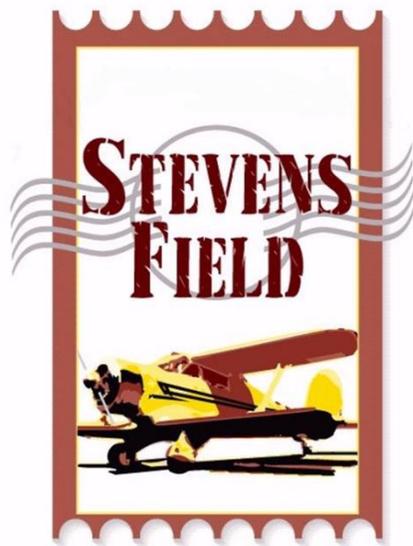


ARCHULETA COUNTY AIRPORT STEVENS FIELD



AIRPORT MINIMUM STANDARDS FOR COMMERCIAL AIRPORT DEVELOPMENT

Revised September 2012

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ARTICLE I

GENERAL

1. Definitions

The following words, terms and phrases, when used in this document, shall have the meanings ascribed to them in this section:

Aeronautical means anything which involves, makes possible, or is required for the flight of aircraft, or the storage or presence of aircraft on the Airport, or which contributes to, or is required for the safety of aircraft in flight.

Aeronautical Activity means any activity or service, whether conducted on or off Airport property, which involves, makes possible, supports or is required for the operation of aircraft or which contributes to, or is required for, the safety of such operations and shall include, but not limited to, all activities or services commonly conducted on airports, such as: charter operations, air taxi, pilot training, aircraft rental, sightseeing, aerial photography, crop dusting, aerial applications, flying clubs, aerial advertising, aerial surveying, air carrier operations, aircraft sales and service, sale of aviation petroleum products whether or not conducted in conjunction with other included activities or services, repair and maintenance of aircraft, sale of aircraft, parts, sale or maintenance of aircraft accessories, radio communication or navigation equipment, and any other activity which, because of its direct relationship to the operation of aircraft, can appropriately be regarded as an aeronautical activity or service.

Air Transportation means the carriage for compensation of passengers, property or mail, when any part of the transportation or operation is by aircraft.

Aircraft means a vehicle that is used or intended to be used for flight in the air and subject to regulation by the Federal Aviation Administration.

Airline means a commercial operator offering air transportation to passengers to specified destinations at scheduled times, and subject to regulations by the FAA in accordance with FAR Part 119, 121 or 135. for the purposes of this policy, scheduled air cargo flying operations are included in this category.

Airplane means an engine driven, heavier than air, fixed wing aircraft that is supported in flight by the dynamic reaction of the air against its wings, fuselage or other fixed surfaces.

Airport, when capitalized, means Archuleta County Airport, and all of the property, buildings, facilities and improvements within the exterior boundaries of the airport as depicted in the Airport Layout Plan, or as it may hereinafter be extended, enlarged or modified.

Airport commercial lease means the written agreement between a commercial operator and the County in which the County grants a non-exclusive right to conduct commercial activity on County owned property at Archuleta County Airport.

Airport Manager means the County Administrator's designee who has direct supervisory and functional responsibility for the operation and maintenance of the Airport.

Airside means that portion of the Airport meant for taxiing, hover taxiing, air taxiing, takeoff, landing, parking, loading or unloading, or any other aircraft operation and includes the aircraft parking aprons, taxiways, runways and safety areas.

Basing, based means the regular or routine use of the Airport for aeronautical activities. Basing occurs when one or more of the following conditions are met:

- A. An aircraft is offered for air transportation or other commercial flying services based on the Airport.
- B. The aircraft is based at and operates from the Airport.
- C. Supplies, equipment, facilities or personnel are offered commercially to the public for aircraft servicing or maintenance on the Airport.

Commercial activity means any business activity, the purpose of which is to secure earnings, income, compensation, or profit, whether such object or objectives are accomplished or not.

Commercial aircraft means any aircraft used in the conduct of any commercial activity.

Commercial aviation service operator (CASO) means a person, firm or corporation engaging in a activity which involves, makes possible or is required for the operation of aircraft, or which contributes to, or is required for the safety or such aircraft operations, the purpose of such activity being to secure earnings, income, compensation, or profit, whether or not such objective or objectives is achieved. Authorized activities include but are not limited to the following aeronautical services performed in the full compliance with the Archuleta County Airport minimum standards:

- A. Aerial spray applications
- B. Air charter / air taxi service
- C. Aircraft loading, unloading and towing
- D. Aircraft maintenance, repair, service and inspection/ commercial facility
- E. Aircraft rental
- F. Avionics and / or instrument maintenance, repair, inspection facility
- G. Aircraft sales, new or used
- H. Airframe and power plant repair facilities
- I. Propeller maintenance, repair, service and inspection facility
- J. Flight instruction under FAR Part 141
- K. Specialized commercial flying services.

Commercial lessee means the holder of an Airport commercial lease or agreement.

County means Archuleta County, Colorado

Driver means any person who drives or is in physical control of a motor vehicle.

FAA means the Federal Aviation Administration

Facility means any structure, the site space for which is leased from the county for the express purpose of conducting a commercial business under a written commercial agreement.

FAR means that portion of the United States Code commonly known as the Federal Aviation Regulations

FBO (fixed base operator) is a primary commercial aeronautical support service provider who has entered into a written lease with the County to serve the public with the sale of aviation jet fuel, aviation gasoline, oil, ramp parking, ramp service, aircraft towing, commercial hangar storage, office space, pilot services including bathrooms, flight planning, weather information and at least 3 of the following services or provision thereof:

- A. Aerial spray applications
- B. Air charter / air taxi service

- C. Aircraft loading, unloading and towing
- D. Aircraft maintenance, repair, service and inspections
- E. Aircraft rental
- F. Avionics and / or instrument maintenance, repair, inspection
- G. Aircraft sales, new or used
- H. Airframe and power plant repair
- I. Propeller maintenance repair, service and inspections
- J. Flight instruction
- K. Specialized commercial flying services.

Flying club means non-profit entities organized for the express purpose of providing its members with any aircraft for their personal use and enjoyment only. The club may not derive a profit from the use of the aircraft other than the cost to operate, maintain and replace the aircraft.

Line services means the into-plane delivery of fuels, oils and other lubricants, the providing ramp assistance, parking, storage and tie down of aircraft.

Motor vehicles mean any vehicle, other than aircraft, which is motorized.

NOTAM means “notice to airmen”, a notice containing interim information which is essential to personnel concerned with flight operations.

On demand flying services means commercial flying activities other than airline activities. Examples include crop dusting, flight instruction, air taxi and air ambulance.

Person means any individual, firm, partnership, corporation including registered non-profit corporations, companies, associations, joint-stock association or governmental entity. It includes trustees, receivers, assignees, employees or similar representative of any of them.

Safety area means any FAA designated area abutting the edges of a runway or taxiway intended to reduce the risk of damage to an aircraft inadvertently leaving the runway or taxiway.

Tenant means any person, firm or corporation leasing property at the Archuleta County Airport for aeronautical purposes. An Airport tenant may hangar their aircraft on their leased property subject to the terms and conditions of a negotiated lease.

Through the Fence Operations means an aeronautical activity operating from other than Stevens Field Airport property and accessing that property through the Airport’s fence.

UNICOM means an air/ground radio communication station operated in accordance with the Aeronautical Information manual on the common traffic advisory frequency assigned for use at the Airport by the FAA and FCC.

2. Authority of the County

The Airport Manager shall at all times have the authority to take necessary and legal actions required to ensure compliance with the provisions of the following:

- A. Existing leases, licenses, permits and other written agreements between the County and persons at the Airport.
- B. All published policies, rules or regulations established by the Board of County Commissioners (BoCC) which apply at the Airport.
- C. All restrictions established in accordance with a Federal, State or County mandated activity or plan, or as may be required to safeguard people, aircraft, equipment or property at the Airport.
- D. Those responsibilities levied on the County by the Federal or State governments in regards to Airport management.

The BoCC may establish by resolution, fees and charges, terms and conditions it deems appropriate for Airport use.

3. Agreements Required for Airport Ground and Building Leases

A. Any person wishing to establish a lease with the County for private or commercial use of Airport property must enter into a written lease or agreement with the BoCC specifying the terms and conditions of such use. The BoCC may establish standard terms and conditions for such agreements by resolution, and may delegate by resolution the authority to execute and terminate such standardized agreements.

B. Any and all new Airport buildings, hangars or modifications to existing structures will meet current Archuleta County building codes, zoning regulations, Pagosa Fire District codes, and be pre-approved by the Airport Manager as to dimension, material and design. An approved FAA Form 7460, Notice of Proposed construction or alteration, will be submitted to the Airport Manager prior to the start of any building construction.

C. The Airport Manager may authorize an interim or emergency agreement with appropriate public agencies to occupy or use county owned improvements and infrastructure. Examples of situation that may be suitable for such authorizations are military or law enforcement activities, and the temporary occupation of airport areas by government agencies during natural disasters, or aircraft accident investigations.

4. Required Reports and Documentation

All persons on the Airport shall provide, upon request by the Airport Manager, Law Enforcement Officer or Codes Enforcement Officer, proof of compliance with the provisions of this ordinance. Such proof includes, but are not limited to:

- I. Business registration or license
- II. Insurance as required by this document
- III. Permits issued by the U. S. environmental Protection Agency or the State Environmental Department for activities on the Airport which involve fuels, oil, lubricants, chemicals, and/or other potentially hazardous substances, is such permitting is required by those agencies.
- IV. FAA Certificate of Aircraft Registration, Pilot's License or other reasonable documentation of aircraft ownership.
- V. Non-discriminatory lists of prices and service charges by commercial operators.

ARTICLE II

MINIMUM STANDARDS FOR COMMERCIAL AIRPORT ACTIVITY AND SERVICE PROVIDERS

30. Preamble

The FAA, in AC #150/5190-7 specifies the grant obligations assumed by operators of public airports which have received FAA grant assistance. The owner / operator is required to operate the airport for the benefit and use of the public without unjust discrimination.

The standards established in this document are the minimum entry requirements for anyone wishing to provide FBO or Commercial services to the public. No person shall be granted the right to conduct any commercial activity or to use any land on the Archuleta County Airport unless such activity is conducted in accordance with these standards. The execution of a valid contract or lease to conduct such activity with the County shall be required. Upon adoption of these standards, present operators shall provide proof of compliance within 90 days.

The County, being the owner and responsible for the administration of the Archuleta County Airport, establishes the following policy for minimum standards:

31. General

All commercial activities shall be furnished to the public on a fair, equal and non-discriminatory basis. Prices for all such services shall be on a non-discriminatory basis. This does not preclude reasonable and non-discriminatory discounts, rebates or similar price reductions to volume purchasers.

No entity shall base a commercial aeronautical activity at the Airport unless a valid agreement has been entered into by the entity and the County.

The agreement will present the terms and conditions under which the activity will be conducted at the Airport, including but not limited to duration of the agreement, rentals, fees, charges, and the rights and obligations of the respective parties as well as terms of extension and abrogation of the agreement.

32. Airport Aeronautical Commercial Lease or Agreement

Commercial facilities shall be permitted to provide the following services with a valid lease or agreement with the County and are subject to all Federal, State or Local regulations or requirements.

- A. Air transportation including airline, air carrier, air taxi, air cargo, mail and other scheduled air services.
- B. Aircraft support services
 - I. Aircraft manufacture, maintenance, repair and storage. Painting. Manufacture, repair and reconditioning of new or used parts. Specialized repair services for aircraft appliances and components as well as warranty or guarantee services.
 - II. Flammable liquid storage and/or sales
 - III. Sales, leasing, financing, insuring and /or brokerage of aircraft, airframes, engines or other aeronautical items.
 - IV. Storage of aircraft and parts.

- V. On demand flying services including aerial photography or survey, agricultural operations including crop dusting, aircraft charter operations, aircraft rental, banner towing, corporate flight operations, dropping objects from aircraft, flight instruction under FAR Part 141, parachute jumping and sightseeing flights.
- C. The holder of an Airport commercial lease will only be authorized to conduct those activities approved in the lease or agreement.

33. Airport Non Aeronautical Commercial Lease

- A. Facilities providing the following non aeronautical commercial activities shall be permitted with a valid lease / contract with the County and subject to Federal, State and Local regulations and requirements. Non aeronautical leases on Stevens Field property must be at fair market value. Non aeronautical commercial activities include but are not limited to:
 - I. Restaurants, food service and catering.
 - II. Transportation, including rental cars, shuttle buses and taxis.
 - III. Non aviation related vehicle and equipment storage
 - IV. Any other non aviation related business

34. Fees and Charges

- A. The Archuleta BoCC shall establish those fees, charges, terms and conditions applicable and appropriate to Airport commercial leases.
- B. Failure to pay approved fees and charges in the time and manner prescribed shall be considered a violation of this ordinance.
- C. Daily use fees may be suspended, with the authorization of the BoCC, by the Airport Manager for special events.

35. Commercial Line Service

FBO's with a valid lease or contract with the County are permitted to sell aviation jet fuel, aviation gasoline, oil, ramp parking and service or to offer line services commercially, only when so stipulated in the Airport commercial lease.

36. Applications and Qualifications

- A. Demonstration on intent to conduct a commercial operation at the Airport shall be by application to the County. Written application for all applicants shall contain the following:
 - I. The nature of the business including a proposed business plan.
 - II. The legal names and signatures of all parties owning an interest in the business or who will appear on leases and contracts as a partner, director or corporate officer.
 - III. The name, address and telephone number of the primary contact person
 - IV. A current financial statement
 - V. A list of credit references acceptable to the County
 - VI. A written authorization to the Airport Manager and / or County to obtain information from the FAA, State or any other aviation entity with which the applicant has engaged in aviation business or activity.

VIII. Proof of liability coverage for an amount established by the County and sufficient for the stated purpose of the business with the County named as “additionally insured”.

B. The application will be delivered to the Airport Manager, who will review the application with the applicant. The Airport Manager, scheduling allowing, will present the application to the AAC for their recommendation. The application, together with the recommendations of both the AAC and the Airport Manager will be presented to the BoCC for approval or denial.

37. Action on Application

All applications should be sent or delivered to the Airport Manager and will be reviewed and acted on by the County within thirty (30) days from receipt of the application. Denial of the application may be for one or more of the following reasons:

- A. The applicant does not meet qualifications, standards and requirements of the minimum standards.
- B. The proposed operation or construction will create a safety hazard on the Airport.
- C. The granting of the application would require expenditure of local funds, labor or materials resulting in a financial loss for the County.
- D. There is no appropriate space to accommodate the proposed activity.
- E. The proposed operation or construction does not comply with the Airport Layout Plan.
- F. The development or use of the area will result in undue interference with operations of any existing FBO.
- G. Any party to the application has supplied false information or misrepresented any material fact or failed to make full disclosure.

Under unique circumstances the County may enter into a probationary or temporary lease or contract agreement.

38. Minimum Standards for FBO's

- A. Only an approved FBO, who has entered into a lease with the County may offer the sale of aviation jet fuel, aviation gasoline and oil. All FBOs will meet this document's definition of an FBO, and have the facilities and equipment required to offer (or make provision for) the following minimum services:
 - I. The sale of aviation jet fuel, aviation gasoline and oil.
 - II. Ramp parking sufficient for multiple aircraft, ramp service and aircraft towing.
 - III. Commercial hangar storage sufficient for multiple aircraft
 - IV. Office space
 - V. Pilot services including bathrooms, flight planning and weather information.
 - VI. At least 3 of the additional services listed in this document's FBO definitions.
 - VII. Seven days a week, 365 days a year service with hours of operation from 8:00am to 5:00pm. Any changes with the minimum operating hours will be coordinated with the Airport Manager. (FBO Lease of April 2010 applies.)
- B. The FBO will be required to have an aviation fuel storage facility (including space for the storage of fuel trucks) that complies with all Federal, State and Local regulations, including fuel spill containment and an approved Spill Protection Control and Countermeasure Plan (SPCC).
- C. FBO fuel trucks will be commercially manufactured trucks designed for the carrying and delivery of fuel.

- D. The FBO may provide additional aeronautical related commercial services not specified in the lease provided they comply with any applicable minimum standards.
- E. Activities not specifically provided for in the minimum standards, will be subject to negotiations.
- F. the FBO lease shall specify the minimum service to be performed. The lease shall specify the duration and conditions for renewal. The lease will also specify the facilities and area for which the FBO shall be solely responsible.

39. Minimum Standards for a Commercial Aviation Service Operator (CASO)

- A. A CASO, as described in the definition section, will submit and obtain approval to operate via an application as described in Article II, Section 36 then enter into a lease / contract with the County in order to operate on the Airport as a business that offers one or more of the Commercial services listed in the definitions section to the public.
- B. A CASO must apply to and be approved by the County to operate in a subleased Airport facility. Prior to finalizing any subleasing agreement, the proposed agreement shall be approved in writing by the County. The sub lessee shall comply with all applicable minimum standards.

40. Environment

Any FBO, CASO, person, party or firm operating on the Airport must comply with all Federal, State and Local environmental requirements.

41. Security

Any FBO, CASO, person, party or firm operating on the Airport must comply with all Federal, State and Local security requirements pertaining to Airport operations.

42. Enforcement of Violations of the Minimum Standards

Violation of any of the terms, conditions, requirements, standards or prohibitions of these minimum standards by any person or entity, whether or not they have an agreement, contract or lease with the County, may be punished in accordance with Federal, State or Local laws and codes. Such violation may also be used as grounds for termination of any existing agreement with the County.

Sections 43 – 50 Reserved.

ARTICLE III
AIRPORT SAFETY

51. Emergency Response Not Limited

No provision of this document shall be construed by any person to prevent assistance by any person to any other person in the event of an emergency.

52. Safety of Others

Activities at the Airport shall at all times be conducted with due consideration to the safety of all Airport users, other persons and property located at or in the vicinity of the Airport.

53. Operations on the Airport

Only aircraft, official Airport vehicles and emergency vehicles are permitted on the runway, the parallel taxiway, the feeder taxiways between the runway and parallel taxiway and on the runway side of all hold-short lines.

Sections 54 - 70 Reserved.

ARTICLE IV
AIRCRAFT OPERATIONS

71. Policies, Procedures and Restrictions at the Airport

- A. All operations will be conducted in accordance with the current FAR's and Airman's' Information Manual.
- B. Pilots of piston driven airplanes are expected to fly a standard left hand traffic pattern for Runways 1 and 19 at an altitude of 8,700 feet Mean Sea Level (MSL), 1,000 feet Above Ground Level (AGL).
- C. Pilots of turbine aircraft are expected to fly a left hand traffic pattern for Runways 1 and 19 at an altitude of 9,200 feet MSL, 1,500 AGL.
- D. All pilots shall be aware of, and familiarize themselves with, the noise abatement procedures as may be adopted for Archuleta County Airport.
- E. All aircraft parking is restricted to the North Ramp parking area and the FBO Ramp. In case of special events, the Airport Manager may modify this parking area as needed to accommodate such events.

72. Prohibited Operations in Hangars

- A. Hangars on Archuleta County Airport will be for aeronautical uses only. Hangars may not be used for the following:
 - I. Residential purposes
 - II. Refueling aircraft or vehicles
 - III. Running aircraft engines
 - IV. Non aviation business

73. Removal of Wreckage

Every aircraft owner shall remove any wreckage, or inoperative, disabled or wrecked aircraft from the public use areas of the Airport as soon as possible, but not later than 48 hours of such wreck or disabling. If removal of such wreckage or aircraft has been restricted by the FAA or National Transportation Safety Board, the owner shall remove such wreckage as soon as possible, but not later than 48 hours of the lifting of such restrictions.

Sections 74 - 90 Reserved.

ARTICLE V
MISCELLANEOUS

91. Clubs and Organizations

- A. Non-profit clubs and organizations shall enter into a written agreement with the BoCC prior to basing offices, facilities, personnel or aircraft at the Airport. Such agreements shall include those terms and conditions under which the club or organizations possessing a 501C3 tax exemption from the Internal Revenue Service, or which are registered as a Colorado nonprofit corporation, may be permanently based at the Airport.
- B. Non-profit clubs shall not offer any goods or services to any person other than a member of the club. However, educational services, such as aircraft orientation flights, may be provided to the general public at cost. Non-profit clubs may sell or exchange capital equipment and / or facilities with non-club members.
- C. Non-Profit clubs and organizations which do NOT have or currently possess a 501C3 tax exemption from the Internal Revenue Service may be offered space for organization meetings and functions at the Airport, provided the Airport Manager approves such activity.
- D. For-Profit clubs and organizations may be allowed to meet on the airport premises, however, approval by the Airport Manager will be required and will be approved on a case by case basis. For-Profit clubs and organizations will meet all minimum requirements for Non Profit clubs, plus any additional requirements and/or minimum standards for CASOs.

92. Insurance Requirements

- A. All commercial operators shall procure and maintain general public liability insurance that meets the requirements of the Colorado Tort Claims Act, and at the minimum amounts stipulated in any lease or contract with the County. All policies shall name the County as an additional insured. The insurance company or companies writing the required policy or policies shall be licensed to do business in

the state. Commercial lessees may self-insure by annually providing the county clerk a letter of credit, or other promissory or escrowed monetary instrument in that amount in lieu of the required policy.

- B. Non commercial airport lessees will maintain the insurance coverage detailed in their individual lease with the County, and provide the County with an up to date proof of insurance document that also lists the County as an insured party.
- C. Environmental remediation insurance in the amount of \$1,000,000.00 per incident is required for those operators whose activities are subject to regulation and licensing by the U.S. Environmental Protection Agency or the Colorado Environment Department. All policies shall name the County as an additional insured. The insurance company or companies writing the required policy or policies shall be licensed to do business in the state of Colorado. Commercial Lessees may self-insure by providing the County Clerk a letter of credit, or other promissory or escrowed monetary instrument in that amount in lieu of the required policy.
- D. The Stevens Field minimum required liability insurance coverage is \$1,000,000.00 per event, and at least \$2,000,000.00 aggregate.

93. UNICOM / CTAF

Only FBOs offering line services may operate UNICOM/CTAF on the common traffic advisory frequency.

The Airport Manager will establish alternating weekly UNICOM/CTAF operating period when and if more than one authorized FBO is located on the Airport.

94. Effective Dates

The effective date of this document shall be the day of its adoption by the BOCC.

95. Violation of Ordinance

The Airport Manager may seek to enforce this document as he/she deems necessary based on the circumstances. The Airport Manager, designee, or law enforcement officer may issue citations to enforce this document.

96. Through the Fence Operations

Through the fence operations are not currently approved for Archuleta County Airport.

Sections 97 – 100 Reserved.