, Seaside, OR 97138. Payment of all fees will be enforced by the City.

## **Section 2. Establishment and Types of Rates and Charges**

The City may use various methods to memorialize airport user rates or charges and fees assessed for the public use or tenancy of city-owned airport property and facilities, including but not limited to contract, agreement, permit or direct assessment.

These rates and charges apply to airport uses specifically, and are not meant to be in lieu of other, non airport-specific fees and permits that may be required such as a city business license.

The payment structure for any lease shall be determined by the City and may consist of:

- (1) A fixed rent for a defined land parcel, hangar or other facility it occupies, or
- (2) A variable payment (related to fuel flowage, volume of business, aircraft operations, etc.) for the use of the airport property by its own aircraft or those of its customers.

Each tenant of the Seaside Municipal Airport shall be charged one or more of the following types of rates, charges and fees for the use of the premises and the rights granted by the City:

### ***A. Unimproved Land (Ground), Facility (Building and Hangar), Improved Land (Ramp) Rent***

Lessees leasing unimproved or improved land for non-commercial and commercial building sites or buildings and hangars on the City-owned portion of Seaside Municipal airport shall be assessed an annual fee per square foot of the building site. Lease rates

and charges applicable to a property shall be at fair market value as determined by Oregon Department of Aviation appraisals for airports with comparable size, usage and facilities (A1). Lessees shall also pay all real property taxes on the land portion of the lease property.

Rent shall be paid to the City as follows:

- a) Annually in full, with the first annual payment on or before the date the lease begins and subsequent payments on the anniversary date; or
- b) Monthly in equal installments, payable at the beginning of each month.

In new or renewed leases where all or part of the capital improvements are constructed at the City's expense, the City reserves the right to amortize all or part of the construction costs of the capital improvements, plus a reasonable rate of return as part of the rent, during the term of the lease.

### ***B. Fuel Flowage Fees***

A fuel flowage fee, not to exceed the current rate charged by Oregon Department of Aviation for airports of comparable size, usage and facilities (A2), shall be assessed to each FBO for all types of fuel received from a commercial distributor. Fuel flowage fees shall be calculated from the FBO's fuel flowage delivery report and shall be paid in full not later than two working days after the conclusion of the reporting period.

### ***C. Access (Ingress/Egress) Fees***

Each non-commercial, commercial, and residential airpark operator granted the right and privilege to access or ingress/egress the Airport property from adjacent property shall be assessed an Airport Access fee for such right and privilege. All fees applicable to access agreements are determined through a fee schedule based upon the number and weight of aircraft accessing the airport. This fee schedule is in place to ensure equity among all users, with those utilizing the airport more paying incrementally increased fees.

### **Commercial Operators**

Each commercial operator operating from adjacent property shall pay a fee to the City, either annually on the agreement anniversary date or monthly on or before the 25th, for the month then in process. The fee shall be the greater of:

- (1) A fee for each aircraft based on the adjacent property, based on aircraft maximum gross landing weight (A3)

OR

(2) The current minimum rate set by the Oregon Department of Aviation for state airports of similar size and usage (A4).

For multiple aircraft, payment shall be accompanied by a report listing each based aircraft showing aircraft class, N-number, aircraft type and the hangar or tie-down number where the aircraft is stored.

### **Non-Commercial Operators**

Each non-commercial operator operating from adjacent property shall pay a fee for each aircraft based on the adjacent property, based on aircraft's maximum gross landing weight comparable to similar fees charged by the Oregon Department of Aviation (A4). Payment is due either:

(1) Annually on the anniversary date of the agreement; or

(2) Monthly on or before the 25th, for the month then in process.

(3) For access from a residence adjacent to the airport, access fees, as set forth in (A4) shall be assessed for each developed lot with airport access, whether or not the access is being utilized.

### ***D. Tie-Down Fees***

The City shall offer tie-down facilities to based and transient aircraft as long as FBO tiedowns are not available or sufficient. Based aircraft operators leasing an available tiedown shall pay rent for an entire year in full beginning at lease commencement and subsequently on each anniversary date of the lease, according to rates set forth below.

(1) Non-Commercial tie-down fees: Per comparable Oregon state-owned airports (A5)

(2) Commercial tie-down fees: The City shall rent tie-down facilities to FBOs wherever possible. The City shall collect 30% of all tie-down revenue generated. There shall be no flat fee per tie-down. FBOs shall be responsible for providing a monthly accounting of all tie-down revenue received.

### ***E. Agricultural Operations***

Each commercial operator conducting any type of agricultural-related aeronautical activity at Seaside Municipal Airport shall be required to lease property from the City to store materials and equipment applicable to such operation. The rental rate shall be determined as of the day of occupancy.

### ***F. Long term vehicle parking fee***

For vehicles parked for more than two weeks in the airport parking lot or on other airport

property not otherwise subject to a specific lease agreement, the fee shall be \$50 per year.

***G. Advertising board***

The fee for a single 8 ½ x 11” space on the airport advertising board is \$50/year, plus a one-time application fee of \$20. The City may periodically adjust the rates.

***H. Caretaker Agreements***

The City may negotiate individual fee and rent agreements at the airport, recognizing the diversity of services performed by the caretaker(s) of the airport. These agreements shall be based on the specific services provided by the caretaker and the City shall ensure that all the financial terms of those agreements are consistent and based on the level of services provided by the individual caretaker(s).

***I. Special Use Agreements***

The City may negotiate a unique rent or fee structure and enter into a special use agreement to benefit the general public or the City, for such activities as fire protection facilities, weather equipment site leases and concession storage areas. All rental rates and charges applicable to special use agreements shall be determined through an analysis of similar activities, rates and charges at comparable airports in addition to consideration of overall benefit to the general public and the Airport’s best aviation use.

***J. Negotiated Fees***

The City may negotiate a specific rate or fee to support the City's goals in developing and promoting the airport. Any such negotiated fee agreement will contain a fair and equitable rate structure, will not be used routinely and will only be considered for the most unique circumstances.

***K. Waived Fees***

The City may waive certain fees for government aircraft, in order to comply with Federal Airport improvement grant assurances. The City may also waive certain fees for an organization or person engaged in a non-profit aeronautical program or activity that benefits a charitable organization or community.

**Section 3. Adjustments of Fuel Flowage, Access, Tiedown, Mobile Service and Special Use Fees**

The City shall regularly review the rate and charges for Seaside Municipal airport and compare them to rates in effect at State-owned airports.

(1) The City shall review and may adjust rates and charges for fuel flowage, access,

tiedown, mobile service and special use fees at least every two years.

(2) The City shall provide 60 days' advance written notice of any adjustment to any affected lessee.

## **Section 4. Fair Market Value Cost of Construction - Adjustments of Unimproved Land, Improved Land and Facility Rents**

All rents set forth in agreements for rental of improved or unimproved land, or for any facility or structure, may be adjusted by the City as follows:

(1) Adjustments shall be made at intervals not to exceed every three years;

(2) Adjustments shall be based on the Consumer Price Index-Urban of the State of Oregon, provided that no adjustment shall exceed three percent (3%) of the rent for the previous year;

(3) At intervals not to exceed 6 (six) years, the City may the City may adjust rates to bring them into conformance with those at State-owned airports of similar size and use.

## **Section 5. Penalties**

(1) All lease agreements shall provide that the lessee shall pay a penalty for late or delinquent payments. Such penalty shall not exceed ten percent (10%) of the delinquent payment for each month, prorated according to the actual date of receipt by the City.

(2) Whenever a bank-issued check is presented for payment of any Seaside Municipal airport fee, and said check is returned to the City due to insufficient funds, closed account, or other similar reason, the City shall charge the lessee presenting such check an additional fee of \$25, plus any and all related collection fees. If the initial charges and returned check fees are not paid within 14 days after notification to lessee, the City may suspend, revoke or place in default all of lessee's permits, agreements or leases in force.

(3) In accordance with Seaside Code of Ordinance Chapter 96.22, any person who places literature on the sign board or elsewhere on airport property without permission of the City will be subject to a misdemeanor charge and fine of up to \$700.

## **Appendix A: Current Oregon Department of Aviation Rates and Charges:**

*AI*: Annual fee per square foot of improved or unimproved land for non-commercial and

commercial building sites, category V airports: .07

**A2:** Fuel Flowage fee: not to exceed 0.12 per gallon

**A3:** Per aircraft weight based fee for users accessing the airport from adjacent property:

*Aircraft Weight Class --Weight Range -- Monthly Fee Per Aircraft*

Class 1 -- Up to 5,000 lbs -- \$15 per month

Class 2 -- 5,001 to 10,000lbs -- \$24 per month

Class 3 -- 10,001 to 20,000lbs -- \$44 per month

(Weight/runway length limits preclude aircraft of higher weight from operating out of Seaside airport).

**A4:** Fee for each aircraft based on the adjacent property is based on aircraft maximum gross landing weight as shown above, or \$75.00.

**A5:** Non-Commercial Tie-down Fee: \$15 per month.