



COUNTY OF EL DORADO, CALIFORNIA  
BOARD OF SUPERVISORS POLICY

<b>Subject:</b> <b>MINIMUM STANDARDS FOR COMMERCIAL AERONAUTICAL ACTIVITIES FOR EL DORADO COUNTY AIRPORTS</b>	<b>Policy Number</b> F-10	<b>Page Number:</b> 1 of 30
	<b>Date Adopted:</b> 04/19/1994	<b>Revised Date:</b>

BACKGROUND:

This policy is adopted to administer the provisions of Chapter 18 of the El Dorado County Ordinance (#3327) Airports.

I. INTRODUCTION

The Georgetown and the Placerville Airports are owned and operated by the County of El Dorado. The following minimum standards and requirements for commercial aeronautical activities have been established in the public interest for the safe and efficient operation of each Airport: to enhance its orderly 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, Title 49 of the Code of Federal Regulations; and to assure to all operators the availability of airport property on fair and reasonable terms and without discrimination.

II. DEFINITIONS

For the purpose of this document the following definitions are applicable:

A. The County

The County shall be defined as the County of El Dorado as represented by the Board of Supervisors, the Department of Transportation, and the Airports Operations Manager.

B. The Airport Commission



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The Airport Commission is a five member commission representing each member of the Board of Supervisors and appointed by the Board of Supervisors. The Commission makes recommendations on Airport policies to the Board of Supervisors, hears airport issues and makes recommendations to the Board of Supervisors on these issues.

C. The Airport

The Airport is defined as the Placerville Airport or the Georgetown Airport.

D. Aeronautical Activity

Any activity which involves, makes possible or is required for the operation of aircraft, or which contributes to or is required for the safety of such operations.

1. The following activities commonly conducted on airports are aeronautical activities within this definition: Charter operations; pilot training; aircraft rental and sightseeing; aerial photography; crop-dusting; aerial advertising and surveying; air carrier operations; aircraft sales and services; sale of aviation petroleum products, parachute and ultralight activities, whether conducted in conjunction with other included activities; repair and maintenance of aircraft; sale of aircraft parts; and any other activities which because of their direct relationship to the operation of aircraft can appropriately be regarded as an aeronautical activity.



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2. The following are examples of what are not considered aeronautical activities: Ground transportation (taxi, car rentals, limousine service); restaurant; barber shop; auto parking lots.

E. Commercial Operation

Commercial Operation is defined as a business, aeronautical or non-aeronautical, operating on the airport premises or as an off airport enterprise whose intent is to make a profit from activities on the airport or who actively solicits or advertises business on the airport. (For the purposes of this paragraph, the posting of standard business cards is not considered advertising.) Flying clubs do not constitute a commercial activity if they comply with Appendix "D".

F. Operator

An Operator is defined as any Fixed Base Operator, Off Airport Operator or Temporary Operator at the Airport.

1. Fixed Base Operator

A Fixed Base Operator (FBO) is defined as any person, firm or corporation leasing property at the Airport, other than a tie-down, and conducting aeronautical activities as defined in Commercial Operation above.



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2. Off Airport Operator

An Off Airport Operator is defined as any person or business entity engaged in Commercial Operations at the airport who does not lease property from the County. This definition also includes any person or business entity that owns or leases property adjacent to the Airport and conducts aeronautical activities as defined in Commercial Operation above.

3. Temporary Operator

An aeronautical function not normally occurring on the airport and of a very short duration not to exceed fourteen (14) days in any one calendar year period. Examples of a temporary aeronautical activity are: one or two day airshow, aeronautical seminar, specialty aeronautical training, etc.

G. Access Fee

An Access Fee is a charge assessed by the County which must be paid to the County of El Dorado before an Off Airport Operator may engage in Commercial Operation. The fee is assessed in order to equalize any competitive advantage between operators or, in the case of Off Airport Operators, to contribute a "fair share" to the operation of the Airport.

H. Aircraft

An Aircraft is defined as a device that is used or intended to be used for flight in the air.



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I. Airplane

An Airplane is defined as an engine-driven fixed-wing aircraft heavier-than-air that is supported in flight by the dynamic reaction of the air against its wings.

J. Rotorcraft

A Rotorcraft is defined as an engine-driven rotary-wing aircraft heavier-than-air that is supported in flight by a rotating wing consisting of two or more blades.

K. Gyrocopter

A Gyrocopter is defined as an engine-driven rotorcraft that is supported in flight by a free-spinning rotor system.

L. Helicopter

A Helicopter is defined as an engine-driven rotorcraft that has a rotor system that is directly coupled to the engine.

M. Glider

A Glider is defined as a heavier-than-air aircraft that is supported in flight by the dynamic reaction of the air against its lifting surfaces and whose free flight does not depend principally on an engine.



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N. Lighter-Than-Air Aircraft

Lighter-than-air aircraft is defined as an aircraft that can rise and remain suspended by using contained gas weighing less than the air that is displaced by the gas.

O. Concessionaire

A Concessionaire is defined as any person or business entity engaged in non-aeronautical activities for profit at the Airport.

P. Hold Harmless

Hold Harmless is defined as protecting and holding harmless the County and its employees from any and all lawful damages and claims of liability which may arise as a consequence of Fixed Base Operator, Off Airport Operator or a Tenant's presence or activities on the Airport.

Q. Unsafe Practices

Unsafe practices is defined as any activity which is contrary to accepted procedures as described in the Airmen's Information Manual and Federal Regulations or local procedures which creates a hazard to other aircraft and/or persons in the air or on the ground.

R. County Business License



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County Business License is defined as a license obtained from the County to operate a commercial business within the County.

S. Commercial Certificate

Commercial Certificate is defined as a certificate earned from the Federal Aviation Administration (FAA) to perform/provide applicable aeronautical services for hire.

T. Operational Area

Operational Area is defined as any area on the airport accessible by an aircraft.

U. Non-Operational Area

Non-Operational Area is defined as any area on the airport which is not accessible to an aircraft.

III. MINIMUM STANDARD APPLYING TO ALL COMMERCIAL OPERATORS

A. Compliance with Laws

All operators shall abide by and comply with all Federal, State, and County laws and ordinances, the rules and regulations of the County, and the aeronautical rules and regulations of the State, the FAA, and the Environmental Protection Agency, including but not limited to Storm Water Runoff Requirements (see Appendix B).

B. Determination of Fixed Base Operator or Off Airport Operator Status



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It shall be the responsibility of the County to determine whether the commercial aeronautical activity is a Fixed Base Operator or an Off Airport Operator.

C. Insurance and Hold Harmless

All operators shall have liability insurance and hold the County harmless. See Appendix A for insurance requirements.

D. Non-Aeronautical Activities

Nothing contained herein shall be construed to prohibit the County from granting or denying, for any reason it deems sufficient, an application to do business on the Airport for the purpose of selling, furnishing or establishing non-aviation products and supplies, or any service or business of a non-aeronautical nature in non-aeronautical areas.

E. Certificates and Licenses

Appropriate certificates shall be provided for all services performed as well as a County business license.

F. Nondiscrimination

The Permittee for himself, his personal representative, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that: (1) no person on the grounds of race, color,





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or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subject to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, or national origin shall be excluded from participation, (3) that the Permittee shall use the premises in compliance with all other requirements imposed by or pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Program of the Department of Transportation, and as said Regulations may be amended.

G. Prompt Payment of County Fees

An operator shall promptly pay, when due, access fees, flowage fees, lease payments and any other charges called for by these minimum standards or any agreement with the County.

H. No Exclusive Right

Nothing herein contained shall be construed to grant or authorize the granting of an exclusive right within the meaning of Section 308 of the Federal Aviation Act of 1958.

I. Conduct of Business

An Operator shall post in a plainly visible location the operating hours of the business and an emergency telephone number of the business.

J. Ecology and Grounds Maintenance



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An operator shall keep her/his areas in which operation is authorized free and clear of all weeds, rocks, debris, hazardous or other material which could cause damage to aircraft, buildings, persons or automobiles.

**IV. ADDITIONAL MINIMUM STANDARDS FOR FIXED BASE OPERATOR**

Fixed Base Operator Agreement

- A. A Fixed Base Operator applicant approved by the County shall enter into a Fixed Base Operator agreement with the County. This agreement will allow the FBO to conduct business operation in accordance with these minimum standards. The agreement must be approved by the County prior to the initiation of business operations.
- B. The FBO use agreement is transferrable/assignable with the review and approval of the County.

**V. ADDITIONAL MINIMUM STANDARDS FOR OFF AIRPORT OPERATOR**

Off Airport Operator Agreement

- A. An Off Airport Operator applicant approved by the County shall enter into an Airport Use Agreement with the County. This agreement will allow the Off Airport Operator to conduct business operations in accordance with these minimum standards. The agreement must be approved by the County prior to the initiation of business operations.



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B. The Airport Use Agreement is non-transferable, non-assignable, and is specific to operation.

VI. ADDITIONAL MINIMUM STANDARDS FOR TEMPORARY OPERATIONS

Temporary Operations require a special use permit. The Airport Operations Manager will issue a Special Use permit.

VII. APPLICATION FOR INFORMATION

A. To apply as an Operator on the Airport, applicants shall make a written request for information and procedures. The request should include the following:

1. Application date
2. Applicant name and address
3. Telephone number (Normal working hours)
4. A general description of the proposed business activities
5. Applicant signature

B. The Airport Operations Manager will provide a copy of these Minimum Standards.

VIII. FORMAL APPLICATION PROCESS

A. Minimum Application Information



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The County will not accept or take action on a request to lease, assign, or sublet building space or land area or in any way permit the installation of a commercial activity until after the proposed Operator submits in writing a proposal which sets forth the scope of the proposed operation, including the following:

1. The amount of land the Operator desires to lease
2. The building space to be constructed or leased
3. The services to be offered
4. Provide a minimum of three references

**B. Agreement Application**

Application for an agreement for Airport use or for lease of ground and/or facilities on the Airport, and for permission to carry on any commercial operation or aeronautical activity on the Airport, shall be made to the Airport Operations Manager in a form prescribed by the County. The Airport Operations Manager shall present the application to the Airport Commission in a timely manner. The Commission shall submit to the County its recommendation before action is taken by the County. An applicant shall submit all information and material necessary to the satisfaction of the County. The application shall be signed by a responsible party empowered to bind the entity entering into the agreement.

**C. Supporting Documents**

The County shall request and the applicant shall pay for a credit report together with such other documents and information as may be requested by the County.



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IX. ACTION ON APPLICATION

A. The County may deny any application if, in its opinion, it finds any one or more of the following:

1. Safety Hazard

The proposed operations or construction of an applicant will create a safety hazard on the Airport.

2. Availability

There is no appropriate, adequate or available space or building on the Airport to accommodate the entire activity of the applicant at the time of the application.

3. Noncompliance with Airport Layout Plan

The proposed operation or airport development or construction does not comply with the Airport Layout Plan.

4. Misrepresentation

Applicant or agent has supplied the County with false or misleading information or has misrepresented any material fact in her/his application or in supporting documents; or has failed to make full disclosure on her/his application or in supporting documents.



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5. History of Violations

Applicant has a record of violating these minimum standards or the rules and regulations of any other airport, Federal Aviation Regulations or any other rules and regulations applicable to the County Airports.

6. Poor Credit Report

Credit report of applicant reveals a history of defaults and late payments.

- B. The Board of Supervisors authorizes the Director of Transportation to execute all documents authorizing any commercial activity on the County airports.

X. GOVERNMENT/NONPROFIT WAIVERS

The County may, at its discretion, waive all or any portion of Sections III through IX of these minimum standards for the benefit of any government or governmental agency or department or person performing non-profit public services to the aircraft industry, or performing air search and rescue operations, or performing fire prevention or fire fighting operations.

XI. REFUSE

No person shall throw, dump or deposit any waste, refuse, hazardous material, or garbage on the Airport. All waste, refuse or garbage shall be placed and kept in closed garbage cans or containers, and all operating areas shall be kept in a safe, neat, clean



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and orderly manner at all times and in such a manner as to minimize hazards. No burning or dumping of waste materials (or hazardous materials) is permitted without prior coordination with the County. Operators will be responsible for cleaning refuse or litter in any part of the Airport in which they are allowed to operate. In the generation, storage and disposal of refuse or waste, all users of the Airport and all Operators shall comply with:

- A. Federal Superfund Amendments and Re-authorization Act (SARA), Title III, the Community Right-to-Know Act of 1986 (42 USC Section 9601 et seq.)
- B. California AB 2588 (Connelly), the Toxics Hot Spots Act of 1987, (Health and Safety Section 44300 et seq.)
- C. California AB 1807 (Tanner), Toxic Air Contaminants Act of 1984, (Health and Safety Code Section 39665 et seq.)
- D. Federal Clean Air Act (42 USC 7409 et seq.)
- E. Federal Clean Water Act (33 USC Section 1251 et seq.)
- F. Federal Occupational Safety and Health Act (15 USC Section 651 et seq.)
- G. Federal Toxic Substances Control Act Section (15 USC Section 2601 et seq.)
- H. Federal Insecticide, Fungicide and Rodenticide Act (7 USC Section 136 et seq.)
- I. Safe Drinking Water Act (42 USC Section 300 et seq.)



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J. All relevant local ordinances and guidelines

**XII. APPROVAL OF CONSTRUCTION**

No buildings, structures, tie-downs, ramps, paving, taxi areas, or any other improvements or additions on the Airport shall be placed or constructed on the Airport or altered or removed without the prior approval of the County. In the event of any construction, the County, at its discretion, may require an appropriate bond to guarantee the completion of the construction in accordance with the County's approval. The County shall determine whether proposed construction conforms to the Airport Layout Plan and make such recommendations as are necessary to bring proposed construction into conformance. FAA Form 7460-1. Notice of Proposed Construction or Alternation, shall be submitted to this office for all construction on the airport.

**XIII. CONCESSIONAIRES**

All concessionaires are required to enter into an agreement with the County and operate in accordance therewith. No right, privilege, permit or license to do business on the Airport shall be assigned, sold or otherwise transferred or conveyed in whole or in part without the prior consent of the County.

**XIV. PRIVATE PARTY (COMMERCIAL OPERATION) ALLOWANCE**

Notwithstanding any of the definitions, provisions, and rules of Sections I through XIII, the following shall apply.





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- A. The owner(s) of any aircraft based at the Airport may personally use the professional services of appropriately and currently licensed flight instructors and aviation mechanics and inspectors for her/his owned airplane(s).
- B. The service so performed must be personal in nature to the owner or the owner's airplane.
- C. The service so performed does not represent the de-facto establishment of an on-going commercial business.

**XV. AIRCRAFT OPERATIONS**

**A. Duties of the County**

The County shall regulate all activities for profit at the Airport including, but not limited to, maintenance and upkeep of the Airport, types and movement of vehicles used on the Airport, business and commercial activities, the provision of flight information, and the enforcement of Federal, State, and County rules and regulations.

**B. Compliance with Standards**

Persons operating aircraft on or about the Airport shall comply with these minimum standards, all relevant FAA rules and regulations, all relevant State and Local laws, and all other rules established by the County.

**C. Transient Aircraft**



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For transient aircraft staying overnight, there shall be a transient parking fee, the amount of which shall be determined by the County.

**D. Payment of Rents and Fees**

All rents and fees are set by Resolution of the County Board of Supervisors or by County approval of Commercial leases. Payments for County services will be paid as follows:

1. Fuel: At time of purchase or prepaid on Keylok account.
2. Transient Tiedown: Before aircraft departure.
3. Tiedown: Within fifteen days of receipt of quarterly billing or on the first of each calendar month. A five percent (5%) discount will be allowed for annual payment if paid within 30 days after receipt of July 1st billing.
4. Hangar Rental: Billed annually; can be paid annually, quarterly or monthly.
5. Land Use Agreements: Annually and within fifteen days of July 1 billing.
  - a. Land Use Agreements for Portable Hangars.
  - b. Land Use Agreements for Non "T" Portable Hangars.
6. Commercial Agreements: All are due and payable on the tenth of each month.



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- a. FBO Airport Use Agreement.
- b. Airport Use Agreement.

Unless payment or arrangements are made, the County shall pursue legal action pursuant to the applicable ordinance or law.

**E. Aircraft Maintenance**

An owner(s) of an aircraft(s) may perform maintenance upon owned aircraft providing such individuals observe the Storm Water Runoff Requirements (see Appendix B), and any work must be conducted so as to not create any hazard, unsightly appearance or nuisance to other aircraft, persons or operators upon the Airport.

**F. Engine Runup**

A person shall perform neither an engine runup nor prolonged engine test operations of aircraft in any area that would result in a hazard to other aircraft, persons or property. The County is authorized to establish and designate engine test areas.

**G. Parking and Security of Aircraft**

A person shall park aircraft only in an area on the Airport prescribed by the County. Aircraft shall not be left unattended on the Airport unless it is secured or within a



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hangar. Owners of such aircraft shall be held responsible for any damage resulting from failure to comply with this rule.

H. Securing of Loose Items

No person shall leave any item on the Airport ramps, taxiways, runway, or tie-down areas without securing it by means sufficient to avoid any unwanted movement.

**Primary Department:** Department of Transportation

**Reference:** Chapter 18 of the El Dorado County Ordinance.



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**APPENDIX A**

INSURANCE REQUIREMENTS FOR EL DORADO COUNTY AIRPORTS

Insurance Requirements for Airport Agreements  
(Specified by County Risk Management)

1. For flight school agreements, the minimum general and aircraft liability limits shall be \$500,000 with appropriate endorsements for permitted activities.
2. For maintenance and repair of airplane agreements, the minimum limit of liability shall be \$500,000 for general liability and sufficient limits of hangar keeper's liability (minimum of \$50,000) with appropriate endorsements for permitted activities.
3. For the above kinds of agreements, auto liability shall be at a minimum of \$300,000.
4. Aircraft Sales: General liability shall be at a minimum of \$500,000.
5. Worker's compensation must be obtained by the contractor if employees are used in the performance of the agreement per Labor Code Section 3700.
6. All insurance certificates are required to name the County as additional insured.



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**APPENDIX B**

**STORM WATER POLLUTION PREVENTION PLAN REQUIREMENTS  
FOR EL DORADO COUNTY AIRPORTS**

In order for the County to meet the standards established by the Federal EPA Storm Water Permit for Airports, the following requirements will be met. The goal of the Storm Water Pollution Prevention Plan is to prevent pollutants of all kinds from escaping into the Waters of the United States. These requirements are not optional, and large fines will be levied against the County Airports for non-compliance.

1. A drip pan sufficient to catch and contain all oil and fluids shall be used at all times while performing any service on the asphalt, dirt or hangar floors.
2. Some type of absorbent material must be readily available to soak up fluids and fuel that may be spilled. If a spill should occur, any residue on the pavement or dirt must be cleaned up immediately and disposed of off-site.
3. Tarp asphalt if solvent is used. All oils and fluids are to be kept inside or under some type of cover.
4. Used oil is to be put into oil recovery stations at the Airport (if available) or disposed of off Airport property at a recycler of your choice. No oil dumping on Airport property.



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5. Used hydraulic fluids, solvents or batteries are to be disposed of off Airport at a recycler of your choice. The County does not provide this service.
6. A broom is to be used after servicing to insure that any dirt or debris are not left on the paved surfaces.
7. Biodegradable materials are to be used when at all possible. Aircraft washing is to be done only with these type of cleaners.
8. Periodic inspections for compliance will be done as required by our Storm Water Permit. We are required by the State Water Quality Control Board to log/report any violations and show evidence in our annual report that the violations were addressed and corrective action was taken.
9. Continued violations by a commercial operator will require the operator to obtain an individual permit for her/his business at her/his own cost.



**COUNTY OF EL DORADO, CALIFORNIA  
BOARD OF SUPERVISORS POLICY**

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**APPENDIX C**

**AIRPORT SPECIAL USE AGREEMENT  
FOR TEMPORARY AERONAUTICAL ACTIVITIES**

**EL DORADO COUNTY AIRPORTS**

See the attached Airport Special Use Agreement.





**COUNTY OF EL DORADO, CALIFORNIA  
BOARD OF SUPERVISORS POLICY**

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**AIRPORT SPECIAL USE AGREEMENT**

The County of El Dorado permits the following activity(s) subject to the following information, terms and conditions:

1. LOCATION:

\_\_\_\_\_

\_\_\_\_\_  
Airport Operations Manager - (916) 622-0459

2. ORGANIZATION:

3. SPONSOR:

Name:

Address:

Telephone:

4. PERMITTED ACTIVITY(S):

5. TERM:



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BOARD OF SUPERVISORS POLICY

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6. INSURANCE REQUIREMENTS:

(See Appendix "A".)

7. COMPLIANCE WITH:

8. SPECIAL CONDITIONS:

\_\_\_\_\_, Sponsor, agrees to conduct the permitted activity in compliance with the above listed conditions. I acknowledge that the failure to abide by the conditions may cause immediate forfeiture by County of the permitted activity.

Dated: \_\_\_\_\_ Sponsor: \_\_\_\_\_

Dated: \_\_\_\_\_ County: \_\_\_\_\_



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**APPENDIX D**

MINIMUM REQUIREMENTS FOR  
NON-COMMERCIAL FLYING CLUBS

See Attached



**COUNTY OF EL DORADO, CALIFORNIA  
BOARD OF SUPERVISORS POLICY**

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**FLYING CLUBS**

In an effort to foster and promote flying for pleasure, develop skills in aeronautics, including pilotage, navigation, and an awareness and appreciation of aviation requirements and techniques, the category of Flying Clubs is added to the Minimum Standards for Commercial Aeronautical Activities.

All flying clubs desiring to base their aircraft and operate on the airport must comply with the applicable provisions of these Standards. However, they shall be exempt from commercial operator requirements upon satisfactory fulfillment of the conditions contained herein.

1. The club shall be a non-profit entity (corporation, association or partnership) organized for the express purpose of providing its members with an aircraft, for their personal use and enjoyment only. The ownership of the aircraft must be vested in the name of the flying club, or owned ratably by all of its members. The property rights of the members of the club shall be equal, and no part of the net earnings of the club will inure to the benefit of any member in any form (salaries, bonuses, etc.) The club may not derive greater revenue from the use of its aircraft than the amount necessary for the operations, maintenance, and replacement of its aircraft.
  
2. Flying clubs may not offer or conduct charter, air taxi, or rental of aircraft operations. They may not conduct aircraft flight instruction, except for regular members, and only members of the flying club may operate the aircraft. No flying club shall permit its aircraft to be utilized for the giving of



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flight instruction to any person, including members of the club owning the aircraft, when such person pays or becomes obligated to pay for such instructions, except when instruction is given by an authorized flight training operator for the airport where the flying club is based. Any qualified mechanic who is a registered member and part owner of the aircraft owned and operated by a flying club shall not be restricted from doing maintenance work on aircraft owned by the club. The club does not become obligated to pay for such maintenance work, except such mechanics and instructors may be compensated by credit against payment of dues or flight time.

3. All flying clubs and their members are prohibited from leasing or selling any goods or services whatsoever to any person or firm other than a member of such club at the Airport, except that said flying club may sell or exchange its capital equipment.
4. The Airport may require the flying club, with its permit request, to furnish the Airport Manager:
  - A copy of its charter and by-laws
  - Articles of association, partnership agreement, or other documentation supporting its existence (a roster, list of members, including names of officers and directors) to be revised on a semi-annual basis
  - Number and type of aircraft



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- Evidence that aircraft is/are property certificated
  - Evidence that ownership is vested in the club
  - Operating Rules of the club
5. A flying club, at any airport controlled by this same airport management shall abide by and comply with all Federal, State, and local laws, ordinances, Rules and Regulations of the Airports, and these Minimum Standards.
6. A flying club which violates any of the foregoing, or permits one or more members to do so, will be required to terminate all operations at all airports controlled by this airport management. A public hearing should be held for the purpose of considering such termination.