City of Santa Barbara
Airport Department

DATE: October 15, 2014

TO: Airport Commission

FROM: Hazel Johns, Airport Director

SUBJECT: Revised Minimum Standard Requirements for Airport Aeronautical Activities at Santa Barbara Airport

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RECOMMENDATION:

That Airport Commission approve the revised Minimum Standards for Airport Aeronautical Activities at the Santa Barbara Airport.

DISCUSSION:

Background

Airports that receive Federal Aviation Administration (FAA) grant funding are obligated to operate the airport for the use and benefit of the public and to make the airport available for all types, kinds, and classes of aeronautical activity without granting an exclusive right to any entity conducting aeronautical activities. Minimum standards aid an airport in ensuring safe, efficient, and adequate levels of operations and services are provided to the public. In exchange for the opportunity to engage in a commercial aeronautical activity, an aeronautical service provider agrees to meet the minimum standards established by the airport.

In 1998, the Airport prepared and City Council adopted the first comprehensive Minimum Standard Requirements for Airport Aeronautical Services (Minimum Standards) document (Resolution No. 98-098). Minimum standards are periodically reviewed and updated to incorporate changes in the aviation industry and at the Airport. The Minimum Standards were last updated in 2006 (Resolution No. 06-078).

Revised Minimum Standards

A Minimum Standards committee composed of representatives from the Fixed Base Operators (FBOs), flight schools, maintenance providers, fuel providers, charter services, and three Airport Commissioners began meeting in July to review, discuss, and revise each section of the Minimum Standards. A summary of the changes are listed below.

ARTICLE 1- INTRODUCTION

The introduction was revised to include the benefits of establishing minimum standards; to clarify the applicability of the minimum standards; to require that service providers must also meet all applicable federal, state, and city laws, ordinances, codes, rules, and regulations and that the Minimum Standards are intended to be consistent with all applicable laws, ordinances, codes, rules, and regulations; and to include a severability clause.

ARTICLE 2- DEFINITIONS

New definitions for Aeronautical Activity, Air Carrier, California Fire Code, and Code of Federal Regulations were created. The definitions for Commercial Operator and Fixed Base Operator were modified. Definitions not referenced elsewhere in the document were deleted.

ARTICLE 3- GENERAL REQUIREMENTS FOR COMMERCIAL AERONAUTICAL SERVICES

All commercial operators are required to comply with security and environmental laws and regulations, to provide management control and supervision for services being offered, to conduct business in a safe and professional manner, to meet the insurance requirements set forth in its lease, permit, or agreement, and are prohibited from interfering with radios, utilities, and navigational aids. Grounds for disapproving an application to provide service were also established for all operators.

ARTICLE 5- FIXED BASE OPERATORS

FBOs are required to provide helicopter parking and certain specific aviation line services, such as ground power and starting equipment. An FBO may not subcontract fuel and oil sales or aircraft storage, but may subcontract maintenance and specific aviation line services.

ARTICLE 6- AIRCRAFT FUELS OPERATOR

Specific references to the California Fire Code and fire permits were added to the section on fueling operators and provisions redundant with the California Fire Code were eliminated. Fixed fuel storage facilities are required for FBOs and self-service operators, and limits were placed on the size of the facilities for self-service and self-fueling operators.

ARTICLE 7- SPECIALIZED AVIATION SERVICE OPERATOR AND ARTICLE 8- INDEPENDENT OPERATORS

The term Mobile Service Provider was replaced by Independent Operator, which is the term used by the FAA. Maintenance providers were eliminated from the list of eligible Independent Operators. However, Specialized Aviation Service Operators (SASOs) are authorized to use a third party operator to provide specific services, e.g. for original equipment manufacturer maintenance. The SASO is fully responsible for the third party operator's compliance with Airport rules and regulations.

Summary

On September 30, 2014 the Minimum Standards Committee voted to recommend approval of the revised Minimum Standards to the Airport Commission.

DRAFT

MINIMUM STANDARD REQUIREMENTS

FOR AIRPORT AERONAUTICAL ACTIVITIES

AT THE

SANTA BARBARA MUNICIPAL AIRPORT

(Revised 2014)

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SANTA BARBARA MUNICIPAL AIRPORT MINIMUM STANDAND REQUIREMENTS

Article 1. Introduction

The City of Santa Barbara ("City") is the owner and operator of the Santa Barbara Municipal Airport. The Airport Department is responsible for the management and administration of the Airport which includes operation, maintenance, and capital improvement of aviation buildings and facilities.

The Federal Aviation Administration (FAA) places the responsibility with the Airport operator to ensure that adequate aeronautical services and facilities are available on a fair and reasonable basis to all aviation users.

To encourage the safe and orderly development of the Airport and its operation, the FAA recommends that *Minimum Standards for Commercial Aeronautical Activity* be developed. Airport minimum standards establish the minimum requirements to be met by an entity as a condition for the privilege to conduct an aeronautical activity or provide a commercial aeronautical service at the Airport.

The benefits of establishing minimum standards include:

- Promoting safety in all Airport activities;
- Maintaining and enhancing the availability of adequate services for all Airport users;
- Protecting Airport users from unlicensed and unauthorized products and services;
- And, promoting the orderly development of Airport property.

The requirements in this policy are minimums. All entities are encouraged to exceed the minimum.

Section 1-1. Applicability

Pursuant to the City of Santa Barbara Municipal Code, no person shall conduct any commercial activity or otherwise transact business on the Airport without first obtaining the authorization required under Title 18 of the Municipal Code.

These Minimum Standards shall apply to all aeronautical activity providers, with the exceptions noted below. These Minimum Standards do not apply to:

- The Airport itself;
- Certificated air carriers providing scheduled passenger and/or cargo service operating under a separate lease and/or agreement with the Airport;

- Non-aeronautical commercial service providers such as restaurants, rental cars, concessions, taxis, Airport shuttles, etc., located on or otherwise serving the Airport;
- Non-commercial Airport tenants, including private aircraft owners and operators operating under 14 CFR Part 91, except as noted below;
- Aircraft operators and service providers that are not based at the Airport but that use the Airport on a transient or itinerant basis and comply with all applicable rules, regulations, and procedures.

These Minimum Standards are not intended to be all-inclusive; aeronautical service providers are also subject to all applicable federal, state, and city laws, codes, ordinances, rules, and regulations, including the rules and regulations promulgated by the Airport, as may be amended from time to time.

The provisions of the Minimum Standards herein contained do not supersede any federal, state, or local law, code, ordinance, or regulation; Airport operating rules and regulations; lease, permit, or agreement entered into with the Airport or the City. It is intended that the Minimum Standards be consistent with all applicable laws, ordinances, codes, rules, and regulations. In the event of any difference between the Minimum Standards and other applicable laws, ordinances, rules, regulations, agreements, etc., the Airport reserves the right to amend the Minimum Standards as necessary to ensure consistency.

These Minimum Standards are subordinate and subject to the provisions of any agreement between the City and the United States Government relative to the operation and maintenance of the Airport, the execution of which has been, or may in the future be, required as a condition precedent to the transfer of federal funds or property to the City for Airport purposes, or the expenditure of federal funds for the development of the Airport in accordance with the provision of the Federal Aviation Act of 1958, as amended.

The invalidity or unenforceability of any provision of these Minimum Standards shall not affect the validity or unenforceability of any other provision of these Minimum Standards, and the remainder shall be construed and enforced as if the invalid or unenforceable provision were not included in the Minimum Standards.

The following minimum standards have been developed in accordance with FAA Advisory Circular #150/5190-7, *Minimum Standards for Commercial Aeronautical Activities (8/28/06)* and FAA Advisory Circular #150/5190-6 *Exclusive Rights at Federally-Obligated Airports (1/4/07).*

Article 2. Definitions

Aeronautical Activity - Any activity that involves, makes possible, or is required for the operation of aircraft or that contributes to or is required for the safety of such operations. Activities within this definition, commonly conducted on airports, include, but are not limited to, the following: general and corporate aviation, air taxi and charter operations, scheduled and nonscheduled air carrier operations, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, aircraft sales and services, aircraft storage, sale of aviation petroleum products, repair and maintenance of aircraft, sale of aircraft parts, and any other activities that, because of their direct relationship to the operation of aircraft, can appropriately be regarded as aeronautical activities.

Air Carrier –Any air transportation company performing scheduled commercial air transportation services over specified routes to and from the Airport (including diversions), pursuant to published schedules. Such Air Carriers may provide passenger and/or all-cargo services to the Airport.

Airport - the Santa Barbara Airport and all of the property, buildings, facilities and improvements within the exterior boundaries of such Airport as it now exists on the Airport Layout Plan or as it may hereinafter be extended, enlarged or modified.

Airport Director - the Director of the Santa Barbara Airport or the Director's authorized designee.

Airport Operations Area (AOA) - the area of the Airport used or intended to be used for landing, take off or surface maneuvering of aircraft including the associated hangars and navigational and communications facilities.

CFC - California Fire Code

CFR - Code of Federal Regulations

City - the City of Santa Barbara.

Commercial Aeronautical Service - a service 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 objective(s) are accomplished.

Commercial Operator ("Operator") - any person, firm, partnership, corporation, association, or limited partnership, or any other legal entity based at the Airport and duly licensed and authorized by written agreement with the

Airport sponsor to provide specific aeronautical activities at the Airport, under strict compliance with such agreement and pursuant to these Minimum Standards, the purpose of such activity being to secure earnings, income, compensation, or profit, whether or not such objective(s) are accomplished.

Entity - an individual, corporation, government or governmental subdivision, partnership, association, or any other legal entity.

FAA - Federal Aviation Administration.

FAR - Federal Aviation Regulation.

Fixed Base Operator (FBO) - any person, firm, partnership, corporation, association, or limited partnership, or any other legal entity duly licensed and authorized by written agreement with the Airport sponsor to provide specific aeronautical services at the Airport as described in Article 5, under strict compliance with such agreement and pursuant to these regulations and standards.

Fixed Place of Business – a designated business facility~~,~~ located on the Airport and occupied by virtue of a lease agreement, license agreement or permit with the City of Santa Barbara.

Flying Club - a non-profit entity or organization established to promote flying for pleasure, and develop skills in aeronautics, including pilotage, navigation, and awareness and appreciation of aviation requirements and techniques.

Fuel - FAA authorized aviation fuel.

Fueling Operations - the dispensing of aviation fuel into aircraft.

Fueling Operator - an entity which dispenses aviation fuel at Santa Barbara Airport. A Fueling Operator shall be of three types:

(1) FBO Fueling Operator - an entity engaged in the retail sale and dispensing of aviation fuel, and other line services to aircraft other than that owned or leased by such entity.

(2) a Self-Service Fueling Operator - an entity engaged in the self-service retail sale of aviation fuel to aircraft other than that owned or leased by such entity.

(3) a Self-Fueling Operator - an entity who dispenses aviation fuel solely for its own use, to aircraft owned or leased for its exclusive use.

Independent Operator - an individual or entity that provides commercial aeronautical services but does not operate out of owned or leased property on the Airport.

Interchange Agreement –an arrangement whereby a person leases his airplane to another person in exchange for equal time, when needed, on the other person's airplane, and no charge, assessment, or fee is made, except that a charge may be made not to exceed the difference between the cost of owning, operating and maintaining the two airplanes

Joint Ownership Agreement –an arrangement whereby one of the registered joint owners of an airplane employs and furnishes the flight crew for that airplane and each of the registered joint owners pays a share of the charge specified in the agreement

Lease of Aircraft - (pertaining to the lease of aircraft by an aeronautical activity) means a term written agreement established on a minimum basis of six (6) months wherein the Lessee shall have full control over the scheduling and use of aircraft and the aircraft is insured as required by these Minimum Standards for the use of the aircraft by Lessee. (Also referred to as aircraft "lease-back.")

Lease Agreement - a written document executed by the City of Santa Barbara and the Commercial Operator which sets forth the premises, use, fees, standards of operation, and other contractual terms for conducting business on the Airport.

Tenant/Licensee/Permittee/Operator - refers to an entity providing specific commercial aeronautical services, by virtue of an agreement with the City of Santa Barbara.

Minimum Standards - the standards which are established by the Airport sponsor as the minimum requirements to be met as a condition for the right to conduct an aeronautical activity on the Airport.

NFPA - the National Fire Protection Association.

Proprietary Aeronautical Activity, as prescribed by FAA Advisory Circular 150/5190-6 (Exclusive Rights at Federally-Obligated Airports) – means the public agency that owns and operates the Airport may engage in any proprietary aeronautical activity and deny the same right to others without violating federal grant assurances. This means that a public agency may provide aeronautical services on an exclusive basis, but only in principal, using its own employees and resources. It is recognized that aeronautical service may be provided more efficiently by private enterprise.

Security Identification Display Area ("SIDA") – That portion of the Airport, specified in the Airport Security Program, in which security measures in 49 CFR

Part 1540 are carried out. This area includes the secured area and may include other areas of the Airport.

Sponsor - City of Santa Barbara, a Municipal Corporation, which owns the Airport in title.

Time Sharing Agreement - an arrangement whereby a person leases his airplane with flight crew to another person, and no charge is made for the flights conducted under that arrangement other than those specified under FAR Part 91.501(d)

Article 3. General Requirements for Commercial Aeronautical Services

The following standards apply to all Commercial Operators at the Airport. Additional standards specific to each type of Operator can be found in Articles Four through Nine,

Section 3-1. Prior Agreement/Approval

An Operator is based at the Airport and conducts or provides one or more commercial aeronautical services at the Airport in accordance with a written agreement with the City.

If an Operator has an existing agreement with the City at the time the Minimum Standards are adopted or amended, and if compliance with the Minimum Standards would create a conflict with the agreement, the agreement shall prevail until such time that it is amended, updated, renegotiated, or a new agreement is negotiated, at which time Operator will fully comply with the Minimum Standards.

In addition, the Operator must meet the regulatory qualifications, standards and requirements of these Minimum Standards, pay any required fees or charges, and receive approval from the City prior to commencing operations.

Section 3-2. Non-Discrimination.

All services shall be provided on a fair and reasonable basis at fees that are competitive with similar providers in the region.

Section 3-3. Application

Any person or entity that desires to conduct a commercial aeronautical service on the Airport covered by these Minimum Standards shall submit a written application to the Airport Director prior to conducting such activities. Applications shall be made on forms provided by the Airport Director. Prior to submitting a written application, applicants are encouraged to discuss all aspects of the application and proposed operation with the Airport Director.

The applicant shall submit the following required information or documentation:

a. An operations plan which addresses the primary operation(s), including the DOT, State and/or FAA authority under which the applicant will operate, as well as support operations such as ground handling, maintenance, fueling, safety and staffing. The plan should include a detailed description of the scope of the intended operations, including all services to be offered.

b. The amount of land, office space, and/or aircraft storage areas required for the operation._The number and type of aircraft to be parked, serviced, or provided (as applicable). The size of an Operator's leasehold and/or facility will be dictated by its needs and ability to provide products and services to the public and available space at the Airport. If applicant proposes to enter a sublease agreement for land, office space, and or/aircraft storage areas from another Operator, applicant shall provide a letter of endorsement from the sublessor.

c. A list of material assets, goods, and equipment necessary to perform the proposed services that are owned, leased, or under purchase contract by applicant.

d. A detailed description of any improvements or modifications to be constructed or made to Airport property, including cost estimates and a construction timetable.

e. A detailed management plan, marketing plan, and the proposed hours of operation. The Operator shall have its premises open and services available as established and set forth in the lease agreement. The Operator shall ensure that personnel be in attendance on the premises at all times during designated business hours.

Financial Responsibility/References

Applicant must provide documentation of the applicant's financial capabilities to construct any improvements and to conduct any proposed activities. The Operator shall submit all of the following; however, depending on the organization's corporate structure, some items listed below may not be required. The submitted business plan and proposed lease will be evaluated in terms of its reasonableness, economic viability, and overall ability to support same.

a. A pro forma of projected income and expenses for the proposed operation during the lease term and verifiable sources of capital, cash, and credit for the proposed operation and facility construction at the Airport.

b. Financial statements for the most recent twelve month period and preceding two (2) calendar years which include balance sheets, and related statements of income and cash flow in accordance with generally accepted accounting principles. Subject documentation shall be, preferably audited, or compiled by a Certified Public Accountant.

c. Other financial and legal information including, but not limited to, copies of the three most recent federal and state income tax returns, and a statement of credit, payment and legal history.

d. A list of landlords, creditors, vendors, suppliers and other trade references including current contact information.

e. Current banking references and a letter setting forth the Operator's financial integrity and its account status from a bank or equivalent financial institution.

f. The Operator shall give its advance permission to the City to verify the Operator's financial and legal responsibilities, and for the use of a qualified credit rating firm.

Technical Qualifications/Certification

A detailed description and/or evidence of the applicant's technical abilities and experience in conducting the proposed activities, including references and FAA certificates, if applicable. Operator shall have "demonstrated experience" in the aeronautical service to be provided. It will be satisfactory if the Operator has in its employ, in a reasonable supervisory position, a person with such minimum experience requirements. A statement of qualification shall accompany the Operator's application to the Santa Barbara Airport.

Term

The commencement date for the applicant's activities and the term of the lease, license, permit or agreement sought, including all option periods, shall be for a term to be mutually agreed upon between the City and the Operator commensurate with the Operator's financial investment in the facility.

Identification/Ownership

The identity and ownership of the proposed Operator and it's principals, to include the following information, as applicable:

a. Name, address and telephone number

b. Type of organization and the State under the laws of which it is organized.

c. The designated agent for service process in the State of California.

d. The names and addresses of all officers, directors and key management personnel of the applicant, briefly describing the certifications, expertise and responsibilities of each.

e. The name, address, citizenship and principal business of each person holding 5 percent or more of applicant's total voting stock, together with the amount and percentages held, and the name, address, citizenship and principal business of any person whose account, if other than the holder, such interest is held; if any of these people are related by blood or marriage, include the relationship.

f. All subsidiaries of the applicant, briefly describing the relationship to the applicant and principal business.

1. If the applicant is a corporation, a copy of the Article of Incorporation as filed with the Corporation Commission;

2. If the applicant is a limited liability company, a copy of the Articles of Organization filed with the Corporation Commission;

3. If the applicant is a limited partnership, a copy of the Certificate of Limited Partnership filed with the Secretary of State;

4. If the applicant is a general partnership, a copy of the written partnership agreement, if any.

g. The Airport Director may require the applicant to provide additional information as necessary to ensure compliance with these Minimum Standards.

Processing/Approval

The Airport Director shall be responsible for processing and approving or disapproving an application for a lease, license, permit or agreement to conduct activities at the Airport.

Grounds for Disapproval of an Application

Grounds for disapproval of an application may include the following:

a. The applicant does not, for any reason, fully meet the qualifications, standards, and requirements established in the Minimum Standards.

b. The applicant's proposed operation or construction would create a safety hazard on the Airport.

c. The granting of the application will require the Airport to expend funds, or supply labor or materials, in connection with the proposed activity or operation that the Airport is unwilling to spend or supply, or the proposed activity or operation will result in a financial loss to the Airport.

d. No appropriate, adequate, or available land, space, or building exists at the Airport to accommodate the entire operation of the applicant at the time of application, and none is contemplated to be available within a reasonable time thereafter.

e. The proposed operation, development, or construction does not comply with the Airport Master Plan or Airport Layout Plan.

f. The proposed operation, development, or construction will result in congestion of aircraft or buildings, or will result in undue interference with the operations of any present Operator at the Airport, or with adequate access to a present Operator's leased premises.

g. The applicant has misrepresented or omitted any material fact in the application or supporting documents, or has failed to make full disclosure in the application or supporting documents.

h. The applicant, or any officer, director, key employee, or person having a controlling interest in the applicant, has a record of:

1. Violating the laws, rules and regulations applicable to the Airport or any other airport, including but not limited to, civil air regulations and FAA regulations;
2. Or, having defaulted in the performance of a lease, license, permit, or similar agreement at the Airport or any other airport;

i. The applicant, in the opinion of the Director, has not provided verified evidence of adequate financial responsibility or does not exhibit the experience to undertake the proposed operation or activity based on the information provided with the application.

j. The applicant cannot provide the required performance and other bonds, security deposits, or other acceptable surety in the amount

required by the Airport for the proposed operation, activity, or construction.

Appeals

Appeals shall be made according to Chapter 18.44 of the Municipal Code of the City of Santa Barbara.

Section 3-4. Indemnification/Insurance

Indemnification

Operator shall, to the extent permitted by law, investigate, defend, indemnify and hold harmless the City, its officers, agents and employees from and against any and all loss, damage, liability, claims, demands, detriments, costs, charges, and expenses (including reasonable attorney's fees) and causes of action of whatsoever character which City may incur, sustain, or be subjected to on account of loss or damage to property or loss of use thereof, or for bodily injury to or death of any persons (including but not limited to property, employees, subcontractors, agents, and invitees of each party hereto) arising out of or in any way connected with operator's use or possession of the Premises.

Required Insurance Coverage.

An Operator or Tenant shall carry and maintain at its sole cost and expense throughout the term of its lease, permit, or agreement with the City the required types of insurance policies that meets (or exceeds) the specifications contained in the lease, permit, or agreement.

Section 3-5. Fixed Place of Business

No entity, with the exception of flying clubs and independent operators, shall use the Airport as an Operator until such entity has executed a lease agreement, license agreement, or permit, approved by the City, which establishes a fixed place of business on the Airport, and provides adequate space for the proposed operations. As appropriate, the City will accept requests to combine space from individual Operators who conduct more than one commercial aeronautical activity.

Section 3-6. Conduct of Business Operations

The Operator shall conduct all business operations in a safe and professional manner consistent with the degree of care and skill exercised by experienced Operators providing comparable products, services, and activities at similar Airports in like markets. The Airport expects the Operator to strive to consistently meet (or exceed) its customer's expectations by providing excellent service, in a positive and timely manner, and in full view of the public.

Section 3-7. Management Control and Supervision

The Operator shall be responsible for ensuring that it has provided adequate management control and supervision for each service and operation provided on the Airport, during all times when such services are being offered. Managers shall also be available after normal business hours in the event of an emergency.

Section 3-8. Airport Security

Each Operator, its employees, agents, and contractors, shall:

- Fully comply with the Airport's Security Program, approved by the FAA and/or Transportation Security Administration (TSA), and agrees to institute and carry out all security measures in the Security Program, as may be amended from time to time;
- Successfully complete the security training required by the Airport and TSA prior to gaining access to restricted areas of the Airport;
- Successfully complete a background check and security threat assessment as required by the Airport and/or TSA, and provide all necessary documentation to the Director prior to allowing access of such personnel to secured areas of the Airport;
- Fully comply with all appropriate Airport, TSA, and FAA regulations, including but not limited to 14 CFR Part 139 and 49 CFR Parts 1540 and 1542.

If Operator premises are located in a restricted area accessible only to those persons displaying a security identification badge issued by Airport (including but not limited to the AOA and SIDA), each person working on the premises must wear the badge at all times while on the Airport. The cost to obtain badge, including its replacement, will be paid for by Operator.

Operator shall control their Premises so as to prevent unauthorized access to the AOA and/or SIDA.

Operator shall submit a construction security plan for all major construction activity occurring inside the AOA, or affecting Airport security. The plan must be submitted in writing and approved by the Airport and TSA before beginning construction activity.

Section 3-9. Environmental Requirements

Each Operator shall strictly comply with all applicable environmental laws, rules, regulations, policies, and procedures adopted by the Airport, as well as those promulgated by federal, state, and municipal authorities, including the Airport's Stormwater Pollution Prevention Plan (SWPP) and Stormwater Management Plan.

In addition, each Operator shall comply with generally accepted environmental best management practices and standards.

Section 3-10. Interference with Utilities, Radio, or Navigational Aids

Each Operator shall strictly ensure that it will not interfere with, interrupt, or disrupt any utilities, radio, or navigation aids that are located on or otherwise serve the Airport. Any and all activities or operations that may potentially interfere with, interrupt, or disrupt any utilities, radios, or navigation aids shall be approved by the Airport prior to such activities or operations being conducted by the Operator, its employees, or agents.

Article 4. Multiple Service Providers

A multiple services Operator provides any two or more of the aeronautical services for which minimum standards have been herein provided in Article 7.

Section 4-1. Aircraft

The Operator shall comply with the aircraft requirements, including the equipment thereon for each aeronautical service to be performed except that multiple uses can be made of all aircraft owned or under lease by Operator except aircraft used for crop dusting, aerial application, or other commercial use of chemicals.

Section 4-2. Facilities

The Operator shall provide the facilities, equipment and services required to meet the minimum standards as herein provided for each aeronautical service the Operator is performing. However, only one office will be required of each Operator.

Section 4-3. Insurance

An Operator or Tenant shall carry and maintain at its sole cost and expense throughout the term of its lease, permit, or agreement with the City the required types of insurance policies that meets (or exceeds) the specifications contained in the lease, permit, or agreement.

Section 4-4. Personnel

The Operator shall have in his employ, and on duty during designated business hours, trained personnel in such numbers as are required to meet the minimum standards for each aeronautical service the Operator is performing as herein provided. Multiple responsibilities may be assigned to meet the personnel requirements for each aeronautical service being performed by the Operator.

Article 5. Fixed Base Operators (FBOs)

A Fixed Base Operator (FBO) makes available, at minimum, retail aviation fuel and oil sales, aircraft maintenance and repair, aviation line services, and aircraft storage (as more fully described below). An FBO may also be authorized by the City to offer additional aviation and related services.

The FBO shall not subcontract retail aviation fuel and oil sales or aircraft storage.

An FBO must have sufficient land area for development of a fixed base operation including but not limited to office space, general aviation terminal facilities, a fuel farm, aircraft storage hangars, tie-down facilities, paved apron and auto parking areas.

Section 5-1. General Aviation Terminal Facilities

An FBO must provide a General Aviation Terminal encompassing no less than 5,000 square feet, which includes:

a. A flight planning area, separate from other public areas, with appropriate seating, work areas, communication facilities, directories and all items necessary for complete flight planning

b. A pilot lounge

c. A conference room

d. Restrooms

e. A customer waiting area for transition of passengers to ground transportation and vice versa.

f. Designated office, counter, and/or other space from which to conduct business.

Section 5-2. Aircraft Airframe, Engine and Accessory Maintenance and Repair Services

An FBO shall provide space sufficient to house any aircraft upon which such service is being performed, with paved apron area adjacent to the hangar, suitable for storage of aircraft awaiting services and associated offices and required storage areas in accordance with the requirements of Section7-2 of the Minimum Requirements. The FBO may subcontract in order to provide the major aircraft maintenance and repair services and maintenance hangar space required of it, provided that such subcontractor(s) are approved by the City and meet the requirements of these Minimum Standards.

Section 5-3. Aircraft Storage

An FBO must also provide facilities for safe aircraft storage and towing, hangaring and/or tie-downs of based and transient aircraft, including, at minimum:

a. Cumulative Common Hangar space totaling no less than 40,000 square feet for corporate or multiple general aviation aircraft. Restroom required.

b. T-hangar and/or box hangar space totaling no less than 10,000 square feet, which shall accommodate both single and twin-engine piston aircraft.

c. Tie-down space of 20,000 square feet or for no less than 20 tie-down and transient fixed-wing aircraft.

d. Tie-down space of no less than 10,000 square feet for tie-down and transient helicopters.

e. Operator shall also provide restroom(s) for use by its aircraft storage tenants. Restrooms must be located within a reasonable walking distance and in a number adequate to serve the needs of tie-down and hangar tenants. Location and number of restrooms shall be subject to approval by the Airport Director.

Section 5-4. Fuel Facilities and Services

An FBO must provide facilities and equipment for the safe storage and delivery of aircraft fuel, in quantities adequate to meet the demands of its customers, in accordance with all applicable local, state and federal standards and Article 6 of these Minimum Standards. In this regard, at minimum, an FBO must:

a. Provide a fixed fuel storage facility (fuel farm) with a capacity of no less than 40,000 gallons, installed by Operator in a location approved by the Director.

b. Provide a full range of approved retail fuel services, including jet fuel and avgas available 7 days a week, 24 hours a day, by trained and competent employees. The fuel vendor's facility must be open for business during designated hours with on-call availability during non-business hours. FBO may also dispense automotive fuel as necessary for equipment associated with aviation line services.

c. Provide a sufficient number of mobile dispensing trucks to accommodate the measurable demands of its customers.

d. Provide an adequate inventory of generally accepted grades of aviation fuel and engine oil.

e. Provide transient aircraft with a parking area having access to the Airport runway/taxiway systems.

f. Provide aircraft parking to transient aircraft, including the availability of minor aircraft maintenance and repair services, which may be provided by other Airport tenants.

Section 5-5. Specific Aviation Line Services

An FBO must provide adequate ground equipment, including ground power and starting equipment, fire extinguishers, oxygen carts, portable compressed air, disabled recovery equipment, aircraft towing equipment, and such other equipment, supplies, and spare parts as may be reasonably required to service all general aviation aircraft. An FBO may also provide catering, window cleaning, lavatory, and baggage handling services. The FBO may subcontract in order to provide the specific aviation line services required of it, provided that such subcontractor(s) are approved by the City and meet the requirements of these Minimum Standards.

Article 6. Aircraft Fuels Operator

An aircraft fuels Operator provides aviation fuels, lubricants and other services supporting the itinerant and based aircraft operations on the Airport. Aviation fuel sales are vitally important to supporting aircraft Operators, these services are considered essential to aircraft operation and the operation of the Airport.

Section 6-1. Applicability

These regulations are applicable to any person who sells or otherwise dispenses aircraft fuel at Santa Barbara Airport.

Section 6-2. Compliance with Applicable Laws and Standards

Operator shall construct and maintain its facilities and shall conduct fueling operations in compliance with all applicable City, state, and federal laws and regulations, whether presently in effect or enacted hereafter. Operator shall also obtain a permit from the Santa Barbara City Fire Department under California Fire Code (CFC) 105.6 and comply with CFC Chapter 20, all current applicable standards of National Fire Protection Association (NFPA) 407, "Standard for Aircraft Fuel Servicing" and Air Transport Association Specification 103, "Standard for Jet Fuel Quality Control at Airports".

Section 6-3. Inspections

a. Operator shall not begin fueling operations until the Director has inspected the fueling facilities and equipment and has determined that they comply with the requirements of these regulations.

b. Operator shall allow the Director and/or appropriate State and City fire and safety officials to enter and inspect its premises at all reasonable hours to ensure compliance with the requirements of these regulations.

Section 6-4. Training

Operator shall not conduct fueling operations, nor shall Operator allow any other person to conduct such operations on its premises until the Operator has submitted to the Director evidence of the training and safety procedures required as follows:

a. At least one supervisor from the fueling Operator must complete an aviation fuel training course in fire safety which is acceptable to the Administrator of the FAA.

b. All other employees who fuel aircraft, accept fuel shipments, or otherwise handle fuel shall receive at least on the job training in fire safety from the supervisor trained in accordance with Paragraph 1. of this section.

c. Each fuel vendor shall provide certification once a year to the Airport Director that the training described in Paragraphs 1. and 2. has been accomplished.

Section 6-5. Fueling Facilities, Equipment, and Operations

a. **All Fueling Operators.** The following requirements regarding fueling facilities and equipment are applicable to all Fueling Operators:

1. For each type of fuel dispensed, Operator shall have separate, filter-equipped dispensing pumps and meters and monitoring equipment for leak detection.

2. If Operator uses mobile dispensing trucks, the Operator shall have at least one tank on the truck or trucks for the exclusive storage of each type of fuel available. Non-operational and out-of-service mobile fuel dispensers shall be promptly removed from the Airport. Self-fueling Operators are prohibited from using trucks for dispensing of fuel without prior written approval of the Director.

3. Operator shall obtain the written approval of the Director prior to construction or installation of any improvement on Operator's leased premises.

4. Operator shall maintain all fueling facilities in a safe and clean condition, equal in appearance and character to other similar Airport improvements.

5. Operator shall promptly repair any damage caused by Operator, Operator's employees, agents, patrons and guests.

6. Upon written notice Operator shall perform any reasonable facility maintenance the Director determines is necessary. If Operator fails to undertake such maintenance within ten (10) days of receipt of written notice, the Director may perform the maintenance and/or revoke or suspend the fueling operations. If maintenance is performed by the Santa Barbara Airport, the Operator shall reimburse the Airport through the Director, for the cost of the maintenance performed.

7. **Public Protection.** No person may dispense Class I flammable liquid fuel directly into the supply tanks on motor vehicles or aircraft unless the dispensing site is inaccessible to the general public.

8. **Fire Safety in Fuel Farm Storage Areas.** The Operator of premises where a bulk fuel storage plant for flammable or combustible liquids is located shall:

    1. Prohibit the handling, drawing, or dispensing of flammable or combustible liquids within 100 feet of an ignition source.

    2. Prohibit smoking within 100 feet of areas where flammable or combustible liquids are used.

b. **Self-Service Fueling Operators.** The following additional requirements regarding fueling facilities and equipment are applicable solely to Self-Service Fueling Operators:

1. Provide a fixed fuel storage facility (fuel farm) with a capacity no greater than 10,000 gallons, installed by Operator in a location approved by the Director.

2. The Self-Service Fueling Operator shall provide approved retail fuel, available 7 days a week, 24 hours a day.

3. The Self-Service Fueling Operator may provide transient aircraft with an ingress/egress area having access to the Airport runway/taxiway systems for the explicit purpose of refueling at the self-service fueling facility.

4. The Self-Service Fueling Operator may provide generally accepted grades of engine oil and lubricants.

c. **Self-Fueling Operators.** The following additional requirements regarding fueling facilities and equipment are applicable solely to Self-Fueling Operators:

1. Provide a fuel storage facility or equipment with a capacity no greater than 10,000 gallons, located or stored by Operator in a location approved by the Director.

2. A Self-Fueling Operator shall have adequate aircraft storage with service and parking area having access to the Airport

runway/taxiway system to satisfy the number of aircraft owned by Operator or leased for Operator's exclusive use.

3. Self-Fueling Operators shall not dispense aircraft fuel to another Airport user. Dispensing aircraft fuel under the authority of this permit is limited to Operator's own use in aircraft owned by Operator or leased for Operator's exclusive use.

4. A Self-Fueling Operator may conduct fueling operations only on those premises leased to the Operator by the Santa Barbara Airport or by a Tenant of the Santa Barbara Airport in the area designated in the Fueling Agreement.

5. A Self-Fueling Operator shall submit to the Director a report of fuel dispensed by aircraft registration number. An application for Self-Fueling Operator shall include the registration numbers of all owned or leased aircraft to be fueled.

Section 6-6. Records and Monthly Reports

a. Operator shall keep and maintain on the Premises full, complete and appropriate books, records and accounts relating to the Premises, the delivery of fuel to the Premises, all fuel dispensed, and the proper calculation of rent and fees due the City hereunder.

b. Operator shall maintain and keep all books, records and accounts relating, in City's reasonable judgment, to Operator's compliance with the terms, provisions, covenants and conditions of the Lease in accordance with generally accepted accounting principles consistently applied. If, at any time during the term hereof, said books, records and accounts are deemed inadequate or incomplete in the reasonable judgment of the City, Operator shall, upon the request of the City, revise, adjust, complete, procure and maintain such books, records and accounts so that thereafter they shall be of a character and form adequate for said purposes in City's reasonable judgment.

c. Operator shall make available upon reasonable written notice from City, at all times during normal business hours, for inspection by City, its auditors or other authorized representatives all such books, records and accounts. Upon reasonable written notice, copies of all sales, other excise tax reports and Internal Revenue tax reports or any other reports that Operator may be required to furnish any governmental agency shall at all reasonable times be open for inspection by City at the place that the books, records and accounts of Operator are kept. Operator shall preserve all such business

records for a period of five (5) years from the date of the preparation of such records and the submission of each annual statement.

d. Operator shall, each month, submit to the Director a complete report of all fuel delivered and dispensed, in a form approved by the City.

Section 6-7. Audits

Operator shall allow its records of fueling operations to be audited at any time, either by a field accountant of the City of Santa Barbara Finance Department or by an independent certified public accountant selected by the City.

Section 6-8. Assignment and Transfer Prohibited

A fueling operations agreement is not assignable or transferable.

Section 6-9. Revocation or Suspension of Operations

The Director may revoke or suspend fueling operations if it is determined that:

a. The Operator has violated any provision of these regulations and has not made needed corrections in a timely manner as directed by the Director;

b. The Operator has given false or misleading information to the Director during the application process;

c. The Operator has intentionally or knowingly impeded a lawful inspection by the Director or other person authorized to inspect the fueling operations of the Operator; or

d. The Operator has, within a twelve (12) month period, committed two or more violations of these regulations and has failed to make needed corrections in a timely manner as directed by the Director.

The Director shall send to the Operator by certified mail, return receipt requested, a written statement setting forth the reasons for the revocation or suspension.

In case of an emergency, the Director may order the Operator to correct the violation immediately, discontinue use of the product or equipment, or to cease fueling operations to the extent the Director, at its sole discretion, determines is necessary to abate the threat unless the violation is corrected. For purposes of this Section, an emergency shall be deemed to exist if the Director determines that a violation or situation has occurred which constitutes an imminent and serious threat to the public health and safety, or to the environment.

Section 6-10. Fuel Spill Procedures

Fuel operators shall make the following provisions to prevent or minimize the risk of fire hazard, property damage and/or environmental contamination due to the spillage of a hazardous liquid (jet fuel, avgas, oils, solvents, etc.) during aircraft servicing operations. Fuel operators shall follow the procedures set forth in CFC Section 2006.11, Fuel Spill Prevention and Procedures. The specific fire safety and hazardous spill cleanup procedures outlined in NFPA 407 shall also serve as a primary guideline for fueling Operators in regard to fuel spill disposition.

a. In the event of a fuel spill the fueling Operator should contact 911 to coordinate hazardous materials and fire fighting assistance.

b. Fuel spill cleanup is the responsibility of the fueling Operator. Fueling Operators are required to develop a fuel spill cleanup plan which minimizes the possibility of ignition of spilled flammable fuel and which prevents the introduction of fuels into the stormwater or sewer systems. Fueling Operators are required to have a current fuel spill plan on file in the office of the Airport Director, at all times. Equipment and material to support the fuel spill plan must be available on-site at each fueling facility.

c. Fueling Operators are required to train fuel service employees with regard to the following:

    1. Proper procedure and fire hazards associated with fuel spill cleanup. Training should include appropriate notification, fuel spill containment environmental contamination, EPA notification requirements, Airport ARFF response and standards of post spill cleanliness.

    2. Proper procedures for preventing fuel from flowing into storm drains, sanitary sewer drains or into airfield grass areas. Fuel service employees are requested to allow at least 50 feet of ramp separation, if possible, between fueling operations and storm drains to facilitate fuel spill containment.

    3. The procedure concerning proper storage, length of storage and appropriate disposal of contaminated absorbent material.

d. Fueling Operators are required to maintain all fuel service equipment and vehicles in safe working condition.

e. HAZMAT and/or fire fighting are required to standby at the scene of the spill in the interest of fire safety until the reasonable possibility

of a fire emergency has been eliminated. In the event of a fire emergency, fuel service employees shall respond to all instructions from emergency personnel regarding safety and/or controlling the emergency.

f. Uncontrolled fuel spill situations will be handled by the Santa Barbara County Fire Department Hazardous Materials Response Team. All costs incurred by the Fire Department or other agencies will be charged to the fueling Operator responsible for the spill.

g. Whenever cleanup of a fuel spill is contracted out to a commercial spill contractor, it is the responsibility of the fueling Operator to ensure that appropriate Regional Water Quality Control and Environmental Protection Agency regulations concerning contaminated soil and/or ground-water cleanup standards have been met.

h. Fueling Operators are required to report all fuel spills in excess of 10 feet in any direction or covering an area of 50 square feet to the fire department.

i. Fueling Operators are encouraged to organize mutual assistance agreements between the fueling Operators located on Santa Barbara Airport in regard to providing spill cleanup assistance to handle large spills. Airport Department Maintenance personnel may be available to assist in controlling an unchecked or expanding spill.

j. The Fire Department and Airport Operations are responsible for gathering all pertinent information concerning the origin and facts surrounding fuel spills. Airport Operations is responsible for recording all spill incidents to monitor trends and fuel service histories of all fueling Operators. The Airport Director is responsible for maintaining the above information concerning spills at the Airport. Every fuel spill shall be investigated by the Airport Department to determine the cause and required corrective measures.

Article 7. Specialized Aviation Service Operator

The Specialized Aviation Service Operator (SASO) shall engage in one or more of those commercial aviation activities described in this Section as stated in the appropriate Commercial Operating Permit. The Specialized Aviation Service Operator cannot subcontract these activities. The SASO may use third party providers to provide services identified in Article 7, provided the third party provider operates from the SASO's premises. Additionally, SASO is fully responsible for assuring third party operator's compliance with Airport rules and regulations.

Section 7-1. Aircraft Storage

An aircraft storage Operator engages in the rental of conventional hangars, T-hangars, or paved tie down area.

Minimum Standards

a. **Inside Storage.**

1. The conventional hangar Operator shall have his facilities available for the tenants aircraft removal and storage twenty-four hours per day, seven days a week, fifty-two weeks per year.

2. The Operator shall demonstrate that it can provide sufficient personnel trained to meet all requirements for the storage of aircraft with appropriate equipment.

3. The Operator may have an office in the storage building. If no office is maintained, the Operator shall post in conspicuous places on the hangar facilities the name, address and telephone number of the Operator and of the person who shall be managing or operating the hangar facilities.

b. **Outside Storage**

The Operator must have a lease to conduct one or more additional Operator services listed in this section, and provide suitable space for paved tie-down area of sufficient size to accommodate all aircraft used by the Operator in its operations and all aircraft that will be parked or stored by the Operator.

c. **Private, Non-Commercial Hangars**

An applicant may request a leasehold upon which to build and use private non-commercial hangars.

1. The hangars shall be used only for those purposes, which are specified for aircraft storage hangars in the City of Santa Barbara Municipal Code.

2. All aircraft which are stored in the hangars shall be owned by the tenant or one of the following persons associated with the tenant, if the tenant is a non-natural person:

   (a) A person who is a general partner of a tenant, which is a partnership.

   (b) A person who is manager of a tenant which is a limited liability company, or if there is no designated manager, a member of such tenant.

   (c) The president of a tenant, which is a corporation.

   (d) The chief executive officer of any other legal entity, which is a tenant

3. The tenant shall not sublease any hangar or make any partial assignment of its leasehold interest. Any assignment of all of the tenant's leasehold interest shall be subject to the approval of the Airport Director.

4. Tenant shall carry and maintain at its sole cost and expense throughout the term of its lease, permit, or agreement with the City the required types of insurance policies that meets (or exceeds) the specifications contained in the lease, permit, or agreement.

Section 7-2. Aircraft, Airframe, Engine and Accessory Maintenance and Repair

An aircraft airframe, engine and accessory maintenance and repair Operator provides one or a combination of airframe, engine and accessory overhauls and repair services on aircraft up to and may include business jet aircraft and helicopters. This category shall also include the sale of aircraft parts and accessories.

Minimum Standards

a. **FAA Certification.** An aircraft airframe, engine and accessory maintenance and repair Operator must operate as an FAA

approved repair station (FAR Part 145) or as an FAA Licensed A & P or Inspection Authorization (FAR Part 65) and in accordance with all requirements for FAA certification.

b. **Personnel.** The Operator shall have in his employ, and on duty during the designated business hours, trained personnel in such numbers as are required to meet the minimum standards set forth in this category of services in an efficient manner, but never less than one person currently certificated by the FAA with ratings appropriate to the work being performed and who holds an airframe, power plant or an aircraft inspector rating.

c. **Other Requirements.** Except as otherwise provided in any agreement between the Operator and the City, an Operator offering aircraft engine, airframe and accessory sales, maintenance and repair facilities to the public shall provide:

1. In case of airframe and/or engine repairs, sufficient hangar space to house the type of aircraft upon which such service is being performed, except when emergency unscheduled maintenance is required.

2. Suitable storage space for aircraft awaiting repair, maintenance, or delivery.

3. Adequate enclosed shop space to house the equipment and adequate tools, jacks, lifts, and testing equipment to perform overhauls as required for FAA certification and repair of parts not needing replacement on common single engine and light multi-engine general aviation aircraft, and supporting technical documents.

4. Sufficient FAA certified mechanics with inspection authority for the work to be performed, with established business hours and on-call availability.

5. Ability to provide necessary equipment and personnel to promptly remove from the public landing area (as soon as permitted by FAA, NTSB, and other authorities) disabled aircraft.

6. Adequate provisions for the removal/disposal of solutions, cleaning agents, lubricants and other wastes in compliance with Federal, State and County regulations.

7. Any facilities utilized for washing and cleaning aircraft shall comply with the Santa Barbara Airport Stormwater Pollution Prevention Plan, as approved by the State of California Water Resources Control Board, and the terms of any other applicable laws, rules and regulations relating to storm water discharge.

8. A written plan for adhering to all safety and environmental requirements.

Section 7-3. Avionics, Instrument, Propeller and/or Accessory Repair Station

An avionics, instrument, propeller, or accessory repair station Operator engages in the business of, and provides a facility for, the repair of aircraft avionics, propellers, instruments, and accessories for general aviation aircraft. This category may include the sale of new or used aircraft avionics, propellers, instruments, and accessories. The Operator shall hold the appropriate repair shop certificates issued by FAA for the types of equipment the Operator plans to service and/or install.

Minimum Standards

a. **Personnel.** The Operator shall have in his employ and on duty during the designated business hours trained personnel in such numbers as are required to meet the minimum standards set forth in this category in an efficient manner but never less than one person who is an FAA rated radio, instrument, propeller or accessory repairman.

b. **Other Requirements.** Except as otherwise provided in any agreement between the Operator and the Airport, an Avionics, Instrument, Propeller, and/or Accessory Repair Operator offering services to the public shall:

1. Provide adequate space to be used for shop, storage and test equipment.

2. Have available during designated business hours an FAA (Part 145) appropriately certified technician in the field of aircraft electronics and/or aircraft instruments.

3. Lease sufficient space or provide satisfactory arrangements for access to and storage of aircraft on which work is being performed.

Section 7-4. Flight Training

A flight training Operator engages in instructing pilots in dual and solo flight training, in fixed and/or rotary wing aircraft, and provides such related ground school instruction as is necessary to take a knowledge examination and flight check ride for the category or categories of pilots' certificates and ratings involved.

Minimum Standards

a. **Aircraft.** The Operator shall have available for use in flight training, either owned or under written Lease-Back to Operator, properly certificated airworthy aircraft.

b. **Personnel.** The Operator shall have on a full-time basis at least one flight instructor who has been properly certificated by the FAA to provide the type of training offered.

c. **Other Requirements.** Except as otherwise provided in any agreement between the Operator and the City, an Operator conducting flight training activities shall provide:

1. Training aircraft that:

   (a) Have a minimum of two seats

   (b) Are maintained in accordance with Federal Aviation Regulations

   (c) Are kept in a clean and presentable manner

   (d) Are available for training and rental

2. Adequate office and classroom space, separate from public areas.

3. Adequate instructional aids necessary to provide proper ground school instruction.

4. Current certificates required by the FAA for flight instruction.

5. Adequate facilities or arrangements for storing, parking, servicing, and repairing all its aircraft.

6. Auto parking for customers and employees.

Section 7-5. Aircraft Lease and Rental

An aircraft lease or rental Operator engages in the rental or lease of aircraft to the public.

Minimum Standards

a. **Aircraft.** The Operator shall have available for rental, either owned or under written lease to Operator, certified and currently airworthy aircraft.

b. **Other Requirements.** Except as otherwise provided in any agreement between the Operator and the City, an Operator conducting aircraft rental activity shall provide:

1. Suitable office space at the Airport for consummating rentals and keeping proper records in connection therewith.
2. Airworthy aircraft suitably maintained and certificated.
3. Adequate facilities for servicing the aircraft.
4. Adequate arrangements for parking the aircraft being rented.
5. An adequate supply of properly located fire extinguishers and other precautions and/or equipment required by City fire codes.
6. Auto parking for customers and employees.

Section 7-6. Aircraft Sales

New Aircraft Sales. An aircraft sales Operator engages in the sale of new aircraft through franchises or licensed dealership (if required by local, county or state authority) or distributorship (either on a retail or wholesale basis) of an aircraft manufacturer or used aircraft; and makes available such repair, services, and parts as necessary to meet any guarantee or warranty on aircraft sold.

Used Aircraft Sales and Brokerage. Many companies engage in the purchasing and selling of used aircraft. This is accomplished through various methods including matching potential purchasers with an aircraft, assisting a customer in the sale of an aircraft, or purchasing used aircraft and marketing them to potential purchasers. In many cases these Operators also makes available such repair, services, and parts as necessary to support the operation of aircraft sold. Some requirements may not be appropriate to the sale of used aircraft because of each aircraft's unique operational history.

Personal Aircraft Sales. Nothing contained herein shall prohibit any person from selling such person's own aircraft.

Minimum Standards

a. **Repair and Inventory.** The Operator shall make available necessary and satisfactory arrangements for repair and servicing of aircraft, but only for the duration of any sales guarantee or warranty period. The Operator shall provide an adequate inventory of spare parts for the type of new aircraft for which sales privileges are granted. The Operator who is engaged in the business of selling new aircraft shall have available a representative example of the product.

b. **Personnel.** The Operator shall have in his employ, and on duty during designated business hours, trained personnel in such numbers as are required to meet the minimum standards set forth in an efficient manner. The Operator shall also maintain, during designated business hours, a responsible person in charge to supervise the operations in the leased area with the authorization to represent and act for and on behalf of the Operator, and pilot in control for aircraft sold.

c. **Other Requirements.** The Operator shall provide the office required by these regulations and standards and shall lease from the Airport or applicable FBO an area of sufficient size to permit the storage and/or display of all aircraft for sale or use in the aircraft sales business. All inventory must be insured with liability coverage acceptable to the City.

Section 7-7. Aircraft Charter and Air Taxi

An unscheduled air charter or air taxi Operator engages in the business of providing air transportation (persons or property) to the general public for hire, on an unscheduled basis, under Federal Aviation Regulations.

Minimum Standards

a. **Aircraft.** The Operator shall provide, either owned or under written lease, the type, class, size and number of aircraft intended to be used by Operator, and which meet the requirements of the air taxi commercial operator certificate held by the Operator, including instrument operations.

b. **Personnel.** The Operator shall have available during designated business hours trained personnel in such numbers as are required to meet the minimum standards set forth in this category in an efficient manner but never less than one person who is an FAA certified commercial pilot and otherwise appropriately rated to permit the flight activity offered by Operator.

c. **Other Requirements.** Except as otherwise provided in any agreement between the Operator and the Authority, an Operator conducting aircraft charter and/or air taxi service shall make available:

1. Passenger lounge, rest rooms, and telephone facilities.

2. Aircraft that meet exclusive use requirements as defined in FAA Regulations.

3. At least one pilot available during on demand business hours, fully current under FAA Regulations and in compliance with all laws and procedures.

4. Auto parking for customers and employees.

Section 7-8. Aircraft Management Services

An aircraft management services operator means a person performing one of more of the following services in the management of another person's aircraft: pilot, staffing, records management, and other aircraft-related services detailed in any other sections contained herein. Aircraft management also encompasses the exercise of the privilege of FAR Part 91.501 on behalf of the owner (including fractional ownership such as time sharing, interchange agreements, and joint ownership) and brokerage of a qualified aircraft through an FAR Part 135 operator to the general public. Aircraft Management Services as defined in this Section 9-8. does not include the control of or operation of aircraft under FAR Part 135.

Part 91.501 Activities Include:

a. Ferry or Training Flights

b. Aerial work operations including photography, surveys, or pipeline patrol, excluding fire fighting

c. Demonstration flights for prospective customers at no charge other than those allowed in FAR Part 91.501(d)

d. Personal transportation for the operator and guests, at no charge

e. Carriage of company officials and guests, at no charge

f. Carriage of company officials under a time-share, interchange or joint ownership agreement

g. Carriage of property incidental to the business of the owner, when no charge is assessed other than those allowed in FAR Part 91.501(d)

h. Carriage of an athletic team, sports group, choral group, or similar group with a common purpose when no charge is assessed

i. Carriage of persons in the furtherance of business other than transportation by air, at no charge

Minimum Standards

The Aircraft Management Services operator will insure that pilots are appropriately licensed and certified for the managed aircraft.

Article 8. Independent Operators

An Independent Operator is an individual or entity that provides commercial aeronautical services but does not operate out of owned or leased property on the Airport. This category may include independent flight instructors providing instruction in the owner's aircraft and aircraft detailers or washers.

Each Independent Operator is required to obtain an annual Airport Operating Activity Permit from the City, and must provide copies of a City of Santa Barbara Business License. Each Independent Operator shall carry and maintain at its sole cost and expense throughout the term of its lease, permit, or agreement with the City the required types of insurance policies that meets (or exceeds) the specifications contained in the lease, permit, or agreement.

Minimum Standards

a. **Personnel.** The Independent Operator shall have, if applicable, the proper FAA certificates to conduct the particular service. The Independent Operator, if an entity, shall provide the Airport and keep current, the names, addresses, and contacts of all personnel responsible for the operation and management of the Independent Operator.

b. **Other Requirements**. Except as otherwise provided in any agreement between the City and the Independent Operator, the Independent Operator shall provide the City with a written statement from the Tenant that states that the Tenant is aware of the MSP activity and that, should facilities be needed, the Tenant has provided the appropriate space. Tenant is responsible for assuring Independent Operator's compliance with all Airport rules and regulations.

Article 9. Specialized Commercial Flying Services

A specialized commercial flying services Operator engages in air transportation for hire for the purpose of providing the use of aircraft for the activities listed below:

- Non-stop sightseeing flights that begin and end at the Airport
- Crop dusting, seeding, spraying, and bird chasing
- Banner towing and aerial advertising
- Fire fighting
- Any other operations not specifically addressed by FAA Regulations, and not otherwise addressed in this document

Minimum Standards

a. **Permit, License or Lease.** The Operator shall obtain from the City, or an authorized Leaseholder, a permit, license or lease to conduct the operations of it's specialized commercial flying service(s).

b. **Facilities.** The Operator must procure facilities sufficient to accommodate all activities and operations proposed by the Operator. The minimum areas in each instance shall be subject to the approval of the Director. In the case of crop dusting or aerial application, the Operator shall make suitable arrangements and have such space available for safe loading, unloading, storage and containment of chemical materials.

c. **Aircraft.** All Operators shall demonstrate that they have the availability of aircraft suitably equipped for the particular type of operation they intend to perform.

d. **Personnel.** The Operator shall have in it's employ, and make available during designated business hours, trained personnel in such numbers as may be required to meet the minimum standards herein set forth in an efficient manner.

e. **Point of Contact.** The Operator must provide, by means of an office or a telephone, a point of contact for the public desiring to utilize Operator's services.

Article 10. Non-Commercial Activities

Section 10-1. Flying Clubs

In an effort to promote flying for pleasure, develop skills in aeronautics, including pilotage, navigation, and awareness and appreciation of aviation requirements and techniques, the category of Flying Club is added to these regulations and standards.

All flying clubs desiring to base their aircraft and operate on the Airport must comply with the applicable provisions of these regulations and standards. However, they shall be exempt from regular fixed base Operator requirements upon satisfactory fulfillment of the conditions contained herein.

A flying club must be a non-profit corporation or partnership. Each member must be a bona fide owner of the aircraft or stock holder of the corporation. A flying club may utilize leased aircraft, provided that the aircraft is leased solely to the club, for the exclusive use of its partners or shareholders.

Minimum Standards

a. **Finances.** The club may not derive greater revenue from the use of its aircraft than the amount necessary for the actual cost of operation, maintenance and replacement of its aircraft. The club will keep current a complete list of the club's membership and a record of club finances and will make such available to the City upon request.

b. **No Commercial Activity.** The club's aircraft will not be used by other than bona fide members and by no one for hire, charter, air taxi, or rental operations.

c. **Failure to Comply.** In the event the club fails to comply with these conditions, the City will notify the club in writing of such violations. The club shall have fourteen days to correct such violations. If the club fails to correct the violations, the City may demand the club's removal from the Airport.

d. **Insurance.** Club shall carry and maintain at its sole cost and expense throughout the term of its lease, permit, or agreement with the City the required types of insurance policies that meets (or exceeds) the specifications contained in the lease, permit, or agreement.

e. **Maintenance.** Aircraft maintenance performed by the Club shall be limited to only that maintenance that does not require a certificated mechanic.

f. **Other Requirements.**

1. The club shall be a nonprofit entity (corporation, association or partnership) organized for the express purpose of providing its members with aircraft for their personal use and enjoyment only. The ownership of aircraft must be vested in the name of the flying club (or owned ratably by all of its members). The property rights of the aircraft shall be equal and no part of the net earnings of the club will inure to the benefit of any member in any manner. In the case of leased aircraft, the aircraft must be leased solely to the club, for the exclusive use of its partners or shareholders. The club shall not derive greater revenue from the use of its aircraft than the amount necessary for the operations, maintenance, insurance, and replacement, upgrading or expansion of its aircraft fleet.

2. The club shall not conduct charter, air taxi, or rental operations. The club shall not conduct aircraft flight instruction except for regular members, and only members of the flying club may operate the aircraft. Any qualified mechanic who is a registered member and part owner of the aircraft owned and operated by a flying club shall not be restricted from doing maintenance work on aircraft owned by the club and the club does not become obligated to pay for such maintenance work except that such mechanics and instructors may be compensated by credit against payment of dues or flight time. Maintenance shall be subject to the provisions of these regulations and standards.

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 initial application, and annually thereafter, shall furnish the City 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, evidence of insurance; number and type of aircraft; evidence that ownership, or leasehold interest, 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 the City and Airport Director.

5. A flying club shall comply with all Federal, State and local laws, ordinances, regulations and these regulations and these Minimum Standard.

6. If a flying club violates any of the foregoing, or permits one or more members to do so, and the violation is not corrected within a reasonable time, as determined by the Airport Director, the club will be required to terminate all operations and vacate the Airport.