



Date of Council Meeting: February 9, 2016

**TOWN OF LEESBURG
TOWN COUNCIL MEETING**

Subject: Airport Rules, Regulations, and Minimum Standards

Staff Contact: Scott Coffman, Airport Manager
Barbara Notar, Town Attorney

Council Action Requested: Approve revisions to the Airport Rules, Regulations, and Minimum Standards.

Staff Recommendation: Staff recommends revising the Airport Rules, Regulations, and Minimum Standards. See attached document.

Commission Recommendation: The Leesburg Airport Commission endorsed revisions to the Airport Rules, Regulations, and Minimum Standards at its regular meeting on December 10, 2015. See attached document.

Fiscal Impact: No direct fiscal impact. Minimum Standards dictate the minimum facilities for aviation businesses to operate on the airport.

Work Plan Impact: None.

Executive Summary: The Airport Commission initiated a review of the Airport Rules, Regulations, and Minimum Standards in order ensure the requirements are reasonable to the current needs of the commercial aviation businesses and airport users. A review of the document was completed by staff and Airport Commissioners.

Key issues addressed in the revisions include hangar size requirements from which Fixed Base Operators provide aircraft maintenance services, and the operation of self-serve aircraft refueling facilities. Minimum insurance requirements were updated in consultation with the Town's insurance advisor. Some elements were changed to reflect current business models and to encourage new aviation businesses such as air charter.

Keeping the airport's rules, regulations, and minimum standards relevant and enforced is important to insure compliance with the Federal Aviation Administration's Sponsor Assurances, the Federal Aviation Regulations, and the Commonwealth of Virginia Department of Aviation policies. The proposed document is attached for review and consideration.

Background: The objective of rules and minimum standards is to promote safety in all airport activities, protect airport users from unlicensed and unauthorized products and services, maintain

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and enhance the availability of adequate services for all airport users, promote the orderly development of airport land, and ensure efficiency of operations. The FAA recommends airports develop rules and minimum standards to comply with grant assurances and similar property conveyance obligations to make the airport available for public use on reasonable conditions and without unjust discrimination.

Leesburg Executive Airport
Rules, Regulations, and Minimum Standards

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CHAPTER ONE

GENERAL PROVISIONS

PURPOSE

These regulations prescribe the rules, regulations and minimum standards for the management, government and conduct of commercial aeronautical activities or activities (for profit and nonprofit) to be conducted by organizations at Leesburg Executive Airport and specify certain clauses which will be included in lease/concession agreements permitting the conduct of such activities. These rules, regulations and minimum standards are hereinafter referred to as Minimum Standards.

INTRODUCTION

Prudent and proper administration requires that regulations and standards be established to ensure that aeronautical activity at the Airport is conducted in the public interest and provides protection from irresponsible and unsafe operations. Minimum operation and design standards assures that the minimum acceptable qualifications of participants, level and quality of service, and other conditions which will be required of those proposing to conduct aeronautical activities at the Airport be established. The requirement to impose standards on those proposing to conduct commercial aeronautical activities on a public airport provides protection to the public from irresponsible, unsafe or inadequate service.

The adoption and enforcement of such standards insures that the operator is reasonably fit, willing and able to discharge both its service obligations to its patrons and its economic obligations to the airport community and thereby protect established commercial enterprises, the aviation user and the public.

The standards established for any particular commercial aeronautical activity must be relevant to that activity, must be reasonable in scope and will be applied objectively and uniformly. Standards thus established and applied promote economic stability by discouraging unqualified applicants and foster the level of services desired by the public and the Leesburg Executive Airport Commission.

POLICY REGARDING THE CONDUCT OF COMMERCIAL AERONAUTICAL ACTIVITIES

It is the policy of the Leesburg ~~Municipal~~ Executive Airport Commission to extend the opportunity to engage in commercial aeronautical activities to any entity meeting its published standards for that activity subject to availability of suitable space at the Airport

to conduct such activities. The Airport's Master Plan and Development Program provide the basis for determining whether suitable space is available.

DEFINITIONS

The definitions and rules of construction provided in Section 1-2 of the Town Code shall apply to these minimum standards. Additionally, the following words and terms shall have the meaning indicated below, unless the context clearly requires otherwise:

- A. "Aircraft":
Aeronautical devices including, but not limited to powered aircraft, gliders, kites, helicopters, gyrocopters, parachuting, ground-effect machines and balloons.
- B. "Aircraft Maintenance": The repair, adjustment or inspection of aircraft.
 - 1. Major Repairs - Major alterations to the airframe, power plant, propeller and accessories as defined in Part 43 of the Federal Aviation Regulations.
 - 2. Minor Repairs - Normal, routine annual inspection with attendant maintenance, repair, calibration or adjustment or repair of aircraft and their accessories.
- C. "Airport": the Leesburg Executive Airport and all of the area, buildings, facilities and improvements within the exterior boundaries of such airport as it now exists or as it may hereafter be extended or enlarged.
- D. "Airport Director": the officer appointed pursuant to Section 2.1-4 of the Town Code.
- E. "Airport Manager": the person or corporation empowered with airport management responsibilities pursuant to a management agreement authorized by the Airport Commission and the Leesburg Town Council.
- F. "Airport Commission": the body created by Section 2.1-2 of the Town Code.
- G. "Building":
Includes the main portion of each structure, all projections or extensions therefrom and any additions or changes thereto, and shall include garages, outside platforms and docks, carports, canopies, eaves and porches. Paving, ground cover, fences, signs and landscaping shall not be included.
- H. "Commercial Aeronautical Activity":
Any commercial 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. Such activities include, but are not limited to, scheduled airline operations, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air taxi/charter operations, aircraft sales and services, sale of aviation petroleum products, repair and maintenance of aircraft and the sale of aircraft parts.

I. "Entity":

A person, firm, corporation, partnership formed for the purpose of conducting the proposed activity.

J. "Equipment":

All machinery, together with the necessary supplies for the upkeep and maintenance and all tools and apparatus necessary to the proper construction and completion of the work.

K. "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 may be conferred either by express agreement, by imposition of unreasonable standards or requirements, or by any other means. Such a right conferred on one or more parties by excluding others from enjoying or exercising a similar right or rights would be an exclusive right.

The granting of an exclusive right to conduct a commercial aeronautical activity on an Airport developed or improved with Federal funds is expressly forbidden by law.

L. "FAA": the Federal Aviation Administration.

M. "FAR": Federal Aviation Regulations.

N. "Improvements":

All buildings, structures and facilities including pavement, fencing, signs and landscaping constructed, installed or placed on, under or above any leased area by or with the concurrence of a lessee. Plans and specifications for all improvements must be approved by the Town and Commission for conformity with its building and construction standards.

O. "Lease":

A contractual agreement between the Town and an entity granting a concession or otherwise authorizing the conduct of certain activities, which is in writing and enforceable by law.

P. "Operator (FBO)":

Any entity (Fixed Based Operator) as defined herein duly licensed and authorized to operate at the Airport providing one or more of the services described in the section Minimum Standards for Aeronautical Activity.

Q. "Repair Facility":

A facility utilized for the repair of aircraft to include airframes, power plants, propellers, radios, instruments, and accessories. Such facility will require Federal Aviation Administration certification and will be operated in accordance with pertinent Federal Aviation Administration Regulations.

R. "Sublease":

A lease granted by a lessee to another entity of all or part of the property.

S. "Town":

The Town of Leesburg (Review approvals by the Town shall rest with the Town Council or their designated body or administrator).

T. "Tenant":

Any entity entering into a contractual relationship with the Commission and/or Town for space to conduct its business.

U. "Tie-Down":

A paved area suitable for parking and mooring of aircraft wherein suitable tie-down points have been located.

V. "IFR": Instrument Flight Rules.

W. "VFR": Visual Flight Rules.

X. "~~VDADOAV~~": Virginia Department of Aviation

MINIMUM STANDARDS

All aeronautical activities at the Airport, all operation and flying of aircraft at the Airport and all business and other activities at the Airport shall be conducted in conformity with these minimum standards, and all pertinent rules, regulations, orders and rulings of the FAA and the ~~VDADOAV~~, as appropriate, which are made a part of these minimum standards by this reference. In the event of any conflict between these minimum standards and any law, rule, regulation or order of any governmental agency cited in this section exercising the same or similar jurisdiction, the latter shall prevail.

AIRPORT DIRECTOR AND MANAGER

The Airport Director and Airport Manager are authorized to take all actions necessary for the handling, policing, protection and safeguarding of the public while present at the Airport, to regulate vehicular traffic at the Airport and to oversee all airport operations consistent with these rules and regulations, and the Town and State Codes, including the power of arrest provided in Section 5.1-21.1 of the Code of Virginia.

SPECIAL EVENTS

No special event, including but not limited to air shows, air races, fly-ins, skydiving or other similar events requiring the general use of the Airport, other than normal or routine airport traffic, shall be held unless a permit for same has been issued by the ~~Airport Commission~~Town of Leesburg. Said permit shall specify the areas of the Airport authorized for such special use, dates and such other terms and conditions as the Airport ~~Commission~~ may require.

PUBLIC USE

The Airport shall be open for public use at all hours of the day, subject to regulations or restrictions due to weather, the conditions of the landing area, the presentation of special events and like causes, as may be determined by the Airport Director and revocation of the right of use, for violation of these minimum standards as herein provided.

COMMON USE AREAS

All runways for landing and take-off; all runway, marker, guidance, signal and beacon lights used to guide operating aircraft; all apparatus or equipment for disseminating weather and wind information, for signaling, for radio-directional finding or for radio or other electrical communication and any other structure, equipment or mechanism having a similar purpose for guiding or controlling flight in the air or the landing and take-off of aircraft; and together with such aprons, ramps, turnoffs, transient tie-down areas and taxiways (unless otherwise noted) shall be considered common use areas available for use, in common, by all persons flying or operating aircraft on the Airport and shall be kept clear and available for aircraft traffic. No FBO or other person shall use any common use areas for the permanent parking, storing or repairing of aircraft or for any other purposed other than the flying and operation of aircraft without the prior consent or authorization of the Airport Director. Common use designations may be changed from time to time by Airport Commission resolution. All such changes shall be noted on the common use area map herein referred to. The Town shall be advised of all such changes.

VEHICULAR TRAFFIC AND PARKING

The traffic laws provided in Chapter 10 of the Town Code shall apply to the streets, roads and vehicular parking areas at the Airport, unless otherwise provided by law. Except for fire-fighting equipment, ambulance and emergency vehicles, no person shall take or drive any vehicle on the Airport, other than on established streets, roads and vehicular parking facilities, unless permissions has been first obtained from the Airport Director or Airport Manager.

ADVERTISING AND SIGNS

No signs or other advertising shall be placed or constructed upon the Airport, or any building or structure or improvement thereon without having first obtained a permit for same from the Airport Director. The Airport Director shall refuse permission for such signs if he finds that such are undesirable, unnecessary or may create a safety hazard. Additionally, signs shall be subject to applicable Town Ordinance as well as these minimum standards and requirements. The Airport Commission may hear and decide appeals to the decision of the Airport Director where permits for signs or advertising are denied.

ACCEPTANCE OF MIMIMUM STANDARDS BY USE

The use of the Airport or any of its facilities in any manner shall constitute an assumption by the user of these minimum standards and shall create an obligation on the part of the user to abide by and obey these minimum standards. Flight instructors shall have the duty

to fully acquaint their students with these minimum standards and shall be responsible for the conduct of students under their direction. When a student is flying solo, it shall be his responsibility to comply with all applicable rules and regulations.

OPERATORS TO KEEP MINIMUM STANDARDS AVAILABLE

All persons licensed to do business on or conducting operations of any kind on the Airport shall keep a current copy of these minimum standards prominently posted in their office or place of business, and available to all persons.

CHAPTER TWO

AIRCRAFT OPERATION AND AIRPORT TRAFFIC RULES AND REGULATIONS

GENERAL

- A. Every person operating an aircraft shall comply with and operate such aircraft in conformity with these minimum standards, and all pertinent rules, regulations, orders and rulings of the FAA and VDA-DOAV and other appropriate governmental agencies.
- B. As an uncontrolled airport, all pilots of aircraft having radio equipment permitting two-way communications shall contact the Airport Unicom (122.80975) to obtain airport advisory information when they are within the airport traffic area. Pilots having radios permitting reception only shall maintain a listening watch on the Unicom frequency at the Airport when they are within the airport traffic area. All aircraft within a five-mile radius of the Airport should conform to these minimum standards.
- C. The attached traffic pattern chart is made a part of these minimum standards, and every person operating an aircraft shall comply therewith.
- D. In the event any aircraft is wrecked or damaged to the extent that it cannot be moved under its own power, the Airport Director and Airport Manager shall be immediately notified. Subject to governmental investigations and inspections of the wreckage, the owner or pilot of the wrecked or damaged aircraft, or the owner's agent or legal representative shall, as soon as reasonably possible, obtain the necessary permission for removal of the aircraft and thereupon shall promptly remove such aircraft from all landing areas, taxi-strips, ramps, tie-down area and all other traffic areas, and place or store where designated by the Airport Manager. No such wrecked or damaged aircraft shall be permitted to remain exposed to the general public on the Airport for more than 24 hours. In the event the owner of the aircraft fails for any reason to remove promptly the wrecked or damaged aircraft from the Airport as may be requested by the Airport Manager the Airport Manager may cause the removal and storage or disposal of such wrecked or damaged aircraft at the expense of the aircraft owner.

GROUND RULES

- A. No person shall park, store, tie down or leave any aircraft on any area of the Airport other than that prescribed by the Airport Commission.
- B. No aircraft shall be parked or stored at the Airport unless it is properly tied down and secured. Aircraft owners are solely responsible for parking and tying down their aircraft, including any special security measures required by weather conditions or other conditions at the Airport. Aircraft owners shall also be responsible for securing aircraft in a manner necessary to avoid damage to other

aircraft or buildings at the Airport in the event of winds or other severe weather. Owners of all aircraft shall be held solely responsible for any damage or loss resulting from the failure of such owner or the pilot of such aircraft to comply with this standard. The Town's sole obligation, unless otherwise provided by any FBO lease agreement, shall be the maintenance of the aircraft parking space, exclusive of tie-down ropes and grass surfaces. The Town will not guarantee grass areas to be suitable for aircraft tie-downs. Unless otherwise provided for in the lease agreement, the individual leases shall be responsible for maintaining (i.e. cutting grass, snow removal, etc) their leased areas.

- C. A specific tie-down space shall be assigned by the Airport Manager to each aircraft renting on a monthly basis. Separate areas shall be designated by the Airport Commission for FBO aircraft and itinerant tie-downs. No person shall take or use any aircraft anchoring or tie-down facilities when such facilities are already in actual use by or rented to another person.
- D. No repairs to aircraft or engines or oil changes shall be made in tie-down spaces or on any apron (except in designated areas).
- E. No aircraft engine shall be started on an aircraft unless a competent operator is in control of the aircraft and brakes have been set or the wheels have been set with blocks that are equipped with ropes or other suitable means for removing such blocks.
- F. The engine shall be started, warmed up and run only in places designated for such purposes by the Airport Manager. No aircraft engine shall be run-up unless the aircraft is in such a position that the propeller or jet blast clears all hangars, shops other buildings, persons, other aircraft and automobiles or vehicles in the area, and the flight path of landing aircraft. Engine run-ups for purpose of maintenance activities shall not be performed between the hours of 10:00pm and 6:30am.
- G. Each operator shall be responsible for the removal of snow and ice from all its leased area and areas in which it is authorized to operate, and shall keep its leased areas in which it is authorized to operate free and clear of all weeds, rocks, debris and other material which is unsightly or could cause damage to aircraft, buildings, persons or vehicles as the result of aircraft engine operation.

FEES AND OTHER CHARGES

(This section shall apply to common use and non-FBO-leased areas only)

- ~~A.~~ Charges for tie-down space shall be established from time to time by Airport Commission resolution. Charges are payable in advance by the fifth day of the month. Monthly charges shall be pro-rated to the nearest one-half month for new rentals. ~~There is an additional \$5 charge for late payments made after the fifth of the month. For new accounts, a special \$5 additional charge shall be paid with the first month's rental.~~
- ~~B.A.~~ The Airport Commission shall, from time to time, establish fees for services in addition to aircraft tie-downs such as hangar rentals, fuel and lubricant

charges, landing fees and other services provided by the Town to airport users and FBOs when not in conflict with any lease agreement or law.

TAXIING

- A. All aircraft shall be taxied at a low and reasonable speed and, if not equipped with adequate brakes, shall be towed by tractor.
- B. Aircraft awaiting take-off shall stop at designated hold lines off the runway in use and in a position so as to have a direct view of aircraft approaching for a landing and shall give full right-of-way to such aircraft.
- C. No person shall taxi an aircraft until he has ascertained that there will be no danger of collision with any person or object in the immediate area by visual inspection of the area and, when available, through information furnished by airport attendants.
- D. Aircraft on the taxiway must stop before entering the runway and allow aircraft, which are exiting main runway at intersection or far end to the runway to clear the runway. Aircraft clearing the runway after landing have the right-of-way over aircraft on the taxiway preparing to enter the runway.

TRAFFIC RULES

- A. All pre-takeoff checks must be completed before taxiing to takeoff position. Takeoff will be made immediately after taxiing onto the runway.
- B. All aircraft taking off shall proceed on runway heading to an altitude of at least 500 feet above the surface prior to making turns.
- ~~B. All aircraft taking off shall proceed straight ahead to an altitude of at least 500 feet above the surface and after ascertaining there is not danger of collision with other aircraft, shall then execute an 90 degree left turn leaving Runway 17 and a 90 degree right turn leaving from Runway 35 at a horizontal distance not less than 1,000 feet from the end of the runway.~~
- C. All aircraft intending to remain in the traffic pattern shall continue to climb to the traffic altitude of 800 feet AGL after the first 90 degree turn and shall thereafter follow the pattern as set forth on the attached traffic pattern chart.
- D. Aircraft having flight characteristics which make the above procedure impractical shall be flown at approach altitudes for type of aircraft but shall conform to the pattern shown as nearly as possible.
- E. Touch-and-go landings and take-offs are prohibited when more than 2 aircraft are operating in the traffic pattern.
- ~~E. Touch-and-go landings and take-offs will be permitted only at such times as may be designated by the Airport Commission and will not be allowed on weekends or national holidays (unless traffic is very light).~~

- F. All IFR approaches in VFR weather conditions should be terminated before pattern area, and the IFR aircraft should circle the field at normal pattern altitude and enter the normal pattern.
- G. Aircraft on IFR clearances should not assume that they have priority over VFR aircraft, and they must maintain vigilance for VFR flights in or near the pattern of the field.

LANDINGS

- A. Aircraft entering the traffic pattern shall do so at an angle of 45 degrees on the downwind leg and at an altitude of 800 feet above the surface, or as prescribed for type of aircraft on the traffic pattern.
- B. Except in the cases of permitted touch-and-go landings and take-offs, all aircraft shall turn off the runway as soon as reasonably possible after landings and taxi only on designated taxiways.

FIRE REGULATIONS

The following shall apply, except where either insurance requirements or applicable codes differ, in which case the latter shall prevail.

- A. No aircraft shall be fueled or drained while its engine is running, or while in a hangar or other enclosed place. Fueling shall be done in such a manner and with such equipment that adequate connections for grounding-bonding of electricity shall be continuously maintained during such time.
- B. Any FBO providing fuel service shall provide service to individual aircraft with trained personnel employed by the FBO. Individual aircraft operators shall not use FBO equipment to fuel their own aircraft. Equipment, operation and maintenance of fueling facilities shall be in accordance with National Fire Protection Association guidelines and recommendation as published in NFPA 10, 30, 70, 77, 385, 409, 415 & 418. FAA Advisory Circular 150/5230-3 Fire Prevention During Aircraft Fueling Operations and 150/5230-4 Aircraft Fuel Storage, Handling and Dispensing On Airports is incorporated by reference.
- C. The cleaning of power plants or other parts of aircraft shall not be carried on in any hangar, except with non-flammable substance. If flammable liquids shall be employed for this purpose, the operation shall be carried on in the open air.
- D. All persons using in any way the airport area or the facilities of the Airport shall exercise the utmost care to guard against fire and injury to persons or property.
- E. All hangar and shop floors shall be kept clean and free from oil, gas and other flammable substances. No volatile flammable solvent shall be used for cleaning floors. No rags soiled with flammable substances shall be kept or stored in any building on the Airport in such a manner as to create any fire hazard. F. No person shall smoke or ignite any matches, flares, lighters or other objects which produce an open flame within a hangar, shop, building or structure in which any aircraft is or may be stored, or in which any aircraft is or may be stored or within 50 feet of any aircraft or any fueling facilities.

FEDERAL AVIATION ADMINISTRATION GRANT ASSURANCES

- A. Nothing contained in these Rules, Regulations and Minimum Standards shall be interpreted in any manner so as to violate any FAA/Sponsor Assurances for AIP grant funding.
- B. Applicable sections of the PART V ASSURANCES-AIRPORT AND PLANNING AGENCY SPONSORS shall be considered a part of these Rules, Regulations and Minimum Standards by reference.

CHAPTER THREE

AIRPORT OPERATORS, LEASES AND CONCESSIONS

BUSINESS ACTIVITIES

Subject to applicable orders, certificates or permits of the FAA, or its successor, grant agreements with the FAA and the laws of the Commonwealth of Virginia, no person shall use the Airport or any portion thereof or any of its improvements or facilities for commercial, business or aeronautical activities who has not first complied with these minimum standards and obtained the consent and all required permits and licenses for such activities from the Town or Airport Commission as appropriate, and entered into such written leases and other agreements prescribed by the Town or agreed upon by the Town and such person. Notwithstanding any other provision of these minimum standards where a conflict exists between these minimum standards and any operator lease agreement now or hereafter approved by the Town, the requirements of the latter shall prevail.

All applicants for an operator's license will specify the activities, which he desires to conduct on the Airport. An Operator who has been issued a license shall conduct only those services for which he has been granted a license. Licenses must be renewed annually and license fees are due on or before July 1 of each fiscal year.

APPLICATION FOR LEASE NOT SUBJECT TO FRANCHISE STATUTE

Applications for leases of ground on the Airport, or for permission to carry on any commercial, business or aeronautical activity at the Airport, which do not fall within the terms of Section ~~15.1-307~~[15.2-2100](#), et seq., of the Code of Virginia, shall be made to the Town on forms prescribed by it. The Town shall, as soon as practicable, refer such application to the Airport Commission for consideration. The Airport Commission may, if it deems advisable, have a public hearing upon the receipt of the application. The applicant shall submit all information and material necessary or requested by the Town or the Airport Commission to establish to the satisfaction of the respective bodies that the applicant can qualify and will comply with these minimum standards. The application shall contain a statement of the names of every party owning an interest in the business, those who will be managing the business, the sole proprietor or every partner of the partnership, or each director and officer of the corporation as the case may be, and such application shall be signed by such persons who shall have authority to do so under the laws of the Commonwealth of Virginia. The Airport Commission shall, as soon as practicable, and not to exceed 45 days, make a recommendation to the Town concerning such application. The Town, after receipt of such recommendation by the Airport Commission, shall take such action as it deems appropriate, which may include acceptance or rejection, or denial or modification of such application. The Town shall render a decision on the application within 90 days of its original submittal to the Town.

APPLICATIONS FOR LEASE SUBJECT TO FRANCHISE STATUTE

The Town shall refer all proposals to the Airport Commission for leases of ground on the Airport or for permission to carry on any commercial business or aeronautical activity at

the Airport, which fall within the terms of the aforementioned Section ~~15.1-307~~15.2-2100, et seq., of the Code of Virginia. As soon as practicable, and not to exceed 90 days, the Airport Commission shall recommend to the Town such action, as they deem advisable on the proposal. After receipt of the recommendations of the Airport Commission, the Town shall take such action as it deems appropriate with respect to such proposal, including acceptance, rejection, denial or modification, to the extent permitted by the law.

The Town shall decide any proposal made pursuant to this section within 120 days from the bid opening date for such proposals.

VIRGINIA DEPARTMENT OF AVIATION APPROVAL

All lease agreements on the Airport shall be reviewed and approved by the Virginia Department of Aviation in accordance with Section 5.1-40, et seq, of the Code of Virginia.

ACTION ON APPLICATION

The Town may deny any application or reject any bid or proposal as the case may be, if, in its opinion, it finds any one or more of the following:

The applicant for any reason does not meet the qualification, standards and requirements established by these minimum standards; or

- A. The applicant's proposed operations or construction will create a safety hazard on the Airport; or
- B. The granting of the application will require the Town to spend Town funds, or to supply labor or materials in connection with the proposed operations to an extent which the Town is unwilling to enter into such arrangement; or the operation will result in a financial loss to the Town; or
- C. 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 applications; or
- D. The proposed operation, airport development or construction does not comply with the Master Plan of the Airport; or
- E. The development or use of the area requested by the applicant will result in depriving existing operator's of portions of the area in which they are operating; or will result in a congestion of aircraft or buildings; or will result in unduly interfering with the operations of any present FBO on the Airport through problems in connection with aircraft traffic or service, or preventing free access to the operator's area; or
- F. Any party applying, or interested in the business, has supplied the Airport Commission with any false information or has misrepresented any material fact in his application or in supporting documents; or has failed to make full disclosure on his application or in supporting documents; or
- G. Any party applying, or interested in the business, has a record of violating these rules and regulations, or the rules and regulations of any other airport, or the

Federal Aviation Regulations or any other minimum standards applicable to the Airport; or

- H. Any party applying, or interested in the business, has defaulted in the performance of any lease or other agreement with the Town; or
- I. Any party applying, or interested in the business, has a credit report which contains derogatory information and does not appear to be a person of satisfactory business responsibility and reputation; or
- J. The applicant does not appear to have, or have access to the operating funds necessary to conduct the proposed operation for a minimum period of six months; or
- K. Any party applying or interested in the business has been convicted of any crime or violation of any Town ordinance of such a nature that it indicates to the Town that the applicant would not be a desirable operator on the Airport.
- L. Nothing contained herein shall be constructed to prohibit the Town from granting or denying, for any reason it deems sufficient, any 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, or the application by a person for an area on the Airport for the personal non-profit use of such person.

SUPPORTING DOCUMENTS

Applicants shall furnish evidence of organizational and financial capability to provide the proposed activities as may be requested by the Town or Commission.

All applicants shall submit the following supporting documents to the Town, together with such other documents and information as may be requested by the Town or the Airport Commission:

- A. A current financial statement prepared or certified by an independent certified public accountant, and certified by the chief financial officer(s) of the applicant, or by the proprietor.
- B. A written listing of the assets owned or being purchased, which will be used in the business on the Airport.
- C. A current credit report covering all area in which the applicant has done business during the last ten years.
- D. A written authorization for the FAA and all aviation or aeronautic commissions, administrators, or departments of all states in which the applicant has engaged in aviation business to supply the Town with all information in their files relating to the applicant or his operation. The applicant shall execute such forms, releases and discharges as may be requested by any of these agencies.

No person may conduct commercial aeronautical activities at the Airport until an agreement, incorporating the applicable standards set forth herein, is approved by the Airport Commission and executed by the Town Council, establishing airport space lease terms, rental amounts and other terms and conditions required by the Town and the

Airport Commission; has met the qualifications, standards and requirements of these minimum standards; and has paid the required fees and received an operator's license from the Airport Commission. Before any person is issued an operator's license, he shall pay to the Town the license fee prescribed in Section 2.1-6 of the Town Code for the applicable service to be conducted by the Operator, except that such fees may be waived for 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.

Each Operator approved shall enter into an agreement with the Town which includes an agreement on the part of the Operator to accept, be bound by, comply with and conduct his business operations in accordance with these minimum standards and to agree that his license and authority to carry on business at the Airport shall be subject to the terms and conditions set out in these minimum standards and the revocation or termination thereof as herein provided.

Each Operator shall, upon being authorized by the Airport Commission and as the construction of any required physical facilities permits, immediately commence and conduct on a full-time basis all business activities and services authorized.

Unless otherwise provided in the lease agreement with the Town, the Operator shall, at its own expense, provide, construct, install, equip and maintain all utilities, buildings, structures, ramps, tie-down areas, taxi-ways, fences and all other facilities and improvements requested or approved by the Town and Airport Commission as being advisable and necessary for the Operator to carry on the activities or services authorized by the Town and Airport Commission. Facility maintenance shall include maintaining all grassed areas (i.e. cutting grass) and all snow removal. The Town may, at its discretion, provide Town assistance in the development of the operation area.

The Operator shall promptly pay, when due, all charges for water, sewer, power, telephone service and all other utilities and services supplied to his operation at the Airport; and all wages or salaries and all rentals, fees and payments payable to the Town.

Unless otherwise provided by the Airport Commission, all operations of the Operator shall be conducted on one area of sufficient size to accommodate all services for which the operator is licensed, allowing for future growth and additional services as contemplated by the Airport Commission, or the applicant, at the time of application, to the extent, however, that space is available at the Airport. The Operator shall carry on its business operations strictly within the areas assigned it by the Airport Commission and its operations shall not in any way interfere with: the operations of the other Operator's; agencies or other business operating on the Airport; the use of the Airport by the general public; or with any common use areas. The Operator shall not use any common use areas except as authorized by these minimum standards or the Airport Commission.

For an Operator to qualify for a license, it must have available sufficient operating funds to conduct the proposed business for a period of at least six (6) months.

An Operator shall cooperate with the Airport Commission and Director in the operation, management and control of the Airport and shall do all things reasonable to advance or

promote the Airport and aeronautical activities thereon and to develop the Airport into an attractive, efficient and modern facility.

All complaints against any Operator for violation of these minimum standards shall be filed with the Airport Director and made in writing, signed by the party submitting the complaint and specifying dates, times and witnesses, if any. The Airport Director shall forward such correspondence to the Airport Commission as soon as practicable.

The Operator agrees to indemnify, defend, and save the Town, its authorized agents, officers, representatives and employees from and against any and all actions, penalties, liability, claims, demands, damages, or loss resulting from claims or court actions, whether civil, criminal or in equity, and arising directly or indirectly out of acts of omissions of the Operator, its agents, employees, servants, guests, or business visitors.

To guarantee performance of paragraph above, the Operator shall secure, at its expense, public liability and property damage insurance on which the Town shall be named as an additional insured. Such policies of insurance shall be maintained in full force and effect during all terms of existing leases, agreements or business licenses or renewals or extensions thereof. Such policies shall be in minimum amounts, as specified herein in the minimum standards for each category of aeronautical activity, and shall be placed with a reputable company approved by the Town. Copies of all such policies of insurance shall be delivered to the Town and shall be held for the benefit of the parties as their respective interests may appear. The amounts of said insurance shall not be deemed a limitation on the Operator's liability to the Town and if the Town or any of its authorized agents, officers, representatives or employees becomes liable for an amount in excess of the insurance, the Operator will save and hold them harmless for the whole thereof.

AIRPORT LICENSE AND LEASES NON-TRANSFERABLE

No right, privilege, permit or license to do business at the Airport, or any lease of any area of the Airport or a part thereof shall be assigned, sold or otherwise transferred or conveyed in whole or in part without the prior express written consent of the Town. No lease, or portion thereof, may be assigned or sublet without prior approval of the Town and all assignees or sub-leases as approved by the Town shall comply with these minimum standards.

EFFECT ON EXISTING LEASES

Leases in effect at the time these standards are adopted shall be "Grandfathered" to the extent that existing operators shall not be required to institute any changes required in these standards which will detract from their profitability; however, any new services or new construction of facilities by existing operators is subject to these new standards. Existing leases shall be required to uphold those standards on which their original leases were contingent. All new leases, new lease agreements and lease renewals entered into at the Airport after adoption of these minimum standards shall be required to comply with these minimum standards.

OPERATOR APPROVAL NOT REQUIRED

The Town may, without the consent or approval of any Operator/FBO or other person licensed to do business or use part of the Airport, make changes in the Master Plan of the Airport and its planning and policies in connection with the development of the Airport.

OPERATION AREA

No person authorized to operate or conduct business activities at the Airport shall do so on any area except those specified by the lease agreement, or approved by the Airport Commission.

REFUSE

No person shall throw, dump or deposit any waste, refuse or garbage on the Airport. All waste, refuse or garbage shall be placed and kept in closed garbage cans or containers (i.e. commercial dumpsters) and all operating areas shall be kept in a safe, neat, clean and orderly manner at all times and in such a manner as to minimize any hazards.

ACTS OF GOD

Nothing contained in these rules and regulations shall be constructed as requiring the Town to maintain, repair, restore or replace any structure, improvement or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the Town.

PENALTIES

In addition to any penalties otherwise provided by Town ordinance, law, the Virginia Department of Aviation or the Federal Aviation Regulations, and all other rules and regulations and the FAA, any person violating these minimum standards may be promptly removed or ejected, either temporarily or permanently, from the Airport by the Airport Director. The Airport Commission may hear and decide appeals from the persons so removed in accordance with this chapter. The Airport Director shall, in writing, within 7 days of any such removal or ejection, render to the person removed or ejected under this section, a letter to his last known mailing address delineating the specific violation of these minimum standards which necessitated such removal. The Airport Commission may hear appeals submitted by any person or persons so removed or ejected, within 10 days of their receipt of such letter from the Airport Director. The decision of the Airport Commission shall be final.

GOVERNMENT AGREEMENTS

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WAR OR NATIONAL EMERGENCY

During time of war or national emergency, the Town shall have the right to lease the Airport, or the landing area, or any part thereof to the United States Government for military or naval use, and, any license or authority granted under these rules and any lease and agreement executed pursuant hereto shall be subject to such government lease and the provisions of the government lease shall control insofar as they are inconsistent with the said operators agreement, lease or authority.

LEASES SUBORDINATE TO GOVERNMENT LEASE

Any license, authority, lease or agreement entered into pursuant to these regulations shall be subject and subordinate to the provisions of any existing or future agreement between the Town and the Commonwealth of Virginia or the United States, relative to the operation or the maintenance of the Airport, the execution of which has been or may be required as a conditioned precedent to the expenditure of federal funds for the development of the Airport.

LEASE TERMINATION

The Town may, at its discretion and with thirty (30) days notice, terminate any lease or other agreement authorizing the Operator to conduct any services or businesses at the Airport, which said termination shall automatically revoke the Operator's license, for any cause or reason provided in these rules and regulations, or by the law, and in addition thereto, upon the happening of any one or more of the following:

- A. Filing of a petition voluntarily or involuntarily, for the adjudication of the Operator as bankrupt.
- B. The making by the Operator of any general assignment for the benefit of creditors.
- C. The abandonment or discontinuance of any permitted operation at the Airport by the Operator or the failure to conduct them on a full time basis without the prior approval of the Town and the Airport Commission.
- D. The failure of the Operator to remedy any default or breach of violations by its personnel in keeping, observing, performing, and complying with these minimum standards and the terms, covenants and conditions in any lease or agreement entered into pursuant hereto on the part of the Operator to be performed, kept or preserved, within 30 days from the date written notice from the Airport Manager has been mailed or delivered to the place of business of the FBO at the Airport.
- E. The failure to promptly pay to the Town, when due, all rents, charges, fees and other payments which are payable to the Town by the Operator.
- F. The Operator, or any partner, officer, director, employee or agent thereof commits any of the following violations:
 - a. Violates any of these minimum standards; or
 - b. Engages in unsafe or abnormal or reckless practices in the operation of an aircraft on or in the vicinity of the Airport, which creates a hazard to the safety of other airport users, other aircraft, or the general public, or endangers property, or which could, if an emergency developed foreseeably result in causing personal injuries or death to a person or damage to property; or
 - c. Operates the business of the Operator in such a fashion as to create a safety hazard on the Airport for other airport users, aircraft or property at

the Airport, the general public or the Airport, or any pilots, students or passengers.

- d. The discovery that the Operator, through its application, supporting documents, statements before the Airport Commission or Town, has misrepresented, misstated, falsified, or failed to make full disclosure of any information related to its application for an Operator license or lease agreement with the Town.

In the event of such termination, the Operator shall forthwith peaceably vacate the Airport and surrender possession of the premises to the Town and cease and desist all business operations at the Airport. Should the Operator fail to make such surrender, the Town shall have the right at once and without further notice to the Operator, to enter and take full possession of the space occupied by the Operator at the Airport by force or otherwise, and with or without legal process to expel, oust and remove any and all parties and any and all goods and chattels not belonging to the Town that may be found within or upon the same at the expense of the Operator hereunder shall cease, and the Operator shall immediately vacate any space occupied by it under this agreement or any lease or leases and shall make no claim of any kind whatsoever against the Town, its agents or representatives by reason of such termination or any act incident thereto.

In addition to all other rights and remedies provided in these rules, the Town shall have any and all other rights and remedies in law or in equity, including the equitable remedy of injunction, to enforce these rules and regulations, to obtain compliance herewith and to impose the penalties herein provided.

To the extent necessary to protect the rights and interest of the Town or to investigate compliance with the terms of these rules and regulations, the Airport Commission, Airport Director or any authorized agent of the Town shall have the right to inspect at all reasonable times all airport premises together with all structures or improvements and all aircraft equipment and all licenses and registrations.

Each operator shall be responsible for the removal of snow and ice from all its leased area and areas in which it is authorized to operate, and shall keep its leased areas and areas in which it is authorized to operate free and clear of all weeds, rocks, debris and other material which is unsightly or could cause damage to aircraft, buildings, persons or vehicles as the result of aircraft engine operation.

The operator shall park and store the aircraft used in its operations and its customers' aircraft on its assigned area only, unless arrangements for such parking with another operator, or the Airport Commission are made.

WAIVER OF THESE PROVISIONS

The Town Council may in its discretion, waive all or any portion of these minimum standards for the benefit of any government or governmental agency performing non-profit public services to the aircraft industry, or performing air search and rescue operations, or performing fire prevention or fire fighting operations, but only to the extent permitted by the rules of the FAA and the laws of the Commonwealth of Virginia.

LEASE CLAUSES

The following clauses will be included in all lease and concession agreements authorizing commercial aeronautical activities at the Airport.

- A. In addition to the premises specifically designated for its exclusive use, this Agreement grants lessee the non-exclusive right to use the airfield and associated operational areas in common with others so authorized, which right shall be exercised in accordance with the laws of the United States of America and the State of Virginia, the rules and regulations promulgated by their authority with reference to aviation and air navigation, and all pertinent directives, rules and regulations of the Town of Leesburg and the Airport Commission.
- B. Lessee shall keep and maintain at the Airport, or at such other place as may be approved in writing by the Commission, true and accurate books and records of its operations under the terms of any Agreement, in a form satisfactory to the Commission. Such books and records as well as certified financial statements, reports of any external audits prepared for lessee and its income tax return, shall be made available to the Commission. Such books and records as well as certified financial statements, reports and any external audits prepared for lessee and its income tax return, shall be made available to the Commission or to the Commissions independent auditors, at the Airport, for inspection and copying at reasonable business hours during the term of any Agreement and for two (2) years thereafter.
- C. Lessee shall furnish its services on a fair, reasonable, and non-discriminatory basis to all its customers at the Airport and shall file a rate schedule for services provided with the Airport Commission.
- D. Lessee shall maintain at its own expense all necessary permits and licenses required in the conduct of its business at the Airport.
- E. Lessee shall at all times retain qualified and competent personnel to conduct its authorized activities and said personnel shall be authorized to represent and act for lessee.
- F. Lessee shall observe and obey all laws, ordinances, rules and regulations of the United States and of the State of Virginia, Loudoun County and the Town of Leesburg which may be applicable to its operations at the Airport, and shall make no unlawful or offensive use of the leased premises.
- G. Lessee shall bear all costs of its operation at the Airport and shall pay, in addition to the concession fees and payments herein, all other costs connected with the operation of said business including, but not limited to, insurance and taxes. Lessee shall be responsible for payment of such Town lease taxes as may be applicable.
- H. Lessee shall provide the Commission a schedule of the hours of operation that lessee will be open to the public and the names and telephone numbers of company officials who shall be available at all hours of company's operations at the Airport to perform required management functions.

- I. Lessee shall conform to all applicable safety, health, and sanitary codes and agrees to cooperate with the Town in its Fire Prevention efforts and to provide for the participation of its employees when Fire Prevention and Emergency training is conducted by the Town of Leesburg.
- J. Lessee is and shall be deemed to be an independent contractor in the conduct of its business and activities hereunder, and shall be responsible for all persons for its acts of omission or commission and the Town shall in no way be responsible therefore. In the use of the Airport lessee shall indemnify and save harmless the Town of Leesburg, its agents and employees, from any all liability that may proximately result because of any negligence on the part of lessee's officers, agents, or employees.
- K. Lessee shall furnish a payment guarantee in the form of a Performance Bond, Cashier's Check, Certified Check, Money Order, or an irrevocable Letter of Credit from a bank for a specified period, in an amount to cover its anticipated obligations for a six-month period and as security for the full and faithful performance and observance by lessee of the terms, covenants, and conditions of this Agreement.
- L. Lessee shall not discriminate in any manner against any employee or applicant for employment because of political or religious opinion or affiliation, sex, race, creed, color or national origin; and further, lessee shall include a similar clause in all subcontracts, except subcontractors for standard commercial supplies or raw materials.
- M. Lessee shall notify the Commission if it intends to base, or regularly service, any aircraft or service vehicles (i.e. fueling tenders/trucks) whose weight exceeds the design strength of the pavement utilized by the vehicle's operations. Notice shall be given at least 60 days prior to the commencement of operations. The Commission may require the lessee to make improvements necessary to accommodate these larger wheel loadings.
- N. Lessee shall cooperate and respond to questionnaires and inquiries by the FAA, ~~VDA-DOAV~~ and Town.
- O. Minority Business Enterprise Clauses - The following provision will be included in all leases: The lessee assures that it will undertake an affirmative action program as required by 14 CFR 152, Subpart E, to insure that no person shall on the grounds of race, creed, color, national origin or sex be excluded from participating in any employment activities covered in 14 CFR Part 152, Subpart E. The lessee assures that no person shall be excluded on these grounds from participating in or receiving the services or benefits of any program or activity covered by this subpart. The lessee assures that it will require that its covered suborganizations provide assurances to them that they similarly will undertake affirmative action programs and that they will require assurances from their suborganizations, as required by that subpart.

CHAPTER FOUR

MINIMUM STANDARDS FOR AERONAUTICAL ACTIVITIES

These minimum standards have been developed to establish requirements for specific services, which may be provided at Leesburg ~~Municipal~~Executive Airport.

GENERAL REQUIREMENTS

1. The minimum space requirements stipulated herein may be wholly or partially satisfied within suitable existing or planned structures at the Airport either through a lease of such space from the Town or a sublease of such space with the permission of the Town.
2. Preliminary plans and specifications for construction of any improvements required to satisfy these minimum standards shall be approved in writing by the Commission prior to formalization of a lease with the applicant.
3. All persons required herein to possess FAA and State of Virginia licenses, certificates and ratings shall maintain the currency of such licenses, certificates and ratings.
4. With the exception of authorized repair facilities, lessees shall be authorized to conduct owner authorized or routine maintenance on their own aircraft and then only in buildings meeting the minimum standards of this chapter - "Airframe and Power Plant Repair". Owner Authorized or Routine Maintenance for the purpose of this paragraph is defined as maintenance that can be performed with ordinary hand tools and which can be performed by an owner not holding a FAA A&P license. Special tools and equipment such as air compressors, drill press and other power tools may not be used. Spray painting is prohibited.
5. The requirement to provide paved ramp tie-down facilities may be waived should the Commission, in its sole discretion, conclude that construction of such facilities for the common use of operators would better provide for the conduct of related operations.
6. Handicapped parking shall be provided as required by local ordinance in addition to each individual activity minimum-parking requirement.

CONTENT OF STANDARDS

Although a financial commitment is a prime concern in establishing standards for a potential commercial operator, other elements are equally important and are incorporated into the standards for commercial aeronautical activities. These include:

- A. Suitable space, improvements or facilities.
- B. Adequate fixtures and equipment.
- C. Adequate staff of employees with skills, licenses and certifications appropriate to the proposed activities.

- D. Specified hours of operation.
- E. Compliance with safety, health and sanitary codes.
- F. Evidence of financial stability and good credit.
- G. Minimum levels of insurance and liability coverage.

MINIMUM STANDARDS

- A. The following standards have been developed after consideration of the above elements with special attention to their applicability at Leesburg Municipal Executive Airport. The standards set forth are applicable to the specific commercial aeronautical activity or combination of activities addressed and must be met by any applicant desiring to conduct such activities at the Airport.
- B. The standards set forth herein are the minimum which the Commission will require in agreements authorizing commercial aeronautical activities, and unless specifically limited, do not preclude the applicant from seeking greater operating authority.
- C. Nothing contained in these minimum standards is intended to preclude the Commission from requiring additional or different terms or conditions for the conduct of a proposed commercial aeronautical activity which may be reasonable or expedient in the opinion of the Commission.

INSURANCE REQUIREMENTS FOR ALL ACTIVITIES

All lessees shall procure and maintain as a minimum the insurance as described below.

- A. Comprehensive Airport General Liability: including products and completed operations: \$1,000,000.00 combined single limit or an amount acceptable to the Airport Manager-
- B. Hangar Keepers Legal Liability (if applicable): \$ 250,000.00 each aircraft \$500,000.00 each occurrence or an amount of the combined value of all aircraft in the care, custody, and control.
- C. Aircraft Liability (if applicable): \$1,000,000.00 combined single limit including passengers
- D. Automobile Liability (if applicable): \$ 1,0500,000.00 combined single limit
- ~~D.~~-E. Workers Compensation: as required by law;
- E. Employers Liability (if applicable): \$500,000 limits of liability
- F. ~~Employer's Liability(if applicable): \$100,000.00 limits of liability~~
- G. Environmental Liability (if applicable): \$1,000,000 each incident

The Town of Leesburg is to be included as an additional insured in (A) above with a 10 day notice of cancellation.

Comment [SC1]: Limits reviewed/updated by Town's insurance consultant.

FULL SERVICE FBO-AIRCRAFT FUEL, STORAGE AND MAINTENANCE SERVICES

GENERAL

An aircraft fuel, storage and maintenance service operation is an entity providing services which include: the sale and into-plane delivery of recognized brands of aviation fuel, lubricants and other related aviation petroleum products; the servicing of aircraft, ramp assistance, and the parking, storage, and tie-down of aircraft; and providing one or a combination of airframe and power plant repair services. This category of commercial aeronautical service will also include the sale of aircraft, parts and accessories. This category shall be referred to as a "Full Service FBO"

MINIMUM STANDARDS

1. GROUND SPACE AND IMPROVEMENTS:

- A. Lessee shall lease from the Town an area of land on which shall exist or be erected a hangar-type building (~~5,000~~ 12,500 S.F. minimum) to provide: 1) sufficient hangar space for airframe and power plant repair services (10,000 S.F. minimum), and if contemplated, to include a segregated painting area (500 S.F. minimum) meeting local and State industrial code requirements; 2) hangar(s) or additional space (~~5,02,500~~ 500-2,500 S.F. minimum) within the above mentioned hangar sufficient to store 2-aircraft; and 3) adequate office and customer facilities with a minimum of 500-2,500 square feet with sufficient accommodations for passengers and crew of transient aircraft and visitors, to include heating and air conditioning, and sanitary restrooms, and public telephone. Such public space shall be leased, if required by the Commission, in a central general aviation terminal building.
- B. Lessee shall provide a paved aircraft apron (~~2,500~~ 9,000 S.F. minimum) within the leased area to accommodate movement of aircraft from its facility to the taxiway complex. This requirement may be waived by the Commission for other ~~amentities~~ amenities if existing site conditions permit.
- ~~C.~~ Lessee shall provide or lease a paved area sufficient to park at least 10 aircraft with adequate tie-down facilities and pavement access to taxiways. Grounding rods shall be required at all fueling locations for safe and efficient servicing of all classes of aircraft it proposes to service.
- C. Lessee shall provide or lease ~~underground~~ above ground fuel storage tanks at the Airport which will maintain an adequate supply of fuel of the grades required by the aviation users at the Airport on-hand at all times. Underground ~~Above ground~~ fuel storage tanks of at least 12,000-gallon storage capacity shall be located in approved areas and fuel delivered into aircraft by truck (fueler) or at designated fueling stations by trained personnel employed by the FBO providing the service stations. Individual aircraft operators shall not use FBO equipment to fuel aircraft. Any FBO providing fuel service shall provide service to individual aircraft with trained personnel employed by the FBO.
- D. The Town may authorize Self-Service Fueling operations to a Full-Service FBO if such facilities are constructed in a manner and location consistent with the

Comment [SC2]: Comparison of local airport FBO hangar sqft requirements:
Manassas- 10,000 total & 3,000 A&P
Stafford- 10,000 total & 5,000 A&P
Chesterfield – 10,000 A&P
Martin State – A&P Piston-6,000, Turbo-10,000, Jet-14,000.
Warrenton- "a maintenance hangar"

Comment [SC3]: Comparison of FBO lobby sqft requirements:
Manassas- 6,000 lobby
Stafford- 1,000 lobby
Chesterfield- 1,040 lobby
Martin State- none specified
Warrenton- 150 lobby

Comment [SC4]: NFPA 407, 5.4 – States that grounding is no longer permitted. (only bonding fuel truck to aircraft)

approved Airport Layout Plan. Lessee may not install Self-Service Fueling equipment without providing full service Fueling service to the public. Self Service Fueling is the dispensing of Fuel by a pilot into an Aircraft from a pump installed for that purpose. A Self-Service Fueling facility is for public use. The Fueling facility may or may not be attended by the Full-Service FBO that owns and operates the equipment.

- E. Lessee shall provide adequate paved customer auto parking space (15 space minimum) and a paved walkway to accommodate pedestrian access to its facility. Employee spaces shall also be provided (one space per employee shift) The Commission, at its discretion, may waive this provision for payment of an equivalent amount toward centralized parking facilities.
- F. Equipment, operation and maintenance of the fueling facilities shall be in accordance with National Fire Protection Association recommendations as published in NFPA 10, 30, 70, 77, 385, 409, 415, & 418.
- G. Equipment, operation and maintenance of the fueling facilities shall be in accordance with applicable Regulations for the Control and Abatement of Air Pollution, the State Water Control Board, and the Environmental Protection Agency Resource Conservation and Recovery Act. Lessee shall be responsible for full compliance with these regulations including all reporting requirements.

2. SCOPE OF SERVICE:

- A. Lessee shall provide aviation fuel and oil dispensing service during the required operating hours. Such services will be available to customers within fifteen minutes of arrival or request.
- B. Lessee shall provide minor repair and cabin services to all types of aircraft using its facilities as can be performed efficiently on the ramp or tie-down areas, as permitted by Airport Rules and Regulations. Such services will be available on a continuous basis.
- C. Lessee shall provide airframe and power plant service during the required operating hours. Coverage may be reduced during evenings and weekends upon the approval of the Commission, provided a reasonable on-call capability is confirmed.
- D. Lessee shall provide sufficient uniformed, efficient and trained personnel on duty during appropriate business hours, as necessary to meet the minimum standards set forth in this category of service. These persons will be currently certified by FAA with current ratings appropriate to the work being performed.
- E. Lessee shall provide an employee to be in attendance in the facility office at all times during the required operating hours.
- F. Lessee shall provide, or lease with approval of Commission, and will maintain mobile pumping equipment for each grade of fuel dispensed with separate dispensing pumps and meters to efficiently service all aircraft normally using its facilities. Stationary fueling facilities located in approved fueling areas may be

used in lieu of or in addition to providing mobile equipment; however, the lessee shall provide trained personnel to deliver fuel into aircraft. Individual aircraft operators shall not use FBO equipment to fuel their own aircraft.

- G. Lessee shall provide suitable tractors, tow bars, jacks, dollies and other equipment as might be necessary to remove the largest type aircraft that normally would be expected to utilize its service at the Airport, tools, tire repairing equipment, energizers and starters, heaters, oxygen supplies, fire extinguishers and passenger loading steps as appropriate and necessary.
- H. Lessee shall establish and publish its hours of operation. Services shall be available, at a minimum, between the hours of 0800 and 1900 local time, five days a week and seven days a week for fuel. Lessee shall also provide assistance in moving aircraft into and out of its hangar (s) and provide fueling services between the hours of 1900 and 0800 if requested in advance by an aircraft operator.

AIRFRAME AND POWER PLANT REPAIR

GENERAL:

An airframe and power plant repair facility operator is an entity providing one or a combination of airframe and power plant repair services. This category of commercial aeronautical service will also include the sale of aircraft parts and accessories.

MINIMUM STANDARDS:

1. GROUND SPACE AND IMPROVEMENTS:

- A. Lessee shall lease from the Town an area of land on which shall exist or be erected a hangar-type building (~~5,000~~10,000 S.F. minimum) to provide: 1) sufficient hangar space for airframe and power plant repair services (10,000 S.F. minimum), and if contemplated, to include a segregated painting area (500 S.F. minimum) meeting local and State industrial code requirements; and 2) adequate floor space (500 S.F. minimum) for office, customer lounge and restrooms which shall be properly heated, air conditioned and lighted, ~~and provided with telephone facilities for customer use~~. Such public space shall be leased, if required by the Commission, in a central general aviation terminal building.
- B. Lessee shall provide a paved aircraft apron (2,500 S.F. minimum) within the leased area to accommodate aircraft movement from its facility to the other areas of the Airport. This requirement may be waived by the Commission for other amenities if existing site conditions permits.
- ~~C.~~ Lessee shall provide or lease a paved area sufficient to park ~~2-4~~4 aircraft (~~75,000~~ S.F. minimum), with adequate tie-down facilities and with paved access to taxiways. ~~Grounding rods shall be required at all fueling locations to be used for aircraft servicing.~~
- ~~D.C.~~ Lessee shall provide adequate paved customer auto parking space (10 space minimum) and a paved walkway to

Comment [SC5]: We've required ProJet to dedicate 10,000 sq ft to maintenance activity. Some airports have a lower requirement for an stand-alone A&P shops who do not sell fuel.

Comment [SC6]: 5,000 sq ft would accommodate 4 parked single engine aircraft

accommodate pedestrian access to its facility. Employee spaces shall also be provided (one space per employee shift). The Commission, at its discretion, may waive this provision for payment of an equivalent amount toward centralized parking facilities.

2. SCOPE OF SERVICE:

- A. Lessee shall provide sufficient uniformed, efficient and trained personnel in such numbers as are required to meet the minimum standards set forth in this category. These persons will be currently certified by FAA with current ratings appropriate to the work being performed.
- B. Lessee shall provide suitable tractors, tow bars, jacks, dollies and other equipment as might be necessary to remove the largest type aircraft that normally would be expected to utilize its service at the Airport.
- C. Lessee shall establish and publish its hours of operation. Services shall be available, at a minimum, between the hours of 0800 and 1630 local time, five days a week.

AVIONICS, OR INSTRUMENT OR PROPELLER REPAIR

GENERAL:

An avionics, instrument or propeller repair facility operator is an entity engaged in the business of and providing a facility for the repair of aircraft radios or instruments, or propellers for aircraft. This category includes the sale of aircraft parts and accessories of the type repaired.

MINIMUM STANDARDS:

1. GROUND SPACE AND IMPROVEMENTS:

- A. Lessee shall lease from the Town an area of land on which shall exist or be erected a hangar-type building (~~2,500~~3,000 S.F. minimum) to provide: 1) sufficient floor space (~~4,000~~3,000 S.F. minimum) for avionics, instrument and propeller repair services and 2) adequate floor space (750 S.F. minimum) for office, shop, customer lounge, restrooms, all properly heated, air conditioned, and lighted, ~~and shall provide telephone facilities for customer use.~~ Such public space shall be leased, if required by the Commission, in a central general aviation terminal building.
- B. Lessee shall provide a paved aircraft apron (2,500 S.F. minimum) within the leased area to accommodate movement of aircraft from its facility to the other areas of the airport. This requirement may be waived by the Commission for other amenities if existing site condition permits.
- ~~C.~~ Lessee shall provide or lease a paved area (~~7,250~~3,000 S.F. minimum) sufficient to park 2 aircraft, with adequate tie-down facilities and with paved access to taxiways. ~~Grounding rods shall be required at all fueling locations to be used for aircraft servicing.~~

Comment [SC7]: 3,000 sq ft is about 3 single engine aircraft

~~D.C.~~ Lessee shall provide adequate paved customer auto parking space (10 space minimum) and a paved walkway to accommodate pedestrian access to its facility. Employee spaces shall also be provided (one space per employee shift). The Commission, at its discretion, may waive this provision for payment of an equivalent amount toward centralized parking facilities.

2. SCOPE OF SERVICE:

- A. Lessee shall have its premise open and services available during operating hours negotiated between the Lessee and the Commission so as to meet public demand for this category of service.
- B. Lessee shall provide sufficient uniformed, efficient and trained personnel in such numbers as are required to meet the minimum standards set forth in this category. These persons will be currently certificated by FAA with current ratings appropriate to the work being performed.
- C. Lessee shall have an employee in the office at all times during the established operating hours.

AIRCRAFT CHARTER AND AIR TAXI

GENERAL:

An aircraft charter and an air taxi operator is an entity engaged in the business of providing air transportation for persons or property to the general public for hire, either on a commercial charter basis or as an air taxi operator.

MINIMUM STANDARDS:

1. GROUND SPACE AND IMPROVEMENTS:

A. Lessee shall provide or lease ~~from the Town~~ an office area of at least ~~500-200~~ square feet suitably provided with heating, lighting, and air conditioning, and with accommodations for an office and immediate access to a suitably sized customer lounge to include restrooms, ~~and public telephone~~. Such space shall be leased, if required by the Commission, in a central general aviation terminal building. No separate freestanding building housing the required office space may be erected with less than 2,500 square feet without written approval of the Commission.

~~B.~~ Lessee shall provide or lease a paved tie-down area (~~7,000 S.F. minimum~~) and/or hangar space (~~2,500 S.F. minimum~~) sufficient to store all aircraft utilized in its operation, with paved access to taxiways. Grounding rods shall be required at all fueling locations for the safe and efficient servicing of all classes of aircraft utilized in its operation.

~~E.B.~~ Lessee shall provide adequate paved customer auto parking spaces (10 space minimum) and a paved walkway to accommodate pedestrian access to its facility. Employee spaces shall also be required (one space per employee shift) The Commission, at its discretion, may

Comment [SC8]: Sqft doesn't need to be defined, as charter aircraft size and number may vary. PHI Helicopters is an example of air taxi using one aircraft.

waive this provision for payment of an equivalent amount toward centralized parking facilities.

2. SCOPE OF SERVICE:

- A. Lessee shall have available for charter and air taxi, either owned or under written lease to lessee, at least one (1) ~~four place single engine aircraft, and at least one (1) multi-engine aircraft, all~~ certified and currently airworthy ~~aircraft~~, fully equipped for instrument flight conditions, to meet public demand for its category of service.
- B. Lessee shall have in its employ a sufficient number of commercial or airline transport rated pilots, who are currently qualified to operate the lessee's aircraft under instrument flight conditions and are qualified under Part 135 of the Federal Air Regulations. Lessee may employ part-time pilots, provided they are qualified as outlined above.
- C. Lessee must present to the Commission prior to a lease being granted a FAA approved Part 135 Operations Manual and Training Manual. In addition the lessee must show the Commission that its Director of Operations and Director of Maintenance both meet the requirements of FAR Part 135.
- ~~D. Lessee shall have its premises open and services available during operating hours negotiated between the Lessee and the Commission so as to meet public demand for this category of service. The Commission will determine the level of public demand.~~
- ~~E. Lessee shall have an employee in the facility office at all times during the established operating hours.~~

Comment [SC9]: Dropping specification for single vs multi-engine aircraft. I.e., ProJet doesn't have a single 4-place on charter certificate and Potomac Flight Training only has one King Air.

Comment [SC10]: Walk-up air charter business does not exist, so the requirement for premises open specified times is removed.

~~SCHEDULED COMMUTER AIRLINE~~

~~GENERAL:~~

~~A schedule commuter airline operator is an entity engaged in the business of providing air transportation for persons or property to the general public and providing regularly scheduled services between the Airport and other cities.~~

~~MINIMUM STANDARDS:~~

~~1. GROUND SPACE AND IMPROVEMENTS:~~

- ~~A. Lessee shall lease from the Town an area of land on which shall exist or be erected a building (2,500 S.F. minimum) suitably provided with heating, lighting, and air conditioning, and with accommodations for an office and customer lounge to include restrooms and public telephone. Such space shall be leased, if required by the Commission, in a central general aviation terminal building.~~
- ~~B. Lessee shall provide or lease a paved area (7,000 S.F. minimum) sufficient to park aircraft utilized in its operations at the Airport with paved access to taxiways. Grounding rods shall be required at all fueling locations for the safe and efficient servicing of all classes of aircraft utilized in its operation.~~

Comment [SC11]: This refers to airline service or an airline base. Delete section. Scheduled commuter airline greater than 9 passengers requires FAA Part 139 Commercial Airport Certification (fire services etc.)

~~C. Lessee shall provide adequate paved customer auto parking space (25 space minimum) and a paved walkway to accommodate pedestrian access to its facility. Employee spaces shall also be provided (one space per employee shift). The Commission, at its discretion, may waive this provision for payment of an equivalent amount toward centralized parking facilities.~~

~~2. SCOPE OF SERVICE:~~

- ~~A. Lessee shall have available either owned or under written lease to lessee, a sufficient number of certificated and currently airworthy aircraft (minimum of 2 aircraft), fully equipped for instrument flight conditions, to meet published flight schedules and applicable DOT requirements.~~
- ~~B. Lessee shall have in its employe a sufficient number of commercial or airline transport rated pilots, who are currently qualified to operate the lessee's aircraft under instrument flight conditions. Lessee may employ part time pilots, provided they are qualified as outlined above.~~
- ~~C. Lessee shall have its premises open and services available during operating hours negotiated between the Lessee and the Commission so as to meet public demand for this category of service. The Commission will determine the level of public demand.~~
- ~~D. Lessee shall have an employee in the facility office at all times during the established operating hours.~~
- ~~E. Lessee shall provide local ground transportation for its passengers within a minimum 30 mile radius of the Airport via a courtesy vehicle, arrangements with taxi cab companies or rental car companies. The Commission may determine that additional geographic areas be served.~~
- ~~F. Lessee shall provide for interline ticketing and baggage transfer to certified airlines for connecting flights at other airports.~~

AIRCRAFT SALES

GENERAL:

An aircraft sales facility operator is an entity engaged in the sale of new or used aircraft through franchise or licensed dealership or distributor (either on a retail or wholesale basis) of an aircraft manufacturer or otherwise; ~~and provides such repair, services and parts as necessary to meet any guarantee or warranty on new or used aircraft sold by it.~~

MINIMUM STANDARDS:

1. GROUND SPACE IMPROVEMENTS

A. Lessee shall provide or lease from the Town an office area of at least ~~500~~ **120** square feet suitably provided with heating and air conditioning and with accommodations for an office and ~~immediate access to a customer lounge to include restrooms, and public telephone.~~ Such space shall be leased, if required by the Commission, in a central general aviation terminal building. No separate freestanding building housing the required office space shall be erected with less than 2,500 square feet without written approval of the Commission.

Comment [SC12]: Aircraft warranty and repair typically accomplished through 3rd party – ie. Manufacturer authorized repair stations

Comment [SC13]: For example, Beechcraft is operating from a single office. Added access to lounge/restrooms.

- B. Lessee shall provide or lease a paved tie-down area (~~7,000 S.F. minimum~~) and/or hangar space (~~2,500 S.F. minimum~~) sufficient to store at least two (2) of the all aircraft used for sales, inventory or demonstration with paved access to taxiways. ~~Grounding rods shall be required at all fueling locations for the safe and efficient servicing of all classes of aircraft it is authorized to sell.~~
- C. Lessee shall provide adequate paved customer auto parking space (~~10 space minimum~~) and a paved walkway to accommodate pedestrian access to its facility. Employee spaces shall also be required (one space per employee shift). The Commission, at its discretion, may waive this provision for payment of an equivalent amount toward centralized parking facilities.

2. SCOPE OF SERVICE:

- A. Lessee shall employ, or have available on call, a sufficient number of pilots with instrument and instructor ratings, who shall also be current in all models to be demonstrated.
- ~~B. Lessee shall have its premises open and services available during operating hours negotiated between the Lessee and the Commission so as to meet public demand for this category of service. The Commission will determine the level of public demand. C. Lessee shall have an employee in the facility office at all times during the established operating hours.~~

AIRCRAFT RENTAL

GENERAL:

An aircraft rental facility operator is an entity engaged in the rental of aircraft to the public.

MINIMUM STANDARDS:

1. GROUND SPACE AND IMPROVEMENTS:

- A. Lessee shall provide or lease from the Town an office area of at least 5600 square feet, suitably provided with heating and air conditioning and with accommodations for an office and immediate access to a customer lounge to include restrooms ~~and public telephone~~. Such space shall be leased, if required by the Commission, in a central general aviation terminal building. No separate freestanding building housing the required office space shall be erected with less than 2,500 square feet without written approval of the Commission.

Comment [SC14]: Suggest keeping same as flight school.

- ~~B. Lessee shall provide or lease a paved tie-down area (~~7,02,500 S.F. minimum~~) and/or hangar space (2,500 S.F. minimum) sufficient to store all aircraft utilized in its operation with paved access to taxiways. Grounding rods shall be required at all fueling locations for the safe and efficient servicing of all classes of aircraft used in its operation.~~

Comment [SC15]: 2 aircraft tie-down positions is about 2,500sqft.

- ~~C. B.~~ Lessee shall provide adequate paved customer auto parking space (104 space minimum) and a paved walkway to accommodate pedestrian access to its facility. Employee spaces shall also be provided (one space per employees shift). The Commission may waive this

provision for payment of an equivalent amount toward centralized parking facilities.

2. SCOPE OF SERVICE:

- A. Lessee shall have available for rental either owned or under written lease to lessee, at least ~~four-two (42) four-place or larger, single-engine~~ fixed or rotary-wing aircraft, all certificated and currently airworthy.
- B. Lessee shall have in its employ and on-duty during the appropriate business hours, trained personnel in such numbers as are required to meet the minimum standards in an efficient manner, but never less than one (1) person having a current commercial pilot certificate with appropriate ratings, including a current flight instructor rating, who shall be current in all models offered for rental.
- C. Lessee shall have its premises open and services available during operating hours negotiated between the Lessee and the Commission so as to meet public demand for this category of service. The Commission will determine the level of public demand.
- D. Lessee shall have an employee who is a trained dispatcher capable of determining that each customer is qualified in the aircraft to be rented and is qualified for the existing on forecast weather conditions in the facility office at all times during the established operating hours.

FLIGHT TRAINING

GENERAL:

A flight training facility operator is an entity engaged in flight training, in fixed or rotary wing aircraft or flight simulators, and provides such related ground school instruction as is necessarily preparatory to taking a written examination and flight check for the category or categories or pilot's licenses and ratings involved. Biannual flight reviews and recurrent training is also included in this category.

MINIMUM STANDARDS:

1. GROUND SPACE AND IMPROVEMENTS:

- A. Lessee shall provide or lease from the Town an office area of at least ~~5600~~ square feet suitably provided with heating, lighting and air conditioning with accommodations for customers and visitors to include office, classrooms, pilot briefing room, lounge and immediate access to restrooms ~~and public telephone~~. In addition, adequate floor space (500 S.F. minimum) shall be provided for classrooms, pilot briefing room and lounge. Such space shall be leased, if required by the Commission, in a central general aviation terminal building. No separate freestanding building housing the required office space shall be erected with less than 2,500 square feet without written approval of the Commission.
- B. Lessee shall provide or lease a paved tie-down area (~~7,000-2,500~~ S.F. minimum) and/or hangar space (2,500 S.F. minimum) ~~sufficient~~ sufficient to store all aircraft utilized in its operation with paved access to taxiways. ~~Grounding rods shall be~~

~~required at all fueling locations for the safe and efficient servicing of all classes of aircraft the lessee is authorized to operate.~~

- C. Lessee shall provide adequate paved customer auto parking space (4 space minimum) ~~(10 space minimum)~~ and a paved walkway to accommodate pedestrian access to its facility. Employee spaces shall also be required (one space per employees shift). The Commission may waive this provision for payment of an equivalent amount toward centralized parking facilities.

2. SCOPE OF SERVICE:

- A. Lessee shall have available for use in flight training, either owned or under written lease to lessee, certificated and currently airworthy aircraft, to include at least four two (42) single-engine fixed or rotary-wing aircraft ~~or one full motion (3-axis) simulator.~~
- B. Lessee shall have in its employ sufficient flight and ground instructors who have been properly certificated by FAA to provide the type of training offered.
- C. Lessee shall have its premises open and services available during operating hours negotiated between the Lessee and the Commission so as to meet public demand for this category of service. The Commission will determine the level of public demand.
- D. Lessee shall have an employee in the facility office at all times during the established operating hours.

SPECIALIZED COMMERCIAL AERONAUTICAL & AERONAUTICAL RELATED ACTIVITIES

GENERAL

A specialized commercial aeronautical or aeronautical related activity is an entity engaged in providing air transportation and related services for hire for the activities listed below:

1. Sightseeing flights.
2. Aerial photography or survey.
3. Fire fighting.
4. Power line, underground cable or pipe line patrol.
5. Aerial application of agricultural chemicals.
6. Air Freight Handling.
7. Specialized Aircraft Cleaning/Washing.
8. Other operations specifically excluded from Part 135 of Federal Aviation Regulations.

MINIMUM STANDARDS:

1. GROUND SPACE AND IMPROVEMENTS:

- A. Lessee shall lease from the Town an office area of at least 500 square feet suitably provided with heating, lighting and air conditioning, and with accommodations for customers and visitors to include restrooms ~~and public telephone~~, and an office area. Such space shall be leased, if required by the Commission, in a central general aviation terminal building. No separate free standing building for housing the required office space shall be erected with less than 2,500 square feet without written approval of the Commission.
- B. Lessees providing services involving crop dusting, aerial application, or other commercial use of chemicals, shall provide a centrally drained, paved area of sufficient area (2,500 S.F. minimum) for aircraft loading, washing and servicing. Lessee shall provide for the safe storage, containment and disposal of noxious chemical materials. Such storage facilities shall be in a location on the Airport designated by the Commission, which will provide the greatest safeguard to the public. Lessee shall also be responsible for the safe, off-Airport disposal of used containers in compliance with State and Federal regulations.
- ~~C.~~ Lessee shall provide or lease a paved tie-down area (~~32,500~~ 32,500 S.F. minimum) and/or hangar space (~~1,02,500~~ 1,02,500 S.F. minimum) sufficient to store all aircraft utilized in its operations with paved access to taxiways. ~~Grounding rods shall be required at all fueling locations for the safe and efficient servicing of all classes of aircraft utilized in its operation.~~
- ~~D.~~ C. _____ Lessee shall provide adequate paved customer auto parking space (5 space minimum) and a paved walkway to accommodate pedestrian access to its facility. Employee spaces shall also be provided (one space per employee shift). The Commission may waive this provision for payment of an equivalent amount toward centralized parking facilities.

2. SCOPE OF SERVICE:

- A. Lessee shall provide and have based on its leasehold, either owned or under written lease to lessee, at least one aircraft which will be airworthy, meeting all FAA requirements and applicable regulations of the State of Virginia with respect to the type of activity to be performed.
- B. Lessee shall have in its employ, and on duty during appropriate business hours, trained personnel in such numbers as may be required to meet the minimum standards, herein set forth, in an efficient manner.
- C. Lessee shall provide a point of contact either in person at the Airport or by telephone during established operating hours for the public desiring to utilize the lessee's services.
- D. Lessees providing services involving crop dusting, aerial application, or other commercial use of chemicals shall hold certificates for the commercial application of chemicals issued by appropriate State and Federal agencies and provide to the Commission a plan for disposal of all chemical and hazardous waste and wash water used in washing such aircraft.

HANGAR RENTAL

GENERAL:

An operator in this classification provides hangars for the storage of aircraft only.

MINIMUM STANDARDS:

1. GROUND SPACE AND IMPROVEMENTS:

A. Lessee shall lease from the Town an area of land on which shall exist or be erected hangar type buildings suitable for the storage of a minimum of ten (10) aircraft. ~~A T-hangar Complex shall include a minimum of ten (10) nested aircraft storage bays. Hangars may include T hangars, executive type An Executive or Box Hangar Complex shall have at least one aircraft storage bay and a minimum door opening width of 55 feet. hangars for the storage of one aircraft, or capable of storing more than one aircraft.~~

Comment [SC16]: Suggest requiring 10 bay minimum for a nested T-hangar complex. A single or multiple executive/box hangar building is acceptable as so long as 55'+ door opening.

~~B. Lessee shall provide adequate restroom facilities accessible to hangar complex tenants. or lease from the Town of an office area of at least 300 square feet suitably provided with restrooms and public telephone. Such space shall be leased, if required by the Commission in a central general aviation terminal building. No separate freestanding building housing the required office space shall be erected with less than 2,500 square feet without the written approval of the Commission.~~

Comment [SC17]: I don't think an t-hangar rental office is needed, but restrooms are.

~~C. B. Lessee shall provide a paved aircraft apron (2,500 S.F. minimum) within the leased area to accommodate movement of aircraft from its facility to the taxiway complex. Grounding rods shall be required at all fueling locations for safe and efficient servicing of aircraft.~~

Comment [SC18]: NFPA 407, 5.4 – Bonding states that grounding is not permitted.

~~D. C. Lessee shall provide adequate paved customer auto parking space (one space per aircraft stored) and a paved walkway to accommodate pedestrian access to its facility. Employee spaces shall be required (one space per employee shift). The Commission may waive this provision for payment of an equivalent amount toward centralized parking facilities.~~

2. SCOPE OF SERVICE:

A. ~~As necessary,~~ Lessee shall have in its employ, and on duty at the Airport during appropriate business hours, a resident manager for the hangar complex and sufficient uniformed, efficient and trained personnel as are required to assist owners in moving their aircraft into and out of its hangars.

Comment [SC19]: Not necessary for t-hangars, but this section would apply to gang-storage hangars such as ProJet's north hangar.

B. Lessee shall provide suitable tractors, tow bars and other equipment as might be necessary to move the aircraft stored in its hangars.

C. Lessee shall provide assistance in moving aircraft into and out of its hangars, at a minimum, between the hours of 0800 and 1900 local time, seven days a week. Lessee shall also provide assistance between the hours 1900 and 0800 if requested in advance by an aircraft owner.

- D. Lessee shall provide a point of contact either in person at the office located on the Airport or by telephone during established operating hours.

MULTIPLE COMMERCIAL AERONAUTICAL ACTIVITIES

GENERAL:

An operator in this classification offers a combination of commercial aeronautical activities for which minimum standards have been established. As a condition of the right to engage in any combination of activities, the minimum standards relevant to all of them must be met.

MINIMUM STANDARDS:

1. GROUND SPACE AND IMPROVEMENTS:

The minimum standards for each commercial aeronautical activity proposed will be reviewed to insure the combined ground space and improvements required for the proposed activities adequately serve the needs of the Airport and its patrons.

2. SCOPE OF SERVICE:

- A. Lessee shall provide the equipment and services required to meet the minimum standards as hereinbefore provided for each commercial aeronautical activity for which the lessee is responsible. Those facility requirements which are redundant for the multiple operator shall be taken into consideration when establishing minimum space and facility requirement (i.e. restroom and other public facilities common to each operator).
- B. Lessee shall adhere to the hours of operation required for each commercial aeronautical activity for which the lessee is responsible.
- C. Lessee shall have in its employ, and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the minimum standards for each commercial aeronautical activity the lessee is performing, as hereinbefore provided.
- D. Lessee shall comply with the aircraft requirements, including the equipment thereon, for each commercial aeronautical activity to be performed except as hereinafter provided.
- E. Multiple uses may be made of all aircraft except aircraft used for crop dusting, aerial application, or other commercial use of chemicals.
- F. Lessee, except when performing combinations of activities for which aircraft are not required, shall have available and based at the Airport, either owned by or under written lease to lessee, sufficient certificated and currently airworthy aircraft. These aircraft shall be equipped and capable of flight to meet the minimum standards as hereinbefore provided for each aeronautical activity to be operated.

OTHER NON-AERONAUTICAL RELATED ACTIVITIES

Other non-aeronautical related activities including services such as snack/sandwich deli's, restaurants, and etc. are subject to all general minimum standards contained herein. Minimum requirements for activities not specifically identified shall be considered on a case-by-case basis using the intent of these minimum standards. All other applicable local, state and federal regulations pertaining to these types of services shall govern in case of conflict with any of these minimum standards. Final lease requirements shall be determined by the Commission and Town.

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 Flying Clubs are permitted to operate under these Rules, Regulations, and Minimum Standards.

All flying clubs desiring to base their aircraft and operate on the airport must comply with the applicable provisions of these Rules, Regulations, and Minimum Standards. However, they shall be exempt from regular fixed base 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 shall be 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 air charter, rental, or maintenance (other than individual routine maintenance in designated areas). They shall not conduct aircraft flight instruction and only members of the flying club shall operate the aircraft. No flying club shall permit its aircraft to be utilized for flight instruction except when instruction is given by an employee of a lessee based on the airport that holds an FBO license for flight training.
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 flying club, with its permit request, shall furnish the airport management a copy of its charter and by-laws, articles of association, partnership agreement or other documentation supporting its existence; a roster, or list of members including names of officers and directors, to be revised on a semi-annual basis; evidence of insurance as required in Chapter IV; number and type of aircraft; evidence that aircraft are property certificated; evidence that ownership is vested in the club; and operating rules of the club. The books and other records of the club shall be available for review at any reasonable time by airport management or his authorized agent.

5. The flying club shall abide by and comply with all Federal, State, and Local laws, ordinances and regulations.
6. Any flying club which violates any of the foregoing, or permits one or more members to do so, will be required to terminate all operations in accordance with the provisions of these Rules, Regulations, and Minimum Standards.

CHAPTER FIVE

MINIMUM STANDARDS FOR FACILITIES AND IMPROVEMENTS

REVIEW PROCEDURES:

No buildings, structures, tie downs, ramps, paving, taxi areas or any other improvement or addition on the Airport shall be placed or constructed on the Airport, or altered or removed without prior approval of the Airport Commission. In the event of any construction the Airport Commission may, at its discretion, require an appropriate bond to guarantee the completion of the construction in accordance with its approval. The Airport Commission shall consider conformance to the Airport Master Plan prior to the approval or denial of any construction or development at the Airport.

A site plan will be required to be submitted to the Town and Commission for any proposed new facilities. All plans and construction drawings for buildings, paved areas, and other facilities shall meet at least the minimum standards set forth herein and shall be approved by the Airport Commission and the Town. Approval by the Airport Commission shall precede submission to other regulatory agencies. Final plans and specifications for any construction required or proposed by an operator shall be submitted to the Airport Commission for review and approval within 60 days from the issuance of the Operator's license, and construction shall commence within 60 days from the Airport Commission approval of the plans and specifications. In the event that a phased construction program is provided in the lease agreement, the agreement should specify completion dates for each phase. Submittals of final plans and specifications to the Airport Commission for approval shall follow the lease agreement schedule. The deadlines provided in this paragraph may be extended by the Airport Commission for a good cause upon request by the Operator.

All facilities shall be in conformance with the adopted Airport Master Plan. In addition to specific design standards for Leesburg ~~Municipal~~Executive Airport, all facilities are subject to the applicable standards and regulations of the FAA, State of Virginia, Loudoun County, and the Town of Leesburg.

PAVED AREAS

A. AIRCRAFT PARKING AND MANEUVERING AREAS

1. Pavement sections are to be designed to accommodate aircraft with wheel loadings of 12,500 lbs. single gear; 30,000 lbs. single gear; or 60,000 lbs. dual gear as specified on the Layout Plan. FAA accepted design criteria shall be used. In addition to aircraft wheel loadings, pavements are to be designed to accommodate fuel trucks servicing the aircraft. Computations supporting the pavement design shall be submitted to the Commission and the Town for their review and approval.

2. All aircraft pavements shall be constructed using FAA approved materials. Locally obtained materials may be used where suitable and so authorized by the Commission.
3. Grades shall not exceed 1.5% or applicable FAA standard whichever is governing. Grades in aircraft fueling areas shall be no greater 1%.
4. All drainage structures shall be located within infield areas. In-pavement drainage structures are discouraged and must be approved for use by the Commission when proposed.
5. All aircraft parking areas shall contain approved tie-down installations. Method of tie-down shall be approved by the Commission Parking positions and taxi lanes shall be clearly marked.
6. Aircraft parking areas shall be configured to allow ease of ingress and egress. The minimum gross area required for based aircraft push-in/power-out parking is 3,500 square feet for single-engine aircraft and 4,500 square feet for twin-engine aircraft. Transient aircraft parking areas require power-in/power-out spaces with minimum gross areas of 5,650 square feet for twin-engine aircraft. Ramp space for transient jet aircraft will vary with the size of the design aircraft.

B. AUTOMOBILE PARKING LOTS AND SERVICE DRIVES

1. All automobile parking lots and service drives shall have a dust free, all weather surface.
2. Pavement design shall consider the types of vehicles using the lots/drives, the amount of traffic and subsoil conditions. Computation using approved FAA or local requirements for pavement design shall be submitted to the Commission for review and approval. As a minimum, vehicle pavement shall consist of a 2" bituminous concrete surface over an 8" crushed stone base. The maximum grade in any direction is 5%, the minimum is 1%.
3. Parking lots shall be configured to allow ease of ingress and egress and parking spaces shall be clearly marked. Loading zones, handicapped spaces, and fire lanes shall be marked appropriately. Minimum parking space area per automobile shall be based on Town standards.

C. GRADING, DRAINAGE AND LANDSCAPING

A. INFIELD AREAS

1. Unpaved areas within and adjacent to the runway/taxiway system and other aircraft operating areas shall have grades adhering to FAA recommendations for Basic Transport Airports.
2. All site plans shall comply with applicable state and local storm water management requirements. As a minimum, infield areas shall be designed to have a ponding (storage) capacity sufficient to accumulate the runoff from a 10-year design storm.

3. Grates and inlet structures shall be manufacturer certified to support aircraft of the same weight as the adjacent pavement.
4. All drainage pipes shall be RCCP CL. III or IV (CL. IV shall be used under all paved areas).
5. All drainage facilities shall be sized in accordance with FAA and local requirements and procedures considering existing, proposed and future site conditions. Computations supporting the drainage designs shall be submitted to the Commission for their review and approval.

B. GRADING

1. Grading operations will meet all applicable erosion and sediment control regulations as required by the Town of Leesburg and Loudoun County and other governing agency requirements.

C. LANDSCAPING

1. All graded areas will be fertilized, seeded and mulched with an approved mixture of grasses. Seeds will be applied at rate to achieve a minimum coverage of one (1) sprig per square centimeter.
2. Non-aircraft areas shall be landscaped with grass, trees and shrubs. Landscaping may be used for screening of facilities, providing shade in parking areas and to produce a visually interesting complement to buildings. Plant materials should be chosen for ease of maintenance, disease resistance and suitability for local climatic conditions. All plantings must be approved by the Commission for adherence to FAR Part 77 height restrictions.
3. A landscape plan shall be part of every facility proposal.

D. AIRCRAFT WASH RACKS

Aircraft wash racks shall not release wash water to the storm water system and be in conformance with the Town of Leesburg’s Storm Water Pollution Prevention Plan and current industrial storm water permit. ~~be equipped with oil separators and oil catch tanks to prevent oil from being discharged into the storm water or sanitary sewer system.~~

E. SECURITY AND LIGHTING

1. Fencing shall be provided between aircraft and non-aircraft areas to limit pedestrian and vehicular interference with aircraft movements, and to provide security for parked aircraft.
2. Area lighting shall be provided for safety and operational needs at the following minimum intensity levels:

Area Foot Candles ¹	
Access Roads	1.0

¹ Measured at most remote point of areas involved (+ 200 feet) 36 inches above ground.

- | | |
|--|-----|
| Auto Parking Lots | 2.0 |
| Exterior of Terminal Building, offices and other required public spaces... | 4.0 |
| Hangar areas Storage | 1.0 |
| Maintenance | 2.0 |
| Apron Areas | 0.5 |
| Fuel Farm | 2.0 |
3. All lighting fixtures shall be shielded from glare for aircraft on the runway/taxiway system, helipads, or in the air.
 2. All electrical and telephone cable shall be underground. Conduits under paved areas or planned pavement shall be concrete encased.
 3. Lighting designs shall avoid violations to the FAR Part 77 height restrictions. Any obstructions to FAR Part 77 surfaces shall be properly marked and lighted.

FUEL STORAGE AND DISTRIBUTION

- A. All fuel shall be stored in ~~underground~~above ground tanks located in designated approved areas within leased areas on the Airport. Distribution of fuel into aircraft shall be via mobile pumping equipment (fuelers) or of designated fueling stations by trained persons employed by the FBO providing the service. Individual aircraft operators shall not use FBO fueling equipment to fuel their own aircraft.
- B. Tanks shall be corrosion resistant materials designed for the storage of aviation fuels and meet criteria established by National Fire Protection Association (NFPA) Standard No. 30, Flammable and Combustible Liquids Code.
- C. Fueling equipment and procedures shall meet criteria set forth in NFPA Standard No. 407, Aircraft Fuel Servicing and applicable State of Virginia Air Pollution Control Board regulations.
- D. Other National Fire Protection Association recommendations as promoted through NFPA publications 10, 70, 77, 385, 409, 415 & 418 shall be enforced.
- E. Equipment, operation and maintained of the fueling facilities shall be in accordance with the Environmental Protection Agency Resource Conservation and Recovery Act. Leases shall be responsible for full compliance with these regulations including all notification and reporting requirements to the state utilities control Board.

HANGARS, BUILDINGS AND OTHER STRUCTURES

A. CODES

All hangars, buildings and other structures shall conform to building and safety codes applicable for the intended use. These include (but are not necessarily limited to):

1. BOCA 2. State of Virginia (Uniform Statewide Building Code) 3. Town of Leesburg 4. Loudoun County 5. FAA 6. OSHA 7. Access for the handicapped

(ANSI A117.1-1980 and Federal Guidelines for Accessible Design 36 CFR Part 1190)

No office/mobile trailers shall satisfy these requirements except as approved by Commission for temporary facilities during construction of permanent facilities.

B. LOCATION AND HEIGHT

1. The locations of lessee buildings shall be guided by the adopted Airport Master Plan and standards established in FAA Advisory Circular 150/5300-48 and 150/5300-12 for utility and Basic Transport Airports - Group II. No structures may be of such a height as to penetrate the runway or approach imaginary surfaces specified by FAR Part 77.
2. Windows and large areas of glass shall be oriented to avoid reflections, which could distract pilots landing or taking off.

C. UTILITIES

1. Buildings, or portions of buildings, (such as lean-to structures adjacent to hangars) used for offices, customer lounges, waiting rooms or other public spaces shall be provided with heating, air conditioning, lighting, sanitary restrooms, public telephone and sprinkler system. Such buildings shall be separated by a firewall meeting all applicable codes when adjacent to any hangar, building or area in which aircraft are stored.
2. Buildings, or portions of buildings, used for maintenance shops or aircraft repair, shall be provided with heating, lighting, sanitary restrooms, telephone service and sprinkler system (if required by Code).
3. Hangars 2,000 square feet or greater, not including T-hangars, used for aircraft maintenance or aircraft storage, shall be provided with electrical service, lighting, heating and sprinkler system (if required by Code).
4. Hangars less than 2,000 square feet and T-hangars used for aircraft storage shall be provided with electrical service, lighting, smoke detectors and fire extinguishers.
5. All buildings requiring water service shall connect to the public water system if available at time of construction. If public water is not available, private wells approved by Town of Leesburg shall be utilized. When public water service is made available, a connection shall be made within one year after date of availability.
6. All buildings requiring sanitary waste disposal shall connect to the public sewer system if available at time of construction. If public sanitary sewer is not available, individual septic systems, approved by the Town of Leesburg, shall be utilized. When public sanitary sewer is made available, a connection shall be made within one year after date of availability.
7. All new electrical and telephone service shall be underground.

D. ACCESS

1. Pedestrian and vehicular access to buildings normally open to the public shall avoid crossing aircraft operating areas.
2. Vehicular access to aircraft storage hangars shall minimize crossing of aircraft operating areas. Automobile parking shall be provided for aircraft storage hangars in locations, which do not interfere with aircraft operations.
3. For hangars larger than 2,000 square feet a personnel door shall be provided.
4. Hangar doors may be of either sliding or bifold type. However, sliding doors may not be used in hangar configurations where the open door of one hangar interferes with access to an adjacent hangar.

E. MATERIALS AND FINISHES

The objective of the Commission is to insure that all new construction is of high quality and utilizes materials and finishes which will maintain their appearance with low maintenance. To this end, the following guidelines have been developed.

1. Hangars and other buildings may be constructed with steel, aluminum or masonry exteriors. All exterior metal surfaces shall have a durable finish applied at the point of manufacture.
2. Exterior colors and textures should harmonize with other buildings and structures. The Commission reserves the right to disapprove exterior materials or finishes, which it feels would detract from the overall visual impression of the Airport.
3. The Commission shall also approve interior materials, finishes, fixtures and graphics, which are part of waiting rooms, lounges or other public spaces.
4. Signs shall adhere to appropriate regulations of the Town of Leesburg and be approved by the Airport Commission. No signs, logos or other graphics may be painted on the roofs of buildings, nor may any illuminated signs be placed in locations where they could distract pilots or interfere with airfield lighting.

CHEMICALS AND HAZARDOUS MATERIALS

- A. Operators utilizing chemicals or other hazardous materials shall store these materials in tank containers and buildings meeting State and/or Federal standards. The location of on-airport storage areas will be determined by the Airport Commission. Storage facilities shall be designed to protect the public and the natural environment from these materials. Any accidental spills or leaking of materials shall be reported immediately to the Commission and designated local, state or federal authorities.
- B. No chemicals, fuels, lubricants or hazardous materials may be discharged into the storm water or sanitary sewer systems. All chemicals and used containers shall be disposed of by the lessee off-airport and in compliance with applicable local, state, and federal regulations.

PRESENTED: February 9, 2016

RESOLUTION NO. _____

ADOPTED: _____

A RESOLUTION: **ADOPTING REVISED RULES, REGULATIONS AND MINIMUM STANDARDS FOR THE LEESBURG EXECUTIVE AIRPORT**

WHEREAS, the Rules, Regulations and Minimum Standards for the Leesburg Municipal Airport were first adopted November 27, 1974; and

WHEREAS, the revised Airport Rules, Regulations and Minimum Standards were later adopted March 8, 1978, November 26, 1986, and December 13, 2011; and

WHEREAS, it is necessary to update the Airport Rules, Regulations and Minimum Standards to ensure compliance with the Federal Aviation Administration, and the Commonwealth of Virginia Department of Aviation; and

WHEREAS, the Airport Manager, and the Town Attorney's Office recommend adoption of the proposed Rules, Regulations and Minimum Standards; and

WHEREAS, the Airport Commission endorsed the proposed Airport Rules, Regulations, and Minimum Standards at their regular meeting on December 10, 2015; and

WHEREAS, the Leesburg Town Council must adopt the Rules, Regulations and Minimum Standards for the airport per the Town Code.

THEREFORE, RESOLVED by the Council of the Town of Leesburg in Virginia that the Leesburg Executive Airport Rules, Regulations, and Minimum Standards are hereby adopted.

PASSED this ____ day of _____ 2016.

Kelly Burk, Vice Mayor
Town of Leesburg

ATTEST:

Clerk of Council