

**Minimum Standards  
For  
Commercial Service Providers**

**Vance Brand Municipal Airport  
May 16, 2016**

**City of Longmont**  
229 Airport Road  
Longmont, Colorado 80503

**MINIMUM STANDARDS  
FOR COMMERCIAL SERVICE PROVIDERS**

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## **Section 1- Preamble and Policy**

The City of Longmont, Colorado (“City”), being the owner and in a position of responsibility for the administration of the Vance Brand Municipal Airport (“Airport”) does hereby establish the following Policy for the Minimum Standards: the Minimum Standards are intended to be the threshold entry requirements for those wishing to provide commercial services to the public and to ensure that those who have undertaken to provide commodities and services as approved are not exposed to unfair or irresponsible competition.

The Minimum Standards are written to assure FAA Grant Assurances are not compromised. Airport tenants and customers may expect to receive services as detailed within the standards when working with commercial service providers.

The Minimum Standards were developed by taking into consideration the aviation role of the Airport, facilities that currently exist at the Airport, services being offered at the Airport, the future development planned for the Airport, and the promotion of fair competition at the Airport.

The uniform application of these Minimum Standards, containing the minimum levels of service that must be offered by the Commercial Operator, relates primarily to the public interest and discourages substandard entrepreneurs, thereby protecting both the established aeronautical activity and the Airport patrons.

Any person providing a commercial service or activity at the Airport, including Non-Airport Based Operators and Non-Standard Specialized Aviation Service Operations, must have obtained a permit for such services from the Airport Manager as set forth in the Regulations. Additionally, each Person shall comply and maintain compliance with all applicable laws, ordinances, and permit requirements normally required to operate a business with in the State of Colorado, County of Boulder, and City of Longmont, Colorado.

Leases and Permits in effect on the date of adoption of these Minimum Standards are subject to these Minimum Standards, and will be required to come into compliance within one hundred eighty (180) days of these Minimum Standards taking effect. If such lessee or permit holder demonstrates to the reasonable satisfaction of the Airport Manager that compliance would be unduly burdensome or cause undue hardship or practical difficulties, the Airport Manager may waive compliance for an additional one hundred eighty (180) days. The Airport Manager may only waive compliance if the waiver would ensure reasonable levels of customer service and safety and would not endanger the public health, safety and welfare. The determination of the Airport Manager shall be final.

Additionally, all Commercial Operators, operators, or person(s) shall indemnify the City and hold the City harmless from and against all claims, demands, liabilities, damages, suits, actions,

judgments, fines, penalties, losses, and expenses, including attorney's fees, arising directly or indirectly from the provider's operations.

As conditions may require, the City reserves the right to amend these Minimum Standards from time to time.

The following Minimum Standards for Commercial Operators have been established for the safe and efficient operation of the Airport; ensure adequate aeronautical services for Airport users; to enhance its growth; to preclude the granting of an exclusive right to conduct an aeronautical activity in violation of Section 308(a) of the Federal Aviation Act of 1958; to conform to Title VI of the Civil Rights Act of 1964 and Part 21 of the U.S. Department of Transportation Regulations; comply with the sponsor assurances as part of federal Airport Improvement Program grant obligations; and to assure all potential Operators of the availability of Airport property on fair and reasonable terms without unjust economic discrimination.

Benefits to be derived from establishing Minimum Standards include:

- Promoting safety in all Airport activities;
- Maintaining high quality commercial services for all Airport users;
- Providing financially equitable treatment to all Airport tenants;
- Defining the minimum operating threshold for prospective Commercial Operators;
- Protection of Airport users from unlicensed and unauthorized products and/or services;
- Promotion of orderly development of Airport property; and
- Fostering mutually beneficial tenant-landlord relationships.

These Minimum Standards have been prepared in conformance with the following documents:

- FAA Advisory Circular 150/5190-7, *Minimum Standards for Commercial Aeronautical Activities*
- FAA Advisory Circular 150/5190-6, *Exclusive Rights at Federally Obligated Airports*
- FAA Order 5190.6B, *Airport Compliance Manual*
- FAA Airport Sponsor Assurances

In conformance with the FAA Airport Sponsor assurances, the Airport will:

- a. Make the Airport available as an Airport for public use on reasonable terms and without unjust discrimination to all types, kinds, and classes of aeronautical activities, including commercial aeronautical activities offering services to the public at the Airport.
- b. Insert and enforce provisions requiring all Operators on the Airport to:
  - (1) Furnish their services on a reasonable and not unjustly discriminatory basis to all users of their services and facilities; and

(2) Charge reasonable and not unjustly discriminatory prices for each service, provided that the Operator may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

- c. Ensure that each Fixed Base Operator (FBO) and Specialized Aviation Service Operator (SASO) at the Airport shall be subject to the similar rates, fees, rentals, and other charges as are uniformly applicable to all other FBOs or SASOs making the same or similar uses of such Airport and/or utilizing the same or similar facilities at the Airport. Rates fees, rentals, and charges may be adjusted by the Airport to reflect differences in operating and/or financial conditions pertaining to specific aeronautical service providers.

## **Section 2 – Definitions**

These definitions are in addition to the definitions found in the Airport’s Rules and Regulations.

### **A. Aircraft**

**(1) Air Charter or Taxi** – The commercial operation of providing air transportation of person(s) or property for hire either on a charter basis or as an air taxi Operator.

**(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.

**(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) Airport Reference Codes** – *FAA Advisory Circular 150/5300-13 Airport Design* defines the Airport Reference Code (ARC) as “a coding system used to relate airport design criteria to the operational and physical characteristics of the airplanes intended to use the airport.” The ARC is used to determine design dimensions for the various separation and safety standards, Runway Protection Zones and Object Free Zones dimensions, surface gradients, and threshold siting standards.

### **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, air taxi and charter 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 service, repair, maintenance, inspection, construction, and making of modifications and alterations to aircraft, aircraft engines, propellers and appliances including the removal of engines for major overhaul as defined in 14 CFR Part 43. This category of service also includes the sale of aircraft parts and accessories.

**(3) Airframe and Power Plant Mechanic (A&P)** – A person who holds an aircraft mechanic certificate with both airframe and power plant ratings as authorized and described in 14 CFR Part 65.

**(4) ALP** – The currently approved Airport Layout Plan depicting the physical layout of the Airport and identifying the location and configuration of current runways, taxiways, buildings, roadways, utilities, nav aids, etc.

**(5) Commercial Aeronautical Activity** – The conduct of any aspect of a business, concession, operation, or agency providing goods or services to any person for compensation or hire, including exchange of services, whether or not such objectives are accomplished. An activity is considered a commercial activity regardless of whether the business is nonprofit, charitable, or tax-exempt. A commercial business activity that involves makes possible or is required for the operation aircraft, or which contributes to or is required for the safety of aeronautical operations.

**(6) 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, contract, license, lease, and permit or by the imposition of unreasonable standards or requirements, or by any other means.

**(7) General Aviation** – All phases of aviation other than aircraft manufacturing, military aviation, and scheduled or non-scheduled commercial air carrier operations.

**(8) Minimum Standards** – The qualifications or criteria, which may be established by the City as the minimum requirements that shall be met by businesses engaged in commercial aeronautical activities for the right to conduct those activities.

## **C. Governmental**

**(1) FAA** – The Federal Aviation Administration as established in 1967 within the Department of Transportation of the United States government that has the responsibility of promoting safety in the air, by both regulation and education.

**(2) FAR** – The Federal Aviation Regulations as published by the FAA that governs the operation of aircraft, airways, and airmen. Compliance with the FARs is mandatory. In 1996, all references to the FARs were changed to “14 CFR” (Title 14 of the Code of Federal Regulations).

**(3) Sponsor** – The City of Longmont.

## **D. Fueling**

(1) **Fueling or Fuel Handling** – The transportation, sale, delivery, dispensing, storage, or draining of fuel or fuel waste products to or from aircraft, vehicles, or equipment.

(2) **Fuel Storage Area** – Any portion of the Airport designated temporarily or permanently by the sponsor as an area in which aviation or motor vehicle gasoline or any other type of fuel or fuel additive may be stored or loaded.

(3) **Self-Service Fueling** – The commercial operation of an unmanned stationary fuel tank and dispensing equipment for general use via a card reader. This includes the operations of anyone utilizing this type of equipment to provide fuel for sale or reuse.

## **E. Lease and Agreements**

(1) **Lease** – The written contract between the Sponsor and an Operator (Lessee) specifying the terms and conditions under which an Operator may occupy and operate from certain Airport facilities and/or property.

(2) **Sublease** – A written agreement, approved by the Sponsor, in the Sponsor's sole discretion, stating the terms and conditions under which a third party Operator leases space from a Lessee for the purpose of providing aeronautical services at the Airport.

(3) **Agreement** – The written agreement between the Sponsor and an Operator specifying the terms and conditions under which the Operator may conduct commercial aviation activities. Such Agreement will recite the terms and conditions under which the activity will be conducted at the Airport including, but not limited to, term of the Agreement; rents, fees, and charges to be paid; and the right and obligations of the respective parties.

(4) **Permit** – Administrative approval issued by the Sponsor or other governmental agency, 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.

## **F. Services**

(1) **Avionics Sales and Maintenance** – The commercial operation of providing for the repair and service, or installation of aircraft radios, instruments, and accessories. Such operation may include the sale of new or used aircraft radios, instruments, and accessories.

(2) **Flight Training** – The commercial operation of instructing pilots in dual and solo flight, in fixed or rotorcraft, and related ground school instruction as necessary to complete a FAA written pilot examination and flight check ride for various categories of pilot licenses and ratings. Flight Training shall also include any portion of a flight between two or more airports or other destinations where the primary purpose is to increase or maintain pilot or crew member proficiency.

**(3) 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.

**(4) Preventive Aircraft Maintenance** – Maintenance that is not considered a major aircraft alteration or repair and does not involve complex assembly operations as listed in 14 CFR Part 43, except for Item 22 in the Regulation. Item 22 involves the replacement of prefabricated fuel lines, and shall, for purposes of these Minimum Standards, be considered a major aircraft repair.

**(5) Self-Service** – Aircraft refueling, repair, preventive maintenance, towing, adjustment, cleaning, and general services performed by an aircraft owner or his/her employees on his/her aircraft with resources supplied by the aircraft owner.

## **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 area.

**(3) Taxiway** – A defined path established for the taxiing of aircraft from one part of the Airport to another.

**(4) Vehicle Parking Area** – Any portion of the Airport designated and made available temporarily or permanently by the City for the parking of vehicles.

### **Section 3 – Minimum Standards for All FBOs and SASOs**

The following shall apply to all prospective aeronautical service providers wishing to become an FBO or SASO at the Airport:

1. Leases shall be for a term to be mutually agreed upon between the parties with due consideration for the financial investment and the need to amortize improvements to the leasehold, in accordance with like operations on the Airport, and subject to all applicable laws, rules and regulations including, but not limited to, the City Charter.
2. A person shall have such business background and shall have demonstrated his business capability to the satisfaction of, and in such manner as to meet with the approval of, the City per Section 4 below.



3. Any prospective FBO or SASO seeking to conduct aeronautical activity at the Airport should demonstrate that they have adequate management, financial, and other resources to realize the business objectives agreed to by the Airport and the applicant.
4. Any prospective or existing FBO shall lease from the City an area of ground space to provide for outside display and storage of aircraft and on which shall be erected a building to provide or is an existing building(s) that provides, at least 5,000 square feet of floor space for aircraft hangar storage and at least 600 square feet of floor space for office, customer lounge, and public restrooms, which shall be properly heated and lighted, and shall provide the means for flight planning for customer use and internet access. Additionally, a minimum of ten (10) aircraft tie-down spaces shall be provided. Public use tie-downs may be used to meet this requirement. The FBO shall also provide paved parking for the FBO's customers and employees. All improvements must be constructed and maintained in accordance with applicable federal, state, and local building and/or construction requirements and local ordinances. In addition to being allowed to sell fuel, the FBO must also provide and meet the respective standards of two (2) other services listed below in these standards.
5. Any prospective or existing FBO shall have the premises open and services available at least eight (8) hours per day, five (5) days per week and shall make provision for a qualified and trained individual for the services provided to be in attendance at all times during the required operating hours. The hours of operation shall be prominently displayed. The FBO shall provide a working phone number to be called for service after normal business hours and provide a response time of one (1) hour or less. It is expected that some services provided may be seasonal and understood that such services may not be provided during off seasons.
6. Any prospective or existing SASO shall lease from the City, sublease, or rent an area of ground space to provide for a building to be erected; or sublease or rent an existing building(s) that provides at least 1,000 square feet of floor space to conduct its approved operation of which 60 square feet of floor space is to be used for administrative purposes and may serve as a customer waiting area, which shall be properly heated and lighted. Additionally, a minimum of one (1) tie-down space shall be provided. Public use tie-downs may be used to meet this requirement. All improvements must be constructed and maintained in accordance with applicable federal, state, and local building and/or construction requirements and local ordinances.
7. Any prospective or existing SASO shall have the premises open and services available at least four (4) hours per day, three (3) days per week or be able to be contacted for appointments, and shall make provision for a qualified and trained individual for the

service(s) provided to be available during operating hours. It is expected that some services provided may be seasonal and understood that such services may not be provided during off seasons.

8. Any prospective or existing FBO or SASO shall demonstrate to the Airport Sponsor's satisfaction evidence of its ability to acquire and maintain insurance coverage as stipulated for each particular type of operation. An FBO or SASO should make its own analysis to determine if more is needed.

All such policies of insurance shall be maintained in full force and effect during all terms of existing leases, agreements, permits, or business licenses or renewals or extensions thereof. Such policies shall be in an amount determined by the City's Risk Manager as appropriate for the type of operation.

All insurance policies shall contain an endorsement naming the City of Longmont, Colorado, a municipal corporation, its Council members, officers, agents, employees, and volunteers as additional insured parties with respect to all activities the Operator conducts. All insurance policies shall be primary coverage, non-contributory by the City. Only insurance companies with authority to issue policies in Colorado shall provide insurance coverage.

9. The company will obtain all necessary environmental review and approvals, including permits, which shall be maintained in full force and effect as long as the company provides such services.
10. At the request of the City, the company will provide valid copies of all necessary licenses, approvals, permits, and other legal documents to the Airport and the City necessary for the conduct of its business as well as any updates, amendments, or replacements thereto.
11. All FBOs conducting fueling and/or defueling operations shall abide by the Airport's Rules and Regulations pertaining to fueling operations.

#### **Section 4 – Applications and Qualifications**

No person may conduct a commercial service or activity at the Airport without a permit issued by the Airport Manager. For new businesses, a written application for a permit shall be provided by the Airport Manager and shall contain at the minimum:

1. The proposed or existing nature of the business;

2. The signatures and legal names of all parties whose names are being submitted as owning an interest in the business or will appear on leases or other documents as being a partner, director, or corporate officer and those who will be managing the business;
3. The name, working telephone number, and address of the primary contact person who is authorized to speak and act on behalf of the applicant;
4. A current financial statement, business plan with financial information, or other financial documents that will demonstrate the applicant's ability to meet its financial obligation to the City of Longmont;
5. For construction of facilities, the applicant must comply with appropriate Review Procedures and the Airport Sponsor's requirements; and
6. Such other information as the Airport Sponsor may require.
7. For existing businesses, all of the above information in this section, except for item 4 must be provided to the Airport Manager or complied with through the permit application.

### **Section 5 – Action on Application**

Permit applications may be denied for one or more of the following reasons:

1. The applicant does not meet qualifications, standards, and requirements established by these Minimum Standards;
2. The applicant's proposed operations or construction will create a safety hazard on the Airport;
3. The granting of the application will require the unreimbursed expenditure of local funds, labor, or materials on the facilities described in or related to the application, or the operation will result in a financial loss to Airport Sponsor;
4. There is no appropriate or adequate available space or building on the Airport to accommodate the entire activity of the applicant;
5. The proposed operation, Airport development or construction does not comply with the approved Airport Layout Plan;

6. Any party applying, or interested in the business, has supplied false information, or has misrepresented any material fact in the application or in supporting documents, or has failed to make full disclosure on the application;
7. Any party applying or having an interest in the business has a record of violating the Vance Brand Municipal Airport Rules and Regulations;
8. Any party applying or having an interest in the business has defaulted in the performance of any lease or other agreement with the Airport Sponsor; and/or
9. The City reasonably determines that any party applying or having an interest in the business is not sufficiently or financially capable of providing and maintaining the business to which the application relates and of promptly paying amounts due under the FBO or SASO lease, agreement, or permit.

Within these next sections there are references to both SASOs and FBOs. Except for FBOs, NABOs, and NSASOs, any of the following sections containing a service is considered a SASO and must meet the requirements of the respective section, but also those requirements outlined in Section 3 above.

### **Section 6 – Aircraft Sales**

#### **Statement of Concept**

1. **New Aircraft Sales:** An aircraft sales company can be either an SASO or an approved activity of an FBO that engages in the sale of new aircraft through franchises or licensed dealerships (if required by local, county, or state authority) or distributorship (either on a retail or wholesale basis) of an aircraft manufacturer or used aircraft; and may provide such repair, services, and parts as necessary to meet any guarantee or warranty on aircraft sold.
2. **Used Aircraft Sales:** Many companies engage in the purchasing and selling of used aircraft. This is accomplished through various methods including matching potential purchasers with an aircraft (brokering), assisting a customer in the purchase or sale of an aircraft, or purchasing used aircraft and marketing them to potential purchasers. Sometimes these companies also provide such repair, services, and parts as necessary to support the operation of aircraft sold. Some of the requirements may not be appropriate to the sale of used aircraft because of each aircraft's unique operational history.

3. Such operations which perform brokerage, but do not require space for display of aircraft, and/or do not choose to provide repair, services, and parts as necessary to meet guarantee or warranty on aircraft sold may only need office space on the airport to conduct such business.

### **Minimum Standards**

1. The sales entity shall provide necessary and satisfactory arrangements for sales, and may provide repair and servicing of aircraft, but only for the duration of any sales guarantee or warranty period.
2. The company shall have in its employ trained personnel in such numbers as are required to meet the Minimum Standards set forth in an efficient manner. It shall also maintain a responsible person in charge to supervise the operations and with the authorization to represent and act for and on behalf of the firm.
3. Notwithstanding Section 3.6 of these standards for those businesses meeting Paragraph 3 in the “Statement of Concept” for this section, the company shall lease from the City, sublease, or rent an area of ground space to provide for a building to be erected; or sublease or rent an existing building(s) that provides at least 600 square feet of floor space to conduct its approved operation, which shall be properly heated and lighted. All improvement must be constructed and maintained in accordance with applicable federal, state, and local building and/or construction requirements and local ordinances.

### **Section 7 – Aircraft Airframe, Engine, and Accessory Maintenance and Repair**

#### **Statement of Concept**

An aircraft airframe, engine and accessory maintenance and repair FBO or SASO provides one or a combination of airframe, powerplant, inspection, and accessory overhauls and repair services on aircraft up to and may include business jet aircraft and helicopters. Also included within this category is the sale of aircraft parts and accessories. The company may be certificated under 14 CFR Part 145, Repair Stations.

#### **Minimum Standards**

1. The company shall provide sufficient equipment, supplies, manuals, and availability of or access to parts equivalent to that required for certification by the FAA.
2. The company shall have in its employ trained and certified personnel in such numbers as are required to meet the Minimum Standards set forth in this category of services in an

efficient manner. At least one person employed must be certificated by the FAA with ratings appropriate to the work being performed and who holds an airframe, power-plant, or an aircraft inspector rating.

### **Section 8 – Aircraft Lease and Rental**

#### **Statement of Concept**

An aircraft lease or rental SASO (or FBO approved for this operation or activity) engages in the rental or lease of aircraft to the public.

#### **Minimum Standards**

##### **Aircraft:**

1. The company shall have available for rental, either owned by or under written lease to the company, one (1) certified and current airworthy Aircraft of the primary category and/or class of Aircraft which is to be rented or leased to the public. If more than one category and/or class of Aircraft is to be provided, then the firm shall have available at least one (1) certified and current airworthy aircraft of each additional category and/or class of Aircraft which is to be rented or leased to the public.
2. The company shall have in its employ a minimum of one (1) person having a current and appropriate pilot certificate with appropriate ratings, to ensure the renter is qualified to operate the aircraft being leased or rented.

### **Section 9 – Flight Training**

#### **Statement of Concept**

1. A flight training SASO or FBO approved for this operation or activity engages in instructing pilots in dual and solo flight training, in fixed and/or rotorcraft, and provides such related ground school instruction as is necessary preparatory to taking a written examination and flight check ride for the category or categories of pilot licenses and ratings involved.
2. There are some instances where the operation is for Flight and/or Ground Instruction provided to individuals who own or provide their own aircraft in which they desire to receive instruction. In such instances, there is not a need for providing an aircraft by the Operator, nor the space required to store such an aircraft.

3. The company/person may offer flight training under 14 CFR Part 61, or 14 CFR Part 141.

### **Minimum Standards**

1. The company/person shall have available for use in flight training, either owned or under written lease to company, one (1) certified and current airworthy aircraft of the primary category and/or class of aircraft in which instruction will be given. If more than one category and/or class of aircraft instruction is to be provided, then the company/person shall have available at least one (1) certified and current airworthy aircraft of each additional category and/or class of aircraft in which the instruction will be given.
2. The company shall have at least one flight instructor who has been properly certificated by the FAA, and has maintained certification, to provide the type of training offered.
3. Notwithstanding Section 3.6 and Section 9, Paragraph 1 under “Minimum Standards” of these standards for those businesses meeting Paragraph 2 in the “Statement of Concept” for this section, the company shall lease from the City, sublease or rent an area of ground space to provide for a building to be erected; or sublease or rent an existing building(s) that provides at least 600 square feet of floor space to conduct its approved operation, which shall be properly heated and lighted. All improvement must be constructed and maintained in accordance with applicable federal, state, and local building and/or construction requirements and local ordinances.

### **Section 10 – Commercial Skydiving**

#### **Statement of Concept**

A skydiving SASO or FBO approved for this operation or activity engages in the transportation of persons for skydiving, instruction in skydiving, and rental and sales of skydiving equipment.

#### **Minimum Standard**

1. The company shall have available for skydiving, either owned or under written lease to the company, at least one properly certificated and airworthy aircraft.
2. The jump plane pilot must hold an appropriate pilot certificate and be appropriately rated for the aircraft being operated.

## **Section 11 – Aircraft Fuels and Oil Service**

### **Statement of Concept**

An aircraft fuels and oil service FBO provides aviation fuels, lubricants, and other services supporting itinerant aircraft operations and operations of aircraft based on the Airport. Fuel delivery into an aircraft other than by the person who owns or leases the aircraft being fueled and fueling operations for commercial purposes is restricted to FBOs, with the following exception:

1. Individual, corporate, or private aircraft owners are allowed to fuel aircraft that they own or lease themselves or by their employee as allowed by the FAA. However, the person shall not deliver or allow delivery into another aircraft not owned or leased by them.

### **Minimum Standards**

Except as otherwise provided in any agreement between the FBO and the Airport Sponsor, an FBO conducting aviation fuel and oil sales or service to the public on the Airport shall be required to provide the following services and equipment:

1. Appropriate grades of aviation fuel.
  - a. Jet-A is required to be provided with a minimum storage capacity of 2,000 gallons
  - b. Avgas – 100LL is required to be provided with a minimum storage capacity of 1,000 gallons
  - c. Mogas is optional to provide; however if provided or offered, the minimum required storage capacity is 150 gallons.
2. An inventory of generally accepted grades of aviation engine oil and lubricants.
3. Fuel dispensing equipment, meeting all applicable federal, state, local government, and Airport Sponsor requirements for each type of fuel dispensed.
4. Proper equipment for aircraft towing, inflating aircraft tires, washing aircraft windscreens, and recharging aircraft batteries.
5. The safe storage and handling of fuel in conformance with all federal, state, county requirements and fire codes pertaining to safe storage and handling of fuel, including, but not limited to National Fire Protection Association (NFPA) 407.



6. The lawful and sanitary handling and timely disposal, away from the Airport, of all solid waste, regulated waste, and other materials including, but not limited to, used oil, solvents, and other regulated waste.
7. Adequate bonding wires will be installed, continuously inspected and maintained on all fueling equipment, to reduce the hazards of static electricity.
8. An adequate supply of properly located fire extinguishers and other precautions and/or equipment required by applicable fire codes.
9. Unless provided by the City, the FBO shall have a fixed fuel storage system which shall contain safety fixtures and filtration systems to ensure the quality control standards equivalent to or better than the recommendations of most branded aviation fuel suppliers. The storage system must include adequate fuel spill prevention features and applicable containment capabilities, together with an approved fuel Spill Prevention Countermeasures and Control Plan (SPCC), as applicable. The fueling equipment and systems shall have an operable emergency shutoff button or switch located in accordance with federal, state, county or local requirements and have a prominently displayed and legible sign indicating that it is the emergency shutoff and what position is “OFF” and “ON.”
10. If a mobile or fuel vehicle is provided, it shall be equipped in accordance with applicable federal, state, county or local requirements, and meet requirements of NFPA 407. It specifically must include a serviceable, in date of not less than 20 pound BC type fire extinguisher, bonding cables in properly connected and in good working condition, and appropriate placards. If the vehicle has single-point fueling capability, it shall have a working “dead-man” control. The minimum capacity for a fueling vehicle shall be no less than 1,000 gallons for Jet-A, 500 gallons for Avgas and 150 gallons for Mogas.
11. Approved federal, state, or local training programs for fuel personnel, including documentation of training and successful completion of the program by each employee.

## **Section 12 – Avionics and/or Instruments and/or Propeller Repair Station**

### **Statement of Concept**

An avionics, instrument, or propeller repair station SASO or FBO approved for this operation or activity engages in the business of and provides a shop for the sales and repair of aircraft avionics, propellers, instruments, and accessories for general aviation aircraft. This category may include the sale of new or used aircraft avionics, propellers, instruments, and/or accessories. The

FBO or SASO shall hold the appropriate repair station certificates issued by FAA for the types of equipment it plans to service and/or install.

### **Minimum Standards**

1. The company shall have in its employ trained personnel in such numbers as are required to meet the Minimum Standards set forth in this category in an efficient manner. At least one (1) person must be employed who is an FAA rated radio, instrument, or propeller repair technician.

### **Section 13 – Aircraft Charter and Air Taxi**

#### **Statement of Concept**

An on-demand, or scheduled air charter or air taxi SASO or FBO engages in the business of providing air transportation (persons or property) to the general public for hire, on an unscheduled or scheduled basis under CFR 14 Part 135.

#### **Minimum Standards**

1. The company shall provide, either owned or under written lease, the type, class, size and number of aircraft intended to be used by the company, but not less than one (1) multi-engine or one (1) single engine aircraft which must meet the requirements of the air taxi commercial certificate held by the company.
2. The company shall have in its employ trained personnel in such numbers as are required to meet the Minimum Standards set forth in this category in an efficient manner. At least one (1) person employed shall be an appropriately rated pilot and otherwise appropriately rated to permit the flight activity offered by the company.

### **Section 14 – Aircraft Storage**

#### **Statement of Concept**

An aircraft storage SASO or FBO engages in the rental of floor space for temporary/short-term or long-term aircraft storage.

#### **Minimum Standards**

1. The conventional hangar company shall have its facilities available for the tenant's aircraft removal and storage on a continuous basis.

2. The company may choose to provide services to tow or move the aircraft for its customers. In such instances the company shall demonstrate that it can provide sufficient personnel trained to meet all requirements for the storage of aircraft.

### **Section 15 – Specialized Commercial Flying Services**

#### **Statement of Concept**

1. A specialized commercial flying services SASO or FBO approved for this type of operation or activity engages in air transportation for hire for the purpose of providing the use of aircraft for any of the following activities:
  - a. Non-stop sightseeing flights that begin and end at the same airport.
  - b. Crop dusting, seeding, spraying, and bird chasing.
  - c. Banner towing and aerial advertising.
  - d. Aerial photography or survey.
  - e. Power line or pipe line patrol.
  - f. Aerial firefighting.
  - g. Any other operations specifically excluded from 14 CFR Part 135.

#### **Minimum Standards**

1. The minimum areas in each instance shall be subject to the requirements of an SASO. In the case of crop dusting or aerial application, the company shall make suitable arrangements and have such space available in the leased, sub-leased, or rented area for safe loading and unloading and storage and containment of chemical materials. A written emergency plan for the handling of hazardous materials should also be required. All spills shall immediately be reported to the City. All companies shall demonstrate that they have the availability of aircraft suitably equipped and certified for the particular type of operation they intend to perform.
2. The company must provide a point of contact for the public desiring to utilize the services provided.
3. The firm shall have in its employ, and on duty during business hours, trained personnel in such numbers as may be required to meet the Minimum Standards herein set forth in an efficient manner appropriate to the type of operation(s) being conducted.

## **Section 16 – Multiple Commercial Aeronautical Services**

### **Statement of Concept**

A multiple services SASO engages in any two or more of the aeronautical services for which Minimum Standards have been herein provided.

### **Minimum Standards**

1. The SASO shall comply with the minimum standard requirements of each service, operation, or activity provided.

## **Section 17 – Flying Clubs**

Flying Clubs must meet the strict definition of the FAA. All Flying Clubs must also provide a list of its members with their respective current address and working phone number to the City with no less than an annual update. The Flying Clubs shall provide an emergency contact person and phone number. In no event shall a Flying Club aircraft be used to perform commercial aeronautical services.

## **Section 18 – FBOs and SASOs Sub-leasing From Another FBO or SASO**

Prior to finalizing an agreement for a sublease, the lessee and sub-lessee shall obtain the City's written approval and the appropriate permit as required in these standards for the business or businesses proposed. Said sublease shall define the type of business and service to be offered by the sub-lessee.

The sub-lessee FBO and/or SASO shall meet all of the Minimum Standards established by the City for the categories of services to be furnished by the FBO and/or SASO. The Minimum Standards may be met in combination between lessee and sub-lessee. The sublease agreement shall specifically define those services to be provided by the lessee to the sub-lessee that shall be used to meet the standards.

## **Section 19 – Non-Airport Based Operators (NABO) and Non-Standard Specialized Aviation Service Operators (NSASO)**

### **Statement of Concept**

NABOs and NSASOs must obtain a permit from the Airport Manager in order to operate on the Airport. Such an Operator does not meet the definition or requirements of an FBO or SASO.

However, if an on-airport FBO or SASO does not provide a particular service, the FBO or SASO may sub-contract with an off-airport provider or NABO, and in such event the NABO or off-airport sub-contractor is not subject to the fees under this section. Further, if an on-airport FBO or SASO does not provide a particular service, an off-airport provider or NABO may provide such service and not be subject to the fees under this section if it provides such service on an individual aircraft no greater than five times per calendar year.

### Minimum Standards

1. All NABOs and NSASOs providing commercial services on the Vance Brand Municipal Airport must obtain a permit from the Airport Manager, after approval has been granted by the Airport Sponsor for the specific service or services provided. The permit must be renewed annually in order to continue providing the approved service or services.
2. Because NABOs and NSASOs providing commercial services on the Airport do not meet the same requirements as an FBO or SASO, they do not have the same expense associated with the conduct of business as an FBO or SASO; nor does the Operator contribute directly to the cost associated with the use of the Airport and its infrastructure. In light of these facts, the NABO and NSASO shall pay a fee associated with the permit of no less than the most current annual amount required by the Airport Sponsor. All permits will be valid for one year. The following fees will apply effective on the date these standards are adopted and may be adjusted as determined by the Airport Manager and approved by the City Council:

|   |          |          |
|---|----------|----------|
| Aircraft Sales:   | \$350.00 | Annually |
| Aircraft Airframe, Engine and Accessory Maintenance and Repair:   | \$350.00 | Annually |
| Aircraft Rental:  | \$350.00 | Annually |
| Flight Training:  | \$350.00 | Annually |
| Skydiving: As prescribed in Longmont Municipal Code 4.64.040.D (Notwithstanding anything in the above paragraph, permits for Non-Airport Based Skydiving Operators may be annual, monthly, weekly, or daily, in accordance with section 4.64.040.D of the Longmont Municipal Code.) |          |          |
| Avionics, Instruments, and Propeller Repair:  | \$350.00 | Annually |
| Aircraft Charter and Air Taxi:  | \$350.00 | Annually |
| Specialized Commercial Flying Services:   | \$350.00 | Annually |

3. The person/Operator will maintain in effect and full force the minimum commercial insurance types and amounts specified for Commercial Operators at the Airport as

specified by these minimum standards, as well as hold harmless provisions, as required for this type of activity by the City. The Operator holding a permit shall indemnify the City and hold the City harmless from and against all claims, demands, liabilities, damages, suits, actions, judgments, fines, penalties, losses and expenses, including attorney's fees, arising directly or indirectly from the FBO's fueling operations.

4. At the request of the Airport and/or the City, the person/Operator will provide valid copies of all necessary licenses, approvals, permits, and other legal documents to the Airport and the City necessary for the conduct of its business, as well as any updates, amendments, or replacements thereto.
5. The person/Operator shall maintain on file with the Airport Manager a current address and working phone number.

### **Section 20 – Environmental**

All designated FBOs, SASOs, persons, parties, firms, companies, or corporations operating on the Vance Brand Municipal Airport must comply with all pertinent and appropriate federal, state, and local environmental requirements as they exist and may be amended from time-to-time, including but not limited to the Vance Brand Municipal Airport Rules and Regulations, including having the necessary approvals, certificates, and permits in full force and effect throughout the conduct of its business on the Vance Brand Municipal Airport. Each entity will provide valid copies of all approvals, certificates, and permits to the Airport and/or City upon request from either the Airport or the City, including any updates, amendments or new approvals, certificates, or permits.

APPENDIX 1  
MINIMUM STANDARDS MATRIX

(Note: In the event of any conflict between the provisions of the Minimum Standards and this Appendix, the provisions of the Minimum Standards shall control)