

Klamath Falls

Airport

General Aviation Operators

Minimum Standards

**Airport Minimum Standards
Table of Contents**

Purpose	1
Section 1 - Definitions	1
Section 2 - Authorization	2
Section 3 - Exclusive License Prohibited	3
Section 4 - Ground Lease	3
Section 5 - Fixed Base Operators Categories	3
Category A - Aviation Fuel Sales & Ramp Service	3
Category B - Flight Instruction & Aircraft Rent	5
Category C - Aircraft Charter & Air Taxi	6
Category D - Crop Dusting & Spraying	6
Category E - Aircraft Sales	7
Category F - Aircraft, Engine, Propeller & Accessory Maintenance	7
Category G - Radio & Instrument Maintenance, Repair, & Installation	8
Category H - Sale of Parts	8
Category I - Aircraft Painting	8
Section 6 - Non FBO'S	9
Category A - Hangar Keeper	9
Category B - Airport Tenants (Corp. & Private)	9
Category C - Flying Clubs	10
Category D - Nonpublic Aircraft Fuel or Oil Dispensing	10
Section 7 - Insurance	11
Section 8 - Variances	11
Section 9 - Disputes	11
Section 10 - Severability	11

Purpose

The following "Minimum Standards" and requirements for general aviation aeronautical activities have been established in the public interest for the safe and efficient operation of the airport to enhance orderly growth; to comply with Federal, State and local government legal requirements; and to provide information to parties operating or desiring to operate at the airport. These standards, in general, establish minimum levels of service that shall be offered in order to protect the public welfare and prohibit irresponsible, unsafe, or inadequate services. These standards also seek to improve the appearance of the airport, and promote increased business at the airport.

Section 1 - Definitions

The following terms used in the Minimum Standards are defined as Follows:

Aeronautical Activity - Any commercial activity which involves, makes possible, or is required for the operation of general aviation aircraft, or which contributes to or is required for the safety of such operations, but does not include activities of Air Carriers or the military.

Aeronautical Activity Provider - A commercial enterprise providing one or more aeronautical activities for the general aviation public as enumerated in these minimum standards.

Air Carriers - The commercial system of air transportation, consisting of the Certified Route Air Carriers, Supplemental Air Carriers, commercial operators of large aircraft and Air Travel Clubs, all using aircraft capable of carrying 60 or more passengers.

Aircraft Charter - The provision of aircraft for hire, with pilot, on an irregular or unscheduled basis in accordance with FAR Part 121.

Aircraft Rental - The rental of an aircraft without a pilot.

Aircraft Sales - An activity that results in the sale of five or more aircraft in a given year.

Air Taxi - The carriage in air commerce of persons or property for compensation or hire, on a demand basis, as a commercial operator (not an air carrier) in aircraft having a maximum seating capacity of less than 20 passengers or a maximum payload capacity of less than 6,000 pounds, or the carriage in air commerce of persons or property in common carriage operations solely between points entirely within any state of the United States in aircraft having a maximum seating capacity of 30 seats or less or a maximum payload capacity of 7,500 pounds or less. These operators operate in accordance with FAR Part 135.

Aviation Related Business - A business in which the service, product, or activity is directly used in the operation or service of aircraft.

City - The City of Klamath Falls.

Fixed Base Operator - An Aeronautical Activity Provider meeting specified minimum standards contained herein and providing one or more Aeronautical Activities for general aviation users.

Flying Club - An association of four or more pilots who collectively own, lease, or rent aircraft. Each club must be a non-profit corporation (in accordance with IRS rules) or partnership. Each member must be a bona fide stockholder in the corporation. The club's aircraft may not be used by other than bona fide members for rental and by no one for commercial operations as defined by these standards.

General Aviation - The following aviation activities: Use of aircraft for private, business, recreational or agricultural purposes, but not including Air Carriers or military activity.

Minimum Standards - The qualifications established by the City Council in this document as the minimum requirements to be met, as a condition for the right to conduct an Aeronautical Activity on the airport.

Non-Commercial Aviation Operation - A business or corporate group engaging in general aviation activity only for the private or internal purposes of such business or corporate enterprise and not offered as a commercial activity or service to the general public.

Operator - All tenants of the airport including but not limited to FBOs, non-FBOs, corporation and private tenants, flying clubs, aeronautical activity providers, and non-commercial aviation operations.

Person - Individual, partnership, joint venture, corporation, stock company, association, or any other business organization.

Ramp Service - The provision of minor services for aircraft including loading and unloading, cleaning, washing, adding oil, parking, and tying down of aircraft. Ramp Service may also include minor repairs performed on the ramp that can be completed in a reasonable period and that do not require major disassembly of aircraft.

Normal Business Hours - Those hours customary in the industry and necessary to adequately meet the service demands of the public.

Section 2 - Authorization

No Person, including an Aeronautical Service Provider, shall offer or perform a commercial Aeronautical Activity, operation, or service at the airport without written authority for such service, operation or activity having first been obtained from the Airport. Such authority will generally be contained in a lease, use agreement or license agreement, with the Airport. Aeronautical Activities of Scheduled Air Carriers and municipal, state and federal agencies shall be regulated under other appropriate regulations and agreements with the Airport. All such agreements shall meet all the requirements of the FAA Airport Compliance Requirements.

Section 3 - Exclusive License Prohibited

No lease, use agreement or license agreement for exclusive rights to provide an aeronautical activity, service, or operation at the airport shall be issued by the Airport, unless such leases, use agreements or license agreements are permitted by law. The Airport, with approval by City Council may grant leases, use agreements or license agreements to other persons for the performance of services as provided in these standards, provided that said person complies with the minimum requirements as set forth in these standards and there is land available, properly developed and served, for such purposes.

Section 4 - Ground Lease, Management Agreements, Sublease and Structures

- A. Operators who are required by the nature of the Aeronautical Activity at the airport who desire, or who are required by these Minimum Standards to provide or obtain ground space and to occupy structures at the airport for such activities, shall enter into a lease or license agreement with the Airport for rental or management of such land and/or structure on such terms and provisions as the Airport shall require provided however the terms and provisions of the agreement(s), shall not be arbitrarily discriminatory to the lessee or manager in the case of a management agreement.

- B. Operators may also meet these minimum standards by subleasing for space or services from other operators on the airport. All sublease agreements must first be approved by the Airport and proposals shall be evaluated against, and guided by, these Minimum Standards.

- C. The Airport shall allocate ground space to lessees in accordance with the Airport's policies, Airport Master Plan and land use plans adopted by the City for airport development. Such leases or license agreements shall operate as a permit to engage in the specified Aeronautical Activity.

- D. All structures erected at the airport shall comply with all applicable building regulations, including fire, electrical and plumbing codes. Structural and architectural design of all structures and signs shall be subject to written approval of the Airport, except as may be expressly agreed otherwise in writing by the Airport.

- E. Termination of Lessee's ground lease or license agreement without other satisfactory arrangements for ground use having been made with the Airport shall automatically revoke the license or permit for all Aeronautical activity, service or operation at the airport.

Section 5 - Fixed Base Operator Categories

This section describes the categories of Aeronautical Activity Providers or Fixed Base Operators (FBO) that are permitted to conduct commercial Aeronautical Activity, and to have a leasehold or license agreement. An FBO may combine any or all of the categories below except as noted under Category A, Subsection A.4. Additional FBO Services Required.

- A. **Category A - Aviation Fuel Sales and/or Fuel Distribution and Ramp Service**

A Fixed Base Operator in this category shall comply with all the minimum standards, and provide all of the Aeronautical Activities, hereinafter listed:

1. **Aircraft Fuel Sales:** Administer, operate aviation fueling facilities, and sell appropriate aviation fuels to the public.
2. **Aircraft Fuel Distribution:** Administer, operate aviation fueling facilities, and distribute aviation fuels to corporate or commercial aviation users.
3. **Ramp service:** Provide Ramp Service for the general aviation public, air carriers, and other persons and firms. Ramp Service shall include facilities for tie-down or other storage of aircraft and minor repairs performed on the ramp that can be completed in a reasonable period and that do not require major disassembly of aircraft, and may include services such as aircraft cleaning, towing, oxygen servicing, etc.
4. **Additional FBO Services Required:** In addition to providing fuel, a Category A FBO is required to meet the standards of and provide at least two other categories of FBO Services.
5. **Land Area:** Lease from the Airport sufficient land on which to locate intended storage and dispensing equipment, buildings, aircraft parking area, tie-downs, auto parking, taxiways, apron or other facilities. Where such facilities are provided by other arrangement approved by the Airport such lease area may be reduced accordingly.
6. **Building Area:** Construct, lease or otherwise have available at least one building, conveniently located incorporating properly lighted and heated floor space and office, and provide for public and customer use, a waiting area, rest rooms, and public telephone.
7. **Personnel:** Have personnel available during normal business hours adequately trained to operate fuel dispensing equipment in accordance with all applicable local, state and Federal laws.
8. **Requirements for Fueling:**
 - (a) **Fueling Areas:** Designate a specific area(s) for aircraft fueling and mark such areas (NO SMOKING, etc.) (See NFPA 407 and FAA Advisory Circular 150/5230-4)
 - (b) **Fueling Systems:** Maintain separate fueling systems for each grade of fuel provided including separate tanks, filters, pumps and hoses.
 - (c) **Grounding:** Provide and use adequate grounding (see uniform fire code NFPA 407 Article 24, 1985 ED) facilities in each fueling area and utilize such grounding facilities during all fueling operations.

(d) Fire Extinguishers: Provide fire extinguishers in all fueling areas and on all mobile fueling equipment in accordance with NFPA and FAA Standards (see subsection g below). Each extinguisher shall be checked and recharged if necessary, every month.

(e) Fuel Filters: Fuel filters shall be changed in accordance with the fuel pump and filter manufacturers standards.

(f) Types of Fuel: Provide at least two types of approved aviation fuel (jet fuel and aviation gasoline).

(g) Standards: Comply with all Federal, State, and local fuel storage and fuel handling requirements, including but not limited to, the Uniform Fire Code Part 4, CFR 40 Part 112, FAA AC00-34A, and FAA AC150/5230-4.

(h) Tank Capacity: Provide at least 10,000 gallons of fixed (permanent) tank capacity for each type of fuel provided.

(i) Fueling Safety, Standards and Spills: Comply with federal and state requirements relating to spills, spill prevention and other standards as promulgated by the City.

(j) Fuel Reporting: Provide a monthly fuel report to the Airport no later than 30 days following the end of the month.

(k) Fueling Fee: The current applicable fuel flowage fee shall be paid to the Airport monthly for all fuel dispensed under this category.

B. Category B - Flight Instruction and Aircraft Rental

A Fixed Base Operator in this category shall comply with all the minimum standards, and provide all of the Aeronautical Activities, hereinafter listed:

1. Have staff reasonably available during normal business hours.
2. Provide and at all times maintain at least one aircraft owned or leased by and under the exclusive control of this fixed base operator which is properly equipped and which meets all FAA requirements for flight instruction and rental.
3. Lease from the Airport sufficient land on which to locate all necessary improvements and parking space for customers and to provide classroom and/or office space. Customary accommodations for the convenience of users, including a pilot waiting area, rest rooms, informational services (such as connections to the flight service stations and United States Weather bureau) and public telephone service will also be provided.

4. Provide at least one flight instructor who holds appropriate and current FAA certificates and ratings.
5. Take steps to ensure that customers operating rental aircraft meet all relevant FAA requirements.

C. Category C - Aircraft Charter and Air Taxi

A fixed Base Operator in this category shall comply with all the minimum standards, and provide all of the Aeronautical Activities, hereinafter listed:

1. Have personnel available during normal business hours and have available a minimum of one FAA certificated pilot who meets all applicable requirements of FAR Part 135.
2. Lease from the Airport sufficient land on which to locate all necessary improvements, including aircraft tie downs and automobile parking, and provide (for the convenience of passengers) a waiting area, rest rooms, public telephone, etc. in a building or in space rented from the Airport.
3. Provide satisfactory arrangements for the checking in of passengers, handling of luggage and ground transportation, etc..
4. Provide and at all times maintain at least one (1) airworthy aircraft owned or leased by and under the exclusive control of this Fixed Base Operator, properly equipped for air charter or air taxi service.

D. Category D - Crop Dusting and Spraying

A Fixed Base Operator in this category shall comply with all applicable Federal and State standards and with these minimum standards, and provide all of the Aeronautical Activities hereinafter listed:

1. Furnish suitable facilities for the safe loading, unloading, storage and containment of hazardous chemical materials.
2. The aircraft shall be suitably equipped for agricultural operations with adequate safeguards against spillage or accidental discharge of chemical spray mixtures or materials on runways and taxiways or dispersal by wind force to operational areas of the airport. The pilot shall have appropriate and current Federal Aviation Administration pilot and medical certificates and state authorizations.
3. Lease from the Airport adequate land upon which to locate all necessary improvements including a hazardous waste spill containment system, an area for use as a shop or storage space, and provide adequate vehicle parking.

4. Any hazardous materials handled, loaded and or stored shall at all times, be handled in accordance with State, Federal, County, City, laws, rules and regulations. The leased premises by the licensee shall be surrounded with a 6 foot high, chain-linked fence or similar barricade to prevent entry and improved general appearance. Any garbage or rubbish which contains or contained agricultural spray chemicals shall not be stored on the Airport Premises and shall be disposed of by the licensee off the airport premises in a lawful manner. No incinerator or open burning is permitted on Airport property for such disposal.

E. Category E - Aircraft Sales

A Fixed Base Operator in this category shall comply with all the minimum standards, and provide all of the Aeronautical Activities hereinafter listed:

1. Have sales personnel reasonably available during normal business hours.
2. Have a minimum of one (1) fully qualified demonstrator pilot employee with current and appropriate Federal Aviation Administration pilot and medical certificates.
3. Lease from the Airport sufficient land on which to locate all necessary improvements, including staff and customer parking, and office space.
4. FBO shall be registered with the State of Oregon Aeronautics Division annually in compliance with state statute, and shall comply with applicable laws governing aircraft dealers during the term of the lease.

F. Category F - Aircraft, Engine, Propeller, and Accessory Maintenance

A Fixed Base Operator in this category shall comply with the following minimum standards, and provide all of the Aeronautical Activities hereinafter listed:

1. Lease from the Airport sufficient land upon which to locate all necessary improvements including a hangar, shop storage and office space and provide adequate parking for customers and staff.
2. Furnish facilities and equipment for airframe, power plant, or accessory repairs with at least one duly Federal Aviation Administration certificated A&P Mechanic and such other personnel as may be necessary.
3. Have personnel available during normal business hours.

G. Category G - Radio and Instrument Maintenance, Repair, and Installation

A Fixed Base Operator in this category shall comply with all the minimum standards, and provide all of the Aeronautical Activities hereinafter listed:

1. Lease from the Airport sufficient land on which to locate all necessary improvements including a shop and storage space and to provide adequate parking for customers and staff.
2. Have available during normal business hours, FAA certificated technicians in the field of aircraft electronics and/or aircraft instruments with proper Federal Communications Commission license to conduct complete aircraft transmitter, receiver and antenna repair.
3. Provide satisfactory arrangements for access to and storage of aircraft being worked on.

H. Category H - Sale of Parts

A Fixed Base Operator in this category shall comply with all the minimum standards, and provide all of the Aeronautical Activities herein after listed:

1. Lease from the Airport land sufficient to provide staff and customer parking, office space, customer waiting area, and inventory storage.
2. No repairs shall be permitted on the premises, or elsewhere on the airport, unless licensed under categories F. or G. above.
3. Have available during normal business hours personnel to sell aircraft parts.

I. Category I - Aircraft Painting

Fixed Base Operators in this category shall comply with all minimum standards contained within this document and provide all of the Aeronautical Activities herein after listed:

1. Lease from the Airport sufficient land on which to locate all necessary improvements including a hangar, shop storage, office space, and auto parking for customers and staff.
2. Comply with all state and federal regulations regarding painting and the storage of painting materials including OSHA, environmental and fire regulations.
3. Any hazardous materials handled, loaded and stored shall at all times be handled in accordance with State, Federal, City, laws, rules and regulations.
4. Any garbage or rubbish which contains painting chemicals shall not be stored on the airport premises and shall be disposed of by the licensee off the airport premises in a lawful manner. No incineration or open burning is permitted on Airport property for such disposal.
5. Have personnel reasonably available during normal business hours.

Section 6 - Non-FBOs

Included within this section are descriptions of aviation related activities which may have a leasehold but which are not FBOs and may not conduct commercial Aeronautical Activities.

A. Category A - Hangar Keeper

An airport tenant in this category shall comply with all of the applicable minimum standards contained herein and:

1. Lease from the Airport sufficient land for lessees exclusive use which shall be improved in accordance with applicable development standards and use restrictions pertaining to the airport.
2. Sublease hangar space and tie-down area to general aviation for the purpose of storing aircraft. Non-aviation related uses shall not be permitted.
3. Provide access to all hangars to Airport Personnel for the purpose of inspection. Provide to the Airport Director upon request, but not less than twice a year, a listing of all aircraft stored by type and N-Number.
4. A person who leases a hangar or has a long-term sublease for joint hangar space for no more than one other aircraft shall not be considered a hangar keeper under this Category.

B. Category B - Airport Tenant - Corporate & Private

An airport tenant in this category shall comply with all of the applicable minimum standards contained herein and:

1. Lease from the Airport sufficient land for lessee's exclusive use which shall be improved in accordance with applicable development standards and use restrictions pertaining to the airport.
2. Conduct only Non-Commercial Aviation Operations and are prohibited from engaging in any of the activities of Aeronautical Activity Providers, Air Commuter Service or Air Carriers, defined elsewhere in these standards, unless specifically approved by the Airport.

C. Category C - Flying Clubs

An airport tenant in this category shall comply with all of the minimum standards contained herein. The following pertains to all flying clubs desiring to base their aircraft on the airport.

1. Each club must be a non-profit corporation or partnership as defined by the IRS. Each member must be a bona fide stockholder in the corporation. The club shall file and keep current with the Airport Director a complete list of the club's membership.

2. The club's aircraft shall not be used by other than bona fide members for rental and by no one for commercial Aeronautical Activities. This shall not preclude demonstration flights given by bona fide club members for the purpose of recruiting new members. Instruction can be given in club aircraft to club members provided such instruction is given by an instructor employed by a category B FBO on the airport who provides flight instruction or by an instructor who is a bona fide member or employee of the club.
3. Aircraft maintenance performed shall be limited to aircraft owned or leased by the club.
4. Lease from the Airport sufficient land for the Club's use which when improved shall be in accordance with applicable development standards and use restrictions pertaining to the airport.

D. Category D - Nonpublic Aircraft Fuel Or Oil

Any person, firm or corporation operating aircraft on the airport may dispense air craft fuel or oil into aircraft they own, lease for use, or manage, subject to the provision of this section.

1. Self-fueling operations must be conducted in compliance with all applicable Federal, State, and local rules and regulations.
2. Self-fueling operations may be conducted only by the Aircraft Operator or his/her employees.
3. Self-fueling operations may be conducted only on premises the Aircraft Operator has leased or subleased from the Airport at the airport or on areas specifically designed for aircraft refueling.
4. No fuel may be dispensed into any aircraft other than those owned, leased, or controlled by the Aircraft Operator.
5. The current applicable fuel flowage fee shall be paid on all fuel dispensed under this category, with the exception of those operators who use less than 500 gallons of fuel per year.

Section 7 - Insurance

{Rick to add language}

Section 8 - Variances

Variances from the requirements herein may only be granted by the Airport for good cause. Any person aggrieved by the action of the Airport in granting or denying the variance may appeal to the City Council.

Section 9 - Disputes

Any questions, grievances or disputes involving the interpretation or application of these standards shall first be presented in writing to the Airport Director. Within ten days the Airport Director shall provide a written response. If the requesting party is not satisfied with the Airport Directors' response, they may, within ten days of the date of the responses mailing, file a written appeal to the City Council. Such appeal shall specify the grounds for the objection. The City Council shall consider the matter at its next regularly scheduled meeting.

Section 10 - Severability

The sections and subsections of these minimum standards are hereby declared severable, and the invalidity of any one section or subsection, word, paragraph or sentence shall not effect the validity of the remaining sections, subsections, words, sentences or paragraphs.