

MINIMUM STANDARDS FOR COMMERCIAL AERONAUTICAL ACTIVITIES

Martin County, NC Airport

ARTICLE 1 DEFINITIONS, QUALIFICATIONS AND REQUIREMENTS

Section 1 – PREAMBLE

The Martin County Commissioners, recognizing the need to protect the public health, safety, and to foster the economic health and orderly development of Commercial, Aeronautical and Non-aeronautical Operators at the Martin County Airport, hereby promulgates and adopts the following procedures and minimum standards for the use of any land or facility on said Airport.

Section 2 – DEFINITIONS

- *Aeronautical Activity (or "Aeronautical Activities" or "Activities" or "Activity")* – Any activity or service that involves, makes possible, facilitates, is related to, assists in, or is required for the operation of Aircraft or another Aeronautical Activity, or which contributes to or is required for the safety of such operation. The following Activities, without limitations, which are commonly conducted on airports, are considered Aeronautical Activities within this definition: charter operations, pilot training, aircraft rental, sightseeing, aerial photography, aerial spraying and agricultural aviation services, aerial advertising, aerial surveying, air carrier operation (airline passenger and air cargo), aircraft sales and service, sale of aviation fuel and oil whether or not conducted in conjunction with other included Activities, repair and maintenance of aircraft, sale of aircraft parts, and any other Activity which, in the sole judgment of the Airport Commission, because of their direct relationship to the operation of the Airports, can appropriately be regarded as an "Aeronautical Activity." For all purposes of these Minimum Standards, all products and services described herein are deemed to be "Aeronautical Activities."
- *Agreement (or "Lease")* – A contract between the Commission and an Entity granting a concession, transferring rights or interest in property, or otherwise authorizing the conduct of certain Activities which is in writing, executed by both parties, and enforceable by law.
- *Aircraft* – Any contrivance, now known or hereafter invented, used, or designed for navigation of or flight in the air. Excluded from this definition are ultralights, gliders, and paragliders.
- *Aircraft Charter* – An Aircraft Charter and an Air Taxi Operator is a person or persons, firm, or corporation engaged in the business of providing air transportation persons or property to the general public for hire, either on a charter basis (Commercial Operation) or as an Air Taxi Operator, as defined in the Federal Aviation Act.

- *Aircraft Engine, Airframe Maintenance, and Repair Operator* – An Aircraft Engine, Airframe Maintenance, and Repair Operator is a person or persons, firm or corporation providing one or a combination of airframe and power plant repair service, but, with at least one person currently certified by the Federal Aviation Administration with ratings appropriate to the work being performed. This category of aeronautical services shall also include the sale of aircraft parts and accessories, but such is not an exclusive right.
- *Aircraft Rental or Sales Operator* – An Aircraft Rental or Sales Operator is a person or persons, firm, or corporation engaged in the rental or sale of new or used aircraft through franchises, licensed dealerships or distributorships (either on a retail or wholesale basis), or otherwise; provides such repair, services, and parts as necessary to meet any guarantee or warranty on new or used aircraft sold by him.
- *Aircraft Services Facility* – An Aircraft Service Facility is a person or persons, firm, or corporation engaged in the business of providing line service to the more popular demands of the general aviation users of the Airport, to include the sale or inter-plane delivery of recognized brands of aviation fuels, lubricants and other related aviation petroleum products. This fixed-base operator function shall include, in addition to the above, the necessary ramp assistance in parking/tie-down assignments, “follow-me” vehicle operation and collection of transit parking fees.
- *Aviation Operator* – An Aviation Operator is defined as an entity engaging in an 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 aircraft operations. The purpose of such activity may be to secure earnings, income, compensation, or profit, whether or not such objective(s) are accomplished. Authorized activities by an Operator shall be strictly limited to any one or a combination of the following aeronautical services performed in full compliance with the specific standards for that activity as set forth herein:
 1. Aircraft sales (new and/or used)
 2. Airframe and power plant repair facilities
 3. Aircraft rentals
 4. Flight training
 5. Line services (aircraft fuels and oil dispersing)
 6. Specialized aircraft repair service - radios, propellers, instruments, and accessories.
 7. Aircraft charter and air taxi
 8. Specialized commercial flying services
 9. Aviation operators subleasing from another aviation operator
 10. Medical related equipment and supplies
 11. Other aviation related activities
 12. Any other activities not specifically provided for in these Minimum Standards, will be subject to negotiation.
- *Airport* – Martin County, NC Airport

- *Airport Commission* – The Martin County Airport board appointed by the Martin County Commissioners to oversee the operation and development of the Airport within policies established by the Commission, or duly authorized representative of the Commission.
- *Applicant* – An Entity desiring to acquire the use of a portion of the Airports or to establish or use any facility at the Airports to engage in Aeronautical Activities and who shall apply in writing and in the manner or form prescribed for authorization to engage in such Activities at the Airport.
- *Apron (or “Ramp”)* – A paved area suitable for Aircraft staging and parking.
- *Commercial Aeronautical Activity* – Any Aeronautical Activity where the purpose of such Activity is to secure earnings, income, compensation, or profit, whether or not such objectives are accomplished. Such Activities are further defined throughout these Minimum Standards.
- *Commercial Aviation Operator* – An Entity engaging in an Activity which involves, makes possible, or is required for the operation of Aircraft, or which contributes to, or is required for the safe conduct and utility of such Aircraft operations, the purpose of such Activity being to secure earnings, income, compensation, or profit, whether or not such objectives are accomplished. A Commercial Operator may be classified as either a Fixed Base Operator (FBO) or a Specialized Aviation Service Operator.
- *Commercial Flying Club Operator* – A Commercial Flying Club Operator is an Entity comprised of an association or group of individuals jointly owning or leasing an Aircraft to its members (where payment is made to the club for the operating time of the aircraft) but which does not meet the requirements established for Exempt Flying Clubs.
- *Entity* – A person, persons, firm, partnership, limited liability company, unincorporated proprietorship or association or group, or corporation other than the Commission.
- *Equipment* – All personal property and machinery, together with the necessary supplies, tools, and apparatus necessary to the proper conduct of the Activity being performed.
- *Exclusive Right* – A power, privilege, or other right excluding or preventing 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, but excluding others from enjoying or exercising a similar right or rights, would be an exclusive right. An exclusive right to conduct an Aeronautical Activity, which is forbidden by Federal regulation, is distinguished from an exclusive right to occupy real estate, which is permitted by Federal regulation under certain conditions.
- *Exempt Flying Club* – To be exempt from the commercial flying club requirements, the following conditions must exist:

1. The club shall be a non-profit Entity organized for the express purpose of providing its members with Aircraft for personal use and enjoyment.
 2. Each member must be a bona fide owner of the Aircraft or a shareholder, member, or director of the non-profit Entity.
 3. The club may not derive profit from the operation, maintenance, and/or replacement of its Aircraft.
 4. Flight instruction may be given in club Aircraft to club members, provided such instruction is given by an authorized Flight Training Operator or by a properly certified instructor who is a bona fide club member and who shall not receive any compensation for such services.
 5. Aircraft will not be used by other than bona fide members and by no one for commercial operations
- *FAA* – Federal Aviation Administration.
 - *FAR* – Federal Aviation Regulation.
 - *Improvements* – All buildings, structures, and facilities including pavement, fencing, signs, and landscaping constructed, installed, or placed on, under, or above any leased area.
 - *Flight Training Operator* – A Flight Training Operator is a person or persons, firm, or corporation engaged in instructing pilots in dual and solo flight training, in fixed or rotary wing aircraft, and provides such related ground school instruction as is necessary preparatory to taking written examination, and flight check ride for the category or categories of pilots' licenses and ratings involved.
 - *Minimum Standards* – Those qualifications, standards, and criteria set forth herein as the minimum requirements to be met as a condition for an Operator to engage in Aeronautical Activities at the Airport.
 - *Multiple Services Operator* – A Multiple Service Operator shall be one who engages in any two (2) or more of the aeronautical services for which minimum standards have been herein before provided.
 - *Non-Commercial Operator* – An Entity that either owns or leases and operates Aircraft for personal or recreational purposes. In the case of a business, the operation of the aircraft must be an ancillary Activity or unit to support the business's purposes by providing transportation for the exclusive use of its employees or agents. In all cases, the Non-Commercial Operator neither offers nor provides Aeronautical Activities for compensation
 - *Operator* – As used in these Minimum Standards, the term "Operator" refers to both Commercial Operators and Non-Commercial Operators.

- *Repair Facility* – A facility utilized for the repair and maintenance of Aircraft to include airframe, powerplant, propellers, radios, instruments, and accessories.
- *Specialized Commercial Flying Services Operator* – A specialized Commercial Flying Services Operator is a person or persons, firm, or corporation engaged in Air Transportation for Hire for the purpose of providing the use of aircraft for activities listed below:
 - a) Nonstop sightseeing flights that begin and end at the same airport;
 - b) Crop dusting, fish spotting, seeding, spraying and bird chasing;
 - c) Banner towing and aerial advertising;
 - d) Fire fighting;
 - e) Power line or pipeline patrol
 - f) Any other operations specifically excluded from Part 135 of the Federal Aviation Regulations.

Section 3 – APPLICATION OF MINIMUM STANDARDS

Any person wishing to acquire the use of land or establish or use any facility on the Airport for an aeronautical or any other activity shall be furnished a copy of these standards and procedures, as amended from time to time, and shall make an application in writing, filed with the Airport Manager, setting forth in detail the following:

- A. The name and address of the applicant;
- B. The proposed land use and/or services to be offered;
- C. The requested or proposed date for commencement of the activity and the term of conducting same;
- D. The amount of land to be leased;
- E. The financial responsibility and ability of applicant or operator to carry out the activity sought.

Section 4 – NOTICE AND HEARING

Upon the filing of such an application with the Airport Manager's Office, it shall be immediately referred to the Airport Commission for review at their next meeting. After review by the Airport Commission, any recommendations shall be forwarded to the County Commissioners with recommendations of the Airport Manager and considered at the next scheduled meeting of the County Commissioners. If no meeting is scheduled within thirty (30) days from the filing of such application, a special meeting shall be called for considering the same and notice thereof given to the applicant. Upon the consideration of the application, the County Commissioners shall determine whether or not the applicant meets the standards and qualifications as herein set out and whether or not such application should be granted in whole or in part, and if so, upon what terms and conditions.

Section 5 – LEASE OR CONTRACT

Upon the approval of any such applications submitted or modified, the County Commissioners shall cause to be prepared a suitable lease or contract agreement setting forth the terms and conditions of the land and/or facility use, which lease or contract shall in every instance be conditional upon or contain language assuring:

- A. That the minimum standards be incorporated into the Lease or Contract Reference; and
- B. That there be original and continued compliance with the standards required for each particular aeronautical or other activity approved; and
- C. That any structure or facility to be constructed or placed upon said Airport shall be constructed in a manner to conform to all safety regulations of the State of North Carolina and the County, and shall be in compliance with the requirements of current building codes and fire regulations of the County; and
- D. That any construction once commenced will be diligently prosecuted to completion.

Section 6 – PRE-QUALIFICATION REQUIREMENTS

The prospective Operator shall submit, in written form, to the Airport Manager, at the time of application, the following information, plus such other information as may be reasonably requested by the Board:

- A. **Intended Scope of Activities.** Before being granted an operating privilege on the Airport, the prospective Operator must submit to the Board a detailed description of the intended activity(s), and the means and methods to be employed to accomplish the activity(s). This description shall include:
 - 1. The services to be offered.
 - 2. The amount of land to be leased
 - 3. The building space to be constructed or leased
 - 4. The number of aircraft to be provided
 - 5. The number of persons to be employed
 - 6. The hours of proposed operation
 - 7. The number and types of insurance coverage to be maintained
- B. **Financial Responsibility.** The prospective Operator shall demonstrate the financial capability to initiate operations and for the construction of improvements and appurtenances that may be required commensurate with the proposed operation(s).

Section 7 – GENERAL REQUIREMENTS

A. Requirement of a Written Agreement

Prior to the commencement of operations, the prospective Operator will be required to enter into a written agreement with the Board, which agreement will recite the terms and conditions under which he will operate his business on the Airport, including, but not limited to, the term of agreement; the rentals, fees, and charges; the rights, privileges and

obligations of the respective parties; and other relevant covenants. It should be understood that these Minimum Standards do not represent a complete recitation of the provisions to be included in the written agreement. Such contract provisions, however, will not change, modify, or be inconsistent with these Minimum Standards.

B. Site Development Standards

1. Physical Facilities

The minimum space requirements shall be satisfied with one (1) building, attached buildings, or separate buildings on permanent foundations. Mobile office facilities may be used on leased property, by special permission of the Board, providing facility is in compliance with all rules, regulations, and ordinances of the FAA, Martin County and the Martin County Inspections. All construction must be approved by the Board and other appropriate agencies.

2. Engineering Standards

No person shall make any alterations of any nature whatsoever to any buildings, ramp or other Airport space, nor erect any building or other structure without prior submission of a written request, including detailed plans and specifications, and have receipt of written permission from the Board. Prospective Operators shall comply with all building codes of the County of Martin and shall deliver to the Airport Manager "as built" plans upon completion. Alterations or construction must be submitted to the Federal Aviation Administration, FAA Form 7460-1 (Notice of Proposed Construction and/or Alteration) and receive a favorable determination, prior to commencement of any construction.

Section 8 – GENERAL LEASE CLAUSES

A. For all Airport Lease Agreements

1. Premises To Be Operated For Use And Benefit Of Public – Lessee agrees to operate the premises for the use and benefit of the public.
 - a) To furnish good, prompt, and efficient service adequate to meet all the demands for its service at the Airport;
 - b) To furnish said service on a fair, equal, and nondiscriminatory basis to all users thereof; and
 - c) To charge fair, reasonable, and nondiscriminatory prices for each unit of sale or service, provided that the Lessee may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.
2. Nondiscrimination Clause

The Lessee, his agents, and employees will not discriminate against any person or class of persons by reason of race, color, creed or national origin in providing any services or in the use of any of its facilities provided for the public, in a manner prohibited by Part 15 of the Federal Aviation Regulations. The Lessee further agrees to comply with such enforcement procedures as the United States might demand that the Lessor take in order to comply with the sponsor's assurances.

3. Aircraft Service by Owner or Operator of Aircraft:

No right or privilege granted herein shall prevent any entity operating aircraft on the Airport from performing any services on its own aircraft with its own regular employees (including, but not limited to, maintenance repair and self-fueling) that it may choose to perform, subject to board and federal restrictions and these minimum standards.

4. Nonexclusive Rights Clause:

It is understood and agreed that nothing herein contained shall be construed to grant or authorize the granting of an exclusive right.

5. Airport Development:

The Board of Commissioners / Airport Commission reserve the right to further develop or improve the airfield. If the physical development of the Airport requires the relocation of Operator-owned facilities, the Board of Commissioners / Airport Commission agrees to provide a comparable location, and agrees to relocate all Operator-owned buildings or provide similar facilities for the Operator at no cost to the Operator.

6. Board's Rights:

- a) The Board of Commissioners / Airport Commission reserves the right (but shall not be obligated to the Operator) to maintain and keep in repair the airfield.
- b) The Board of Commissioners / Airport Commission shall have the right to regularly audit the financial records of all Operators if the Board has an interest in the records.
- c) The Board of Commissioners / Airport Commission shall have the right to inspect all Operators in order to establish proof of currency of all licenses, compliance with all laws, rules, regulations, and standards with which the Operator is required to comply.
- d) The Board of Commissioners / Airport Commission reserves the right to operate or conduct any or all aeronautical activities, as a part of airport operations, as necessary to benefit the Airport.

7. Airport Obstructions:

The Board of Commissioners / Airport Commission reserves the right to take any action it considers necessary to protect the aerial approaches of the Airport against obstructions, together with the right to prevent the Operator from erecting, or permitting to be erected, any building or other structure on the Airport which in the opinion of the Airport Commission, would limit the usefulness of the Airport or constitute a hazard to aircraft.

8. Subordination:

Airport leases shall be subordinate to the provisions of any existing or future agreement between the Martin County and the United States, relative to the operation or maintenance of the Airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal funds for the development of the Airport.

9. Compliance with Laws, Etc.:

The Operator shall at all times comply with the airport rules and regulations, federal, state, and local laws, ordinances, codes and other regulatory measures now in existence or, as may be hereafter modified or amended, applicable to the specific type of operation contemplated. The Operator shall procure and maintain during the term of the Agreement all licenses, permits, and other similar authorizations required for the conduct of his business operations.

10. Misrepresentation:

All terms and conditions with respect to these Minimum Standards are expressly contained herein, and the Operator agrees that no representation or promise has been made with respect to these Minimum Standards not expressly contained herein.

11. Subleasing:

If permitted in the lease between Operator and the Board, all or a portion of a leased area may be subleased to another Operator. No such Operator shall be exempt from these Minimum Standards.

12. Waste Removal:

Each tenant shall provide for the adequate and sanitary handling and disposal, away from the Airport, of all trash, waste, and other materials, including, but not limited to used oil, solvents, and other waste. The piling or storage of crates, boxes, barrels, and other containers will not be permitted within the leased premises.

13. Improvements:

Any improvements to the leased premises must be approved by the Martin County Airport Commission and will become the property of the County or will be removed from the premises at the Lessee's expense, upon expiration of the lease, at the option of the County.

B. For Agreements which provide services to the Public:

1. The Operating entity, its heirs, personal representatives, successors in interest, and assignees, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that in the event facilities are constructed, maintained, or otherwise operated on the said property described in an Airport lease for a purpose for which a Department of Transportation program or activity is extended or for another purposes involving the provision of similar serves or benefits, the Operators shall maintain and operate such facilities and service in compliance with all other requirements imposed in federally assisted programs of the Department of Transportation, and as said regulations may be amended.
2. The Operating entity, for itself, its heirs, its personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree as a covenant running with the land that:
 - a) No person on the grounds of race, sex, color, marital status, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities.
 - b) That in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, sex, color, marital status, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination,
 - c) That the Operator shall use the premises in compliance with all other requirements imposed by or pursuant to 49 CFR Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation, and as said regulations may be amended.
3. The Operator assures that it will undertake an affirmative action program as required by 14 CFR Part 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 by 14 CFR Part 152, Subpart E. The Operator 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 their subpart. The Operator assures that it will require that its covered sub-organizations provide assurances to the Operator that they will undertake

affirmative action programs and that they will require assurances from their sub-organizations, as required by 14 CFR Part 152, Subpart E., to the same effect.

4. Operator agrees to furnish service on a fair, equal and not unjustly discriminatory basis to all users thereof, and to charge fair, reasonable and not unjustly discriminatory prices for each unit of service; PROVIDED, that Operator may make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers. None of the above provisions are required for a hangar lease where space is used only for storing lessee's aircraft, and no services are provided to the public, however, the leases must state the intended use, and stipulate that services to the public are prohibited. Reference FAA Advisory Circular 150/5190-7, Minimum Standards for Commercial Aeronautical Activities, and the Airport's Rules and Regulations, as may be amended.

C. Additional Provisions

1. These standards as published are minimum standards only. Additional standards may be required of any tenant as conditions may dictate at the time of the lease being reached.
2. All tenants shall provide the Airport Manager / Airport Commission / Board of Commissioners with a report of operations and sales with any percentage payments as may be required by them. The County reserves the right to audit these reports and or statements as necessary for its purposes, unless otherwise agreed to in writing.
3. The County reserves the right to waive any of these minimum standards if, in the opinion of the Commissioners, the existing conditions should warrant such waiver, and may at their discretion, apply such waiver to any other tenants as they may see fit. Industrial or other non-aeronautical leases on land belonging to Martin County will be negotiated on its own merits and charged for at rates considered at the time of the negotiations.

ARTICLE TWO FIXED-BASE OPERATORS

Section 1 – QUALIFICATIONS

An Operator shall qualify as a fixed-base operator (FBO) upon proof that the said Operator is a financially stable and responsible business enterprise. In addition, said Operator shall perform more than one operation as listed in Section 1.01 of these Minimum Standards. The Operator shall demonstrate that the premises from which it operates at the Airport and the personnel employed by it comply with the following requirements, as appropriate to the conduct of Operator's business.

Section 2 – MINIMUM AREA

The Operator shall construct a building or lease all or a portion of a building to provide suitable facilities for the type of operations proposed. Such space shall include an office area, parking for employees and customers, a public telephone, and properly lighted and heated restrooms for customers and employees. In the event said building is new construction, the land area to be leased shall include a minimum of 2.5 times the building footprint. Building shall include a general aviation service hangar area sufficient for intended use. Ramp area constructed shall be a minimum of 1.5 times the area of hangar.

Section 3 - PERSONNEL

Provide employees with the proper training and certifications for the operations proposed.

Section 4 – EQUIPMENT

Provide the equipment necessary to perform the operations proposed.

Section 5 – HOURS OF OPERATION

The Operator shall post and maintain hours of operation convenient to customers.

Section 6 – INSURANCE

The Operator shall provide insurance coverage for all operations performed in amounts as defined from time to time by the Board of Commissioners / Airport Commission.

ARTICLE THREE AIRCRAFT SALES

Any aeronautical service desiring to engage in the sale of new or used aircraft must lease or provide as a minimum the following:

Section 1 – MINIMUM AREA

The Operator shall construct a building or lease all or a portion of a building to provide suitable facilities for office space, flight planning, customer lounge area, aircraft parking, and auto parking for customers and employees. Operator shall provide properly lighted and heated restrooms for customers and employees.

Section 2 – PERSONNEL

The Operator shall provide one or more persons holding a current pilot certificate and ratings appropriate for the type of aircraft to be demonstrated. Provision must be made for the office to be attended during posted business hours.

Section 3 – PARTS AND SERVICE

The Operator shall have access to an adequate supply of parts and servicing facilities to provide maintenance service to customer's aircraft.

Section 4 – HOURS OF OPERATION

The Operator shall provide hours of operation convenient to customers.

Section 5 – INSURANCE

The Operator shall provide insurance coverage for all operations performed in amounts as defined from time to time by the Board of Commissioners / Airport Commission.

ARTICLE FOUR
AIRFRAME AND/OR POWER PLANT REPAIR OTHER SPECIALIZED AIRCRAFT
MAINTENANCE SERVICES

Any service desiring to engage in airframe and/or power plant repair or other specialized aircraft maintenance services shall provide as a minimum the following:

Section 1 – MINIMUM AREA

The Operator shall construct a building or lease all or a portion of a building to provide suitable facilities for office space, aircraft parking, and auto parking for customers and employees. Operator shall provide properly lighted and heated restrooms for customers and employees.

Section 2 – PERSONNEL

The Operator shall provide a minimum of one person properly certificated by the FAA or other regulatory agency with appropriate ratings for work to be performed.

Section 3 – EQUIPMENT

The Operator shall provide sufficient equipment, supplies, and parts availability to perform maintenance in accordance with manufacturer recommendations or equivalent on various types of based aircraft.

Section 4 – HOURS OF OPERATION

The Operator shall post and maintain hours of operation convenient to customers.

Section 5 – INSURANCE

The Operator shall provide insurance coverage for all operations performed in amounts as defined from time to time by the Board of Commissioners / Airport Commission.

ARTICLE FIVE
AIRCRAFT RENTAL / FLYING CLUB OPERATOR

Any service desiring to engage in the rental of aircraft to the public shall provide as a minimum the following:

Section 1 – MINIMUM AREA

The Operator shall construct a building or lease all or a portion of a building to provide suitable facilities for office space, flight planning, pilot supply sales, customer lounge area, aircraft parking, and auto parking for customers and employees. The Operator shall provide properly lighted and heated restrooms for customers and employees. A telephone shall be supplied for flight plans, weather briefings, or other flight related uses.

Section 2 – PERSONNEL

The Operator shall provide for office to be attended during posted working hours.

Section 3 – AIRCRAFT

The Operator shall own or have exclusive lease in writing at least one (1) aircraft equipped for flight under visual flight conditions. Aircraft to be maintained in accordance with all applicable FAA regulations.

Section 4 – HOURS OF OPERATION

The Operator shall post and maintain hours of operation convenient to customers.

Section 5 – INSURANCE

The Operator shall provide insurance coverage for all operations performed in amounts as defined from time to time by the Board of Commissioners / Airport Commission.

ARTICLE SIX FLIGHT INSTRUCTION

All independent flight instructors, defined as giving instruction only in student owned aircraft, are exempt from this article of the Minimum Standards. All Operators desiring to engage in flight instruction shall provide as a minimum the following:

Section 1 – MINIMUM AREA

The Operator shall construct a building or lease all or a portion of a building to provide suitable facilities for office space, aircraft parking, and auto parking for customers and employees. Operator shall provide properly lighted and heated restrooms for customers and employees. A telephone shall be supplied for flight plans, weather briefings, or other flight related uses.

Section 2 – PERSONNEL

The Operator shall provide a minimum of one person holding a current commercial pilot certificate with appropriate ratings for flight instruction. Additional persons to provide for office to be attended during posted working hours.

Section 3 – AIRCRAFT

The Operator shall own or have exclusive lease in writing for one (1) aircraft equipped for flight under instrument conditions. Aircraft to be maintained in accordance with all applicable FAA regulations.

Section 4 – HOURS OF OPERATION

The Operator shall post and maintain hours of operation convenient to customers.

Section 5 – INSURANCE

The Operator shall provide insurance coverage for all operations performed in amounts as defined from time to time by the Board of Commissioners / Airport Commission.

ARTICLE SEVEN AIR TAXI OR CHARTER SERVICE

Any service desiring to engage in air taxi or charter service shall, in addition to meeting all provisions of FAR Part 135, provide as a minimum the following:

Section 1 – MINIMUM AREA

The Operator shall construct a building or lease all or a portion of a building to provide suitable facilities for office space, aircraft parking, and auto parking for customers and employees. Operator shall provide properly lighted and heated restrooms for customers and employees.

Section 2 – PERSONNEL

The Operator shall provide a minimum of one (1) FAA certified commercial pilot appropriately rated to conduct air service offered. Additional personnel as required to attend office during normal working hours.

Section 3 – AIRCRAFT

The Operator shall provide a minimum of one (1) aircraft equipped for flight under instrument conditions. Nonowned aircraft must have exclusive lease in writing.

Section 4 – HOURS OF OPERATION

The Operator shall post and maintain hours of operation convenient to customers.

Section 5 – INSURANCE

The Operator shall provide insurance coverage for all operations performed in amounts as defined from time to time by the Board of Commissioners / Airport Commission.

ARTICLE EIGHT PARACHUTING SERVICE

A Parachuting Operator is an Entity engaged in any activity which furthers, assists, engages in, promotes, or relates to parachute jumps (as the term "parachute jump" is defined by FAR 105.1(b)), including, but not limited to: transportation of persons for skydiving, instruction and/or training in skydiving, and rental and sales of skydiving equipment.

In addition to the General Requirements set forth in Section II hereof, each Skydiving Operator at an Airport shall comply with the following Minimum Standards:

Section 1 – SCOPE OF ACTIVITY

Operator shall conduct its skydiving activities in a first-class manner which shall be consistent with the degree of care and skill usually exercised by experienced Operators providing comparable products, services, and activities from similar sized facilities in like markets. The company's skydiving operation shall meet or exceed the Basic Safety Requirements (BSR) of the United States Parachute Association (USPA), FAR PART 105, and related FAA Advisory Circulars.

Section 2 – LEASED PREMISES

A. Operator (other than an FBO) engaging in Aeronautical Activities as authorized by Agreement directly with the County shall adhere to the following leased premises requirements:

1. Suitable ground area upon which all required improvements for facility, ramp area, vehicle parking, roadway access, and landscaping will be located.
2. Paved aircraft apron sufficient to provide reasonable Aircraft access to and from hangar.
3. Suitable conventional hangar space.
4. Appropriate space that is properly heated, air conditioned, and lighted
5. for customer lounge, restrooms, and public telephone.
6. Sufficient vehicle parking spaces to accommodate customers and employees on a daily basis following Martin County Airport Commission requirements.

B. Operator engaging in Aeronautical Activities as a sub lessee of an authorized Commercial Operator shall adhere to the following leased premises requirements:

1. Sufficient hangar and/or paved apron space equal to number of Aircraft in Operator's fleet but not less than the space required to accommodate one (1) Aircraft. Such space shall be adjacent to or within close proximity to Operator's facility.
2. Appropriate space that is properly heated, air conditioned, and lighted for administrative offices, customer lounge, restrooms, and public telephone.

3. Operator may utilize common areas of Commercial Operator if located in same building and in close proximity to Operator's facility. However, an appropriated amount of space must be "dedicated" to Aircraft rental activities.

Section 3 – AIRCRAFT

The aircraft must be owned or leased by and under exclusive control of the operator, properly equipped, and FAA certified for parachute jumping. The operator shall also have on hand and available for use such equipment and apparatus as would reasonable by expected to be available for the training of individuals to parachute jump.

Section 4 – AIRCRAFT LICENSES AND CERTIFICATIONS

Parachute instructors shall meet all applicable certification requirements of the FAA for parachute instruction, inspection, and packing, and maintain current certificates issued by the FAA and, if required, a current Airman Medical Certificate. The operator shall demonstrate the continuing ability to meet the United States Parachute Association and FAA requirements for certification of all instructor personnel and aircraft.

Section 5 – PERSONNEL

Operator shall employ at least one appropriately rated jumpmaster and one appropriately rated commercial pilot who shall be current in all models of aircraft from which skydiving will be done. All jump plane pilots must hold a FAA commercial pilot certificate and be appropriately rated for the aircraft being operated. In addition, Operator shall provide a sufficient number of personnel to adequately and safely carry out Skydiving instruction and activities in a courteous, prompt, and efficient manner adequate to meet the reasonable demands of the public seeking such services.

Section 6 – OPERATIONS

When the operator is using a drop zone wherein any part of such drop zone is within a minimum five statute miles from the Airport, one of its employees will serve as a drop zone manager/observer at the drop zone during all Skydiving activities. The drop zone manager/observer for safety purposes shall have a radio capable of transmitting on UNICOM and capable of communicating with the skydiving aircraft as necessary for safety purposes. The Airport Manager shall require such safeguards as deemed necessary to protect the Airport, aircraft using the Airport and the general public. These requirements may include, but are not limited to: bonds, insurance policies, additional security personnel, facilities and waivers/authorizations to the FARs issued by the FAA. The Commission may establish and charge reasonable fees for this activity.

Section 7 – HOURS OF OPERATION

The Operator shall post and maintain hours of operation convenient to customers.

Section 8 – INSURANCE

The Operator shall provide insurance coverage for all operations performed in amounts as defined from time to time by the Board of Commissioners / Airport Commission.

ARTICLE EIGHT AERIAL APPLICATION OPERATIONS

Crop spraying and dusting services shall not be permitted to take place using the Martin County Airport as a base of operations, until operator has demonstrated to the board compliance with all applicable federal, state, and local laws and regulations or requirements. All requirements for this class of operation will be negotiated prior to the commencement of operation from the Martin County Airport. This restriction shall not apply to insect/pest control aerial spraying by a bonafide governmental unit or agency undertaken for the protection of the public. Such governmental units or agencies shall obtain the permission of the Airport Manager prior to initiating these activities.

ARTICLE NINE SPECIALIZED COMMERCIAL FLIGHT SERVICES

Services desiring to engage in specialized commercial air activities such as, but not limited to the following: Banner towing and aerial advertising; aerial photography or survey; fire fighting or fire patrol; power line or pipeline patrol; any other operations specifically excluded from Part 135 of the FAA Regulations, shall comply with the following minimums:

Section 1 – MINIMUM AREA

The Operator shall construct a building or lease a portion of a building to provide suitable facilities for office space, flight planning, aircraft parking, and auto parking for customers and employees. The Operator shall provide properly lighted and heated restrooms for customers and employees.

Section 2 – PERSONNEL

The Operator shall provide at least one (1) person having a current commercial certificate with appropriate ratings for the aircraft to be flown.

Section 3 – AIRCRAFT

The Operator shall provide at least one (1) properly certificated aircraft owned or leased by written agreement.

Section 4 – HOURS OF OPERATION

The Operator shall post and maintain hours of operation convenient to customers.

Section 5 – INSURANCE

The Operator shall provide insurance coverage for all operations performed in amounts as defined from time to time by the Board of Commissioners / Airport Commission.

ARTICLE TEN ADOPTION AND AMENDMENT TO MINIMUM STANDARDS

These Minimum Standards shall become effective as of 12/11/2013.

The Board of Commissioners reserves the right to amend these Minimum Standards at its own discretion. Prior to all amendments, a written comment period of sixty (60) days will transpire for all proposed amendments. Proposed amendments will be distributed by certified mail to all Operators at the Airport affected by the Minimum Standards, for comment on proposed amendment(s). Written comments will be discussed at the next regularly scheduled meeting of the Board. The proposed amendment(s) to the Minimum Standards will be adopted at the following regularly scheduled meeting of the Board.

These standards were adopted by the Martin County Board of Commissioners at its regular monthly meeting on 12/11/2013.

Tommy Bowen
Tommy Bowen, Chairman of the Board of Commissioners

Attest: Marion B. Thompson
Marion B. Thompson, NCCCC, Clerk to the Board