

**AIRPORT MINIMUM STANDARDS
Rules and Regulations**

FOR

**Hamilton Municipal Airport
Hamilton, Texas**

As adopted by the Hamilton City Council on

July 11, 2024

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INTRODUCTION AND PURPOSE

WHAT ARE THE “AIRPORT MINIMUM STANDARDS”

FAA Federal Order 5190.6B, Change 3, effective Sept. 15, 2023, titled “Airport Compliance Manual”, is the section of FAA regulations that “provides guidance to FAA employees on the implementation of the FAA’s airport compliance program. Under the program, the FAA has the responsibility to assure airport sponsors comply with certain obligations that arise from FAA grant agreements and from deeds of property conveyance for airport use. “Appendix O of FAA Order 5190.06B, Chg 3, recommends that all public airports develop a Minimum Standards Manual in order to establish and promote compliance with FAA Order 5190.06 B. Creation of a Minimum Standards Manual will allow public airports to be operated under a uniform set of regulations, as well as making the airport eligible to participate in FAA and Federal programs offering assistance in several forms; including Grants, acquisition of surplus federal equipment and improvement funds.

The qualifications or criteria which may be established by an airport owner (City of Hamilton, TX) as its minimum requirements must be agreed to and met by all businesses and persons engaged in on-airport aeronautical activities or for the right to engage in on-airport commercial aeronautical activities. These standards, established by the City of Hamilton, TX through its Airport Advisory Board, as amended from time to time, are the minimum requirements to be met or agreed upon by any Tenant, Club or Organization, Fixed Base Operator (FBO) or Specialized Aviation Support Operator (SASO; (or proposed FBO or SASO) or visitor to the airport, as a condition for the right to operate or provide any aeronautical or support services to the public at the airport.

The Airport Minimum Standards are a living document, which may be revised, amended or have sections added or voided, from time to time. It is effective at the time of enactment or revision by the appropriate government agency of the City of Hamilton, TX. A copy of the Minimum Airport Standards will be available for inspection in the Airport office, and at the City of Hamilton City Hall during normal business hours. Copies can be provided for a fee to interested parties.

Part A – RULES AND REGULATIONS FOR ALL AIRPORT ACTIVITY

SECTION ONE – GENERAL PROVISIONS

PREAMBLE AND POLICY

The following Rules and Regulations shall govern the conduct of all persons on or doing business with the City of Hamilton Municipal Airport, (City) unless otherwise specifically provided for by Federal or State regulations or unless exceptions not in conflict with Federal or State regulations have been authorized by the Hamilton City Council (HCC). No person may operate any aircraft to or from the airport or use any airport facilities unless in conformity with the provisions of the City ordinances, laws of the State of Texas, Federal laws, and rules and regulations applicable to such operations. The rules promulgated hereunder also apply to all persons in attendance, visiting or observing activities at the Hamilton Municipal Airport, whether or not such persons are involved in any aeronautical activities.

ADMINISTRATION AUTHORITY

In addition to the requirements of the FAA Order 5190.6B, Change 3, and various State regulations, the Hamilton City Council (HCC) may, through its City Administrator, promulgate such rules and regulations, orders and instructions as are necessary in the administration of the airport. The Hamilton City Administrator may post signs or distribute documents which state or apply the rules, regulations, orders or instructions.

The Hamilton Municipal Airport is a department of the City of Hamilton which shall designate the City Administrator and the Airport Advisory Board to supervise the operations of the airport. It shall be the duty of the City Administrator, or Airport Manager if one is appointed, to see that the Ordinances regarding airport operations are observed by persons engaged in any aeronautical activity at the airport and by any other persons on the airport premises. Members of the Airport Advisory Board and the Airport Manager are empowered to require compliance with the provisions of the Airport Minimum Standards and all Rules and Regulations issued by the HCC. The airport shall be conducted as a public air facility for the promotion and accommodation of civil aviation and associated activities.

The privilege of using the airport and its facilities shall be conditioned on the assumption by the user of full responsibility and risk for such use, and the user thereof releases and agrees to hold the City of Hamilton and its officers, agents and employees harmless and indemnify them from any injury, loss, claim or damage to any persons or property while on or about the premises. The City of Hamilton does not insure the property of airport tenants or their guests. The owners and operators of all aircraft based on or operating from the airport shall comply with all of the applicable provisions of the Rules and Regulations. The City of Hamilton reserves the right to deny use of the airport to any person who it determines is endangering the public's safety, health or welfare.

ADVERTISING SIGNS AND SOLICITATION

No signs or other commercial advertising shall be placed or constructed upon the airport premises, airport entrance roads or on any building, structure or improvement thereon, without prior written approval of the City Administrator. All authorized signs or advertising media shall be kept in good repair and neat in appearance. No person shall solicit, collect fares or hold fundraising events for any purpose on the airport without the advance permission of the Airport Manager or City Administrator.

AUTHORITY TO EJECT

The City Administrator and the Airport Manager shall have the right to eject or remove from the airport premises, any vehicle, aircraft operator or any person found violating any provisions of these rules. Such persons shall have the right to appeal the ejection to the Aviation Advisory Board and/or to the Hamilton City Administrator, in that order and if not satisfied, then to the Hamilton City Council.

DAMAGE, INJURIOUS ACTIVITIES AND ABANDONMENT

No person shall destroy, injure, deface or disturb in any way any building, sign, equipment, marker or other structure, trees, shrubs, flowers, lawn or seeded area on the airport. No person shall conduct on or at the airport, activities that are injurious, detrimental or damaging to the airport property, or to business of the airport or to persons. No person shall abandon any personal property at the airport.

DAMAGE TO AIRPORT PROPERTY

Any person causing, or liable for, any damage to airport property, shall pay the City of Hamilton on demand the full cost of repairs to the damaged property. Any person failing to comply with these rules may be refused the use of the airport.

EXPLOSIVES PROHIBITED

No person shall carry any unauthorized explosives on the airport. The possession of personal firearms on the airport will be governed by the laws of the State of Texas.

PETS OR ANIMALS

All pets or animals on the airport property shall be crated or restrained and under the care and custody of their owner. Owners are responsible and liable for any damage to property or person(s) caused by their pet. No animal may be left unattended on airport property. Pet owners or handlers shall be responsible for waste pickup.

PROPERTY REGULATIONS

The City of Hamilton, TX, its officers, and assigns, assume no responsibility or liability for loss, injury or damage to persons or property on the airport or using airport facilities, including but not limited to fire, vandalism, wind, tornado, blizzard, flood, earthquake, or collision damage, nor does it assume any liability by reason of injury to person or property while using the facilities of same.

SPECIAL EVENTS

Any person or organization wishing to sponsor a special event on Hamilton Municipal Airport property shall obtain the prior written approval of the Airport Advisory Board or the City Administrator.

During a special event the airport may be closed on a temporary basis and airport use restrictions may be imposed. The Aviation Advisory Board shall have final authority in any such determination.

The City of Hamilton, TX, requires the use of safeguards to protect the airport, aircraft using the airport, and the general public during any special event. These requirements may include, but are not limited to the following:

1. Sufficient authorized security and safety personnel
2. Required authorization waivers as issued by the Federal Aviation Administration
3. Traffic and parking control
4. Clean up and debris removal

The City or Aviation Advisory Board will not close the airport for any activity that is not an aeronautical activity.

The City or Aviation Advisory Board has the right to establish and charge reasonable fees for the use of the airport for special events.

UNSAFE OR UNFAVORABLE AIRPORT CONDITIONS

If the Airport Manager believes the conditions at the airport, or any portion thereof, are unfavorable for safe aircraft operations, he/she may, after consultation with the City Administrator, close the airport, or portions thereof, using applicable Federal Aviation Administration procedures and Notices to Airmen, as deemed appropriate.

UNAUTHORIZED PARKING OF AIRCRAFT OR VEHICLES

Any aircraft or vehicle which has been parked in any unauthorized space may be removed or caused to be removed by the City or the Airport Manager, at the owner's expense.

Airport Loaner cars, if available, will be parked in an assigned parking area. They are to be returned to the same area.

SECTION TWO – AIRCRAFT OPERATIONS

AIRCRAFT OPERATION REGULATIONS

1. All aircraft operations to or from, or over the airport shall be in conformity with all Federal Aviation Administration regulations, FAA Order 5190.6B , Change 3, the applicable provisions of the laws of the State of Texas and the Rules and Regulations promulgated by the Aviation Advisory Board or the City.
2. No person shall park an aircraft on any runway or taxiway at the airport without specific authorization.
3. No person shall park or store an aircraft at the airport except in areas designated by the Airport Manager.
4. Preventive maintenance work, as defined in Title 14, Part 43, Appendix A(c), Code of Federal Regulations, may be performed at the airport tie-down areas or in a hangar leased for a specified aircraft, by the owner or operator of the aircraft. Aircraft owners who possess current mechanic ratings such as A & P and IA may do additional work in the tie-down areas subject to the approval of the Airport Manager. All other aircraft maintenance, rebuilding, and alterations shall be performed only in those areas designated by the Airport Manager.
5. No person shall take any aircraft from the airfield or hangers or operate such aircraft while under the influence of intoxicating liquor or dangerous drug.
6. Any person parking transient aircraft overnight on terminal transient areas shall register their aircraft with the Airport Manager as soon as possible after landing and pay appropriate tie-down fees. Registration forms are available in the airport office at all times.
7. All owners and operators who desire to base their aircraft at the airport shall register their aircraft with the Airport Manager. Any change in ownership of the aircraft shall be reported as soon as possible.
8. No aircraft shall remain on any part of the landing or takeoff areas for the purpose of repairs unless authorized by the Airport Manager.
9. No person shall, without the owner's permission, interfere or tamper with an aircraft on airport premises.
10. No aircraft shall be operated on the surface of any public landing areas, public aircraft parking aprons or taxi areas in a careless or negligent manner or in disregard of the rights and safety of others, or at an unreasonable speed or in a manner which endangers persons or property.
11. No person shall start or taxi any aircraft in a place where the air or exhaust blast is likely to cause injuries to persons or property. If the aircraft cannot be taxied without violating this paragraph, the operator must have it towed to the desired location.
12. All air traffic should avoid flight over populated or noise sensitive areas whenever possible, consistent with safety.

ACCIDENT PROCEDURES

Persons involved in aircraft accidents occurring at the airport shall make a full report thereof to the Airport Manager or his/her representative as soon as is possible after the accident. The report must include all pertinent information. For the purposes of this section, an aircraft accident shall include any event involving an aircraft and a motor vehicle, other aircraft, person or stationary object which results in property damage, personal injury or death.

Any person damaging property on the airport by means of contact with an aircraft shall report the damages to the Airport Manager immediately and shall be fully responsible to the City of Hamilton for the cost of repairs.

Every pilot and aircraft owner shall be responsible for the prompt removal of any disabled aircraft or parts thereof, as directed by the Airport Manager, subject to any FAA or State accident investigation requirements.

STUNT FLYING OR AEROBATICS

No person shall operate an aircraft in a careless or reckless manner as to endanger life or property by buzzing, diving or low altitude flying and no person shall engage in aerobatic or stunt flying within the airport area unless authorized by the Airport Manager and operating under the Federal Aviation Regulations,

TRAFFIC PATTERNS

All aircraft operating into and out of the airport shall follow the approved airport traffic pattern which has been established and published.

SECTION THREE – MOTORIZED VEHICLES

GENERAL REGULATIONS

1. Motorized vehicles shall always yield right of way to aircraft.
2. No motor vehicle shall be operated on the airport if it is so constructed, equipped or loaded as to endanger persons or property.
3. Each operator of a motor vehicle involved in any accident on the airport that results in personal injury or property damage, shall make a full report to the Airport Manager or to the City Administrator as soon as possible after the accident. The term "motor vehicle" shall include, 4 wheel vehicles, Golf carts, motorcycles and tractors.-
4. No person shall operate any motor vehicle on the airport in violation of the Rules and Regulations promulgated by the City of Hamilton, the Airport Advisory Board or the laws of the State of Texas.
5. No person shall operate a motor vehicle on the airport in a negligent or reckless manner, or in excess of posted speed limits.
6. No person shall park or stand a motor vehicle at any place on the airport in violation of any posted sign or in a manner as to block any fire gate or entrance, road or taxiway.
7. Upon notification from the Airport Manager, the operator of any vehicles or equipment improperly parked or stored at a hangar, taxiway, public parking lot or aircraft parking apron shall promptly move the vehicle or equipment as directed.
8. The Airport Manager or his/her agent may remove, at the owner's expense, any motor vehicle which is parked on the airport in violation of these Rules and Regulations. The vehicle shall be subject to a lien by the City of Hamilton for the cost of removal.
9. Pilots and Aircraft owners are responsible for their guests. Guests should park in the designated parking lots and be escorted to the hangar area.
10. Motor vehicles are not allowed on the active runway or taxiways unless authorized by the Airport Manager. All vehicles operated on an active runway or taxiway, must have an operating rotating beacon on the roof and their

flashers turned on. An aviation radio is preferred when performing operations at the runway. Golf carts and other small vehicles in support of aviation operations are exempt from having flashing lights or rotating beacons on while on active runways or taxiways.

11. Individuals, Clubs or Organizations using only airport grounds for any event or activity must remain clear of the runways and taxiways and not permit any vehicle or equipment on runways or taxiways at any time. The perimeter road around the airport property line is to be used by all persons, clubs or organizations vehicles not actively involved in aircraft operations, when such vehicles are assisting in other events at the airport.

SECTION FOUR – ROADS AND WALKS

OBSTRUCTIONS

No person shall occupy or place an object on a road or walk on the airport in a manner that hinders or obstructs its proper use. The Airport Manager may close roadways, gates, walkways as needed for security and safety.

UNAUTHORIZED TRAVEL

All pedestrians, air carrier passengers and sightseers at the airport shall remain off the Airport Operations Area (AOA) or in designated areas and shall be escorted onto the AOA by the Airport Manager, FBO or designated personnel. Passengers and crew entering or exiting an aircraft are exempt from this rule. The FBO, Airport Manager or designated personnel are responsible for safety enforcement.

No person shall travel on the airport property except via a road, walk or path provided for the kind of travel the person is doing. Extreme care must be taken when near runways or taxiways or around aircraft. No shortcuts are allowed across the main runway.

SECTION FIVE – FIRE HAZARDS AND FUELING OPERATIONS

AUTHORITY TO INSPECT

The City Fire Chief or his/her duly authorized representatives and the Airport Safety Officer will inspect, as often as required, all buildings and premises for the purpose of ascertaining and causing to be corrected any conditions which would reasonably tend to cause fire or contribute to its spread or endanger life or property from fire. All orders, notices or recommendations shall be complied with by all persons without delay.

DOPING

Any doping process on the airport shall be conducted in a properly designed fire-resistive and ventilated room or building in which all lights, wiring, heating, ventilating equipment, switches, outlets and fixtures are approved for such use in hazardous areas, and in which all exit facilities are approved and maintained for such use, or except in an open area as designated by the Airport Manager.

FLAMMABLE CLEANING FLUIDS

No person shall use a flammable or volatile liquid having a flash point of less than ninety-six degrees Fahrenheit to clean an aircraft, aircraft engine, propeller or appliance in an aircraft hangar or similar type building, nor within fifty feet of another aircraft, building or hangar.

FUEL DELIVERY AND DISPENSING

No person shall transport or deliver aviation fuels on the airport or dispense fuels into aircraft unless authorized by the Airport Manager or Aviation Advisory Board to conduct such activity, except if a person is providing fuel for his/her own noncommercial aircraft.

FUELING

1. No person shall fuel or defuel* an aircraft at the airport under these conditions:

A. While the engine is running or is being warmed by applying external heat;

B. While it is in a hangar or enclosed space;

C. While passengers are in the aircraft unless a passenger loading ramp is in place at the cabin door, and a "no smoking" sign is displayed and the rule enforced.

*This does not prohibit fuel sampling of small quantities to check for fuel quality and contaminants.

2. No person shall knowingly start the engine of an aircraft if there is any gasoline or other volatile flammable liquid on the ground beneath it of sufficient quantity to cause a hazard.

3. No person shall operate a radio transmitter or receiver, or switch electrical appliances on or off on the airport while it is being fueled or defueled.

4. During the fueling of an aircraft the dispensing apparatus and the aircraft shall both be grounded in accordance with orders and instructions of the Airport Manager, except with single point fueling.

5. Each person engaged in fueling or defueling on the airport shall exercise care to prevent the overflow of fuel, and shall have readily accessible an adequate fire extinguisher.

6. During the fueling or defueling of an aircraft, no person shall, within 75 feet of that aircraft, use any material that is likely to cause a spark or be a source of ignition.

7. Each hose, funnel or appurtenance used in fueling or defueling an aircraft shall be maintained in safe, sound and non-leaking condition and must be properly grounded to prevent ignition of volatile liquids.

OPEN FLAME OPERATION

No person shall have in his or her possession an open flame, flame-producing device or other source of ignition in any hangar or similar type of building, except in locations approved by the Airport Manager or the Aviation Advisory Board. Permitted items may include matches or lighters included in a packed emergency survival kit.

SMOKING

The City of Hamilton has a no-smoking policy on all City controlled properties included the Hamilton airport. A designated outdoor area is specified at each City owned property. Smoking is not permitted in any buildings or open areas at the airport. Smoking is only permitted in specified areas, which are at the SE corner of the Ramp area in front of the Main Hangar at on the empty concrete pad area North of the Tee hangars directly behind the main hangar building.

STORAGE OF MATERIALS

1. No person shall store or stock material or equipment on the airport in a manner that constitutes a fire hazard.

2. Any combustible materials, flammable liquids or other hazardous materials should be stored in a suitable container, inside a locked fire-safe cabinet built specifically for that purpose. Such cabinets should be placed outside of the building if possible. If not possible, when not in use, they should be kept locked and placed as far away from aircraft and personnel as possible.

SURFACE AREAS

Each person to whom space on the airport is leased, assigned or made available for use shall keep the space free and clear of spilled oil, grease, or other foreign materials that could cause a fire hazard or slippery or other unsafe condition.

UNIFORM FIRE CODE

All persons shall comply with the provisions of the most recently adopted Uniform Fire Code of the City of Hamilton and all aviation related fire codes for airport created by the State of Texas.

SECTION SIX – TENANTS

AUTHORITY TO INSPECT

The Airport Manager, Airport Advisory Board and all designated City of Hamilton officers or officials shall have the right, at all reasonable times, to inspect all areas under lease to, or occupied by tenants of the Hamilton Municipal Airport. A master set of keys will be made available by each tenant to the Airport Manager for outer doors of each tenant facility, Interior cabinets and files of lessees may be kept locked. However, in an emergency, those cabinets and files may be opened or removed if deemed necessary by the Airport Manager or his designee, to prevent further damage of threat to life.

COMPLIANCE WITH SAFETY AND ENVIRONMENTAL RULES AND REGULATIONS

The Board has established, adopted and filed a Storm Water Pollutions Prevention Plan and a Spill Prevention Control and Countermeasure Plan with the Environmental Protection Agency and Texas Department of Environmental Management. All tenants and other users of the airport shall comply with those plans.

CONFORMANCE USES

No tenant or hangar owner shall knowingly allow leased property to be used or occupied for any purpose prohibited by these Rules and Regulations. All tenants and occupants shall abide by the rules and regulations set forth in their agreements or contract leases. An agreement or contract with the City or Aviation Advisory Board is a requirement for use of a hangar, building, land lease or storage unit on airport property.

PRIVATE HANGAR CONSTRUCTION AND LONG TERM LEASE AGREEMENTS

All private hangar or facility construction is governed by individual agreements between the City of Hamilton and the proposed owner or contractor wishing to perform such works at the airport. All Lease agreements for property or facilities at the airport are governed by individual agreements between the City of Hamilton and the proposed lessee. For more information, (See Hamilton Municipal Airport Private Hangar Construction, Lease and Occupancy Agreements)

LAND LEASE TENANTS

Any land lease agreements for property or facility that may exist, from time to time at the airport, are governed by individual agreements between the City of Hamilton (Lessor) and the proposed Lessee. (See City Ordinance governing airport land lease tenants)

HAZARDOUS STORAGE

No person shall store or stack equipment or material in a manner to be a hazard to persons or property. No bulk materials designated dangerous or hazardous may be stored on airport property without written permission of the Airport Manager or the City Administrator.

PROVISIONS INCORPORATED INTO LEASE

The provisions of this section shall be deemed incorporated into every lease and any violations of the provisions of this section or any of the Rules and Regulations pursuant to this section may result in termination or renegotiation of the lease.

TRASH

1. No person doing business on the airport shall keep uncovered trash containers on the sidewalk or road or in a public area of the airport.
2. No person shall operate a vehicle for hauling trash, dirt or other material on the airport unless it is built to prevent its contents from dropping, sifting, leaking or otherwise escaping.
3. No person shall spill, pour or otherwise discharge any pesticide, herbicide or any hazardous material on any airport property without approval of the Airport Manager.
4. Vendors at any event held on airport property are responsible for full and complete cleanup of all materials around their vendor area. The Airport Advisory Board or the City Administrator may require damage deposits to promote compliance with this requirement.

SECTION SEVEN – AIRPORT BASED FLYING AND SOARING CLUBS

All flying or soaring clubs desiring to base their aircraft and operate on the Hamilton Municipal Airport must comply with the applicable provisions of these Minimum Standards, the Airport Rules and Regulations and receive written approval from the City Administrator or Aviation Advisory Board prior to operating from the airport. However, an individual club may be given exemption from some or all of the commercial FBO and SASO requirements based on their mission and upon satisfactory fulfillment of the conditions contained herein.

FAA Order 5190.6B, Change 3 - 10-6 Flying Clubs, grants certain rights, privileges and responsibilities to Flying and Soaring Clubs that meet the definition of a club as listed therein. The Hamilton Municipal Airport is and will be in compliance with that document at all times. Where ever the wording or intent of this document (Hamilton Airport Minimum Requirements), conflicts with the wording or intent of FAA Order 5190.6B, then; FAA Order 5190.6B, Change 3, dated September 15, 2023, or future Changes to that document, shall prevail.

1. The club shall be a non-profit entity (*i.e.*, corporation, association or partnership) organized for 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, except those aircraft privately owned by members or groups of members.
2. Flying or soaring clubs may not offer or conduct charter, air taxi operations. They may conduct aircraft flight instruction for their own members. Only members of the flying or soaring club may operate the club's aircraft, except as provided in FAA 5190.6B, Chg 3, Section 10.6 Flying Clubs
3. All flying or soaring clubs and their members may sell or exchange its capital equipment. Non-profit clubs and corporations may conduct Festivals or Fly-ins and other fund-raising events at which items are sold or exchanged as long as they have complied with the articles in this document governing such events and festivals.

4. With its initial application, the flying or soaring club shall furnish the City Administrator or Airport Advisory Board a copy of its charter and by-laws, articles of association, partnership agreement or other documentation supporting its existence; evidence of insurance, in the form of a certificate of insurance with a minimum limit as set by the Hamilton City Council, per person, for personal injury and property damage and a total minimum limit as set by the City Administrator, with the Aviation Advisory Board and the City of Hamilton named as an additional named insured; number and type of aircraft; evidence that aircraft are properly certificated; evidence that ownership is vested in the club; and the operating rules of the club. The flying or soaring club shall make annual certifications to the City or Aviation Advisory Board through the Airport Manager, that its' insurance is in force and the Board may require certificates to be reviewed at other times to confirm that adequate insurance is in force.

5. A flying or soaring club and its members must abide by, and comply with, all Federal, State and local laws, ordinances, regulations and these Rules and Regulations, unless waived in writing by the Airport Advisory Board or City of Hamilton, through the Airport Manager. It is the responsibility of the Club officers to ensure that its members do abide by these rules and ordinances.

6. A locally based flying or soaring club may, with the permission of the Airport Manager or the Aviation Advisory Board, hold fly-ins or competition flying events at the airport, provided they have coordinated all elements, including airport safety and NOTAM requirements with the Airport Manager, or in his absence, the Airport Advisory Board.

7. A flying or soaring club which violates any of the foregoing rules or restrictions, or allows one or more members to do so, may be subject to disciplinary action.

8. Any restriction herein imposed on Flying or Soaring Clubs, that conflicts with FAA 5190.6B, shall not be enforced against such Clubs.

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Part B – MINIMUM STANDARDS FOR COMMERCIAL AIRPORT ACTIVITY

SECTION ONE - PREAMBLE AND ADMINISTRATION

Preamble

The Airport Aviation Advisory Board, appointed by the City of Hamilton, to manage or operate the Hamilton Municipal Airport, does hereby establish the following Minimum Standards for those wishing to provide commercial aeronautical activities or services to the public. No person shall be granted the right to conduct any commercial activity on the airport premises unless such activity is conducted in accordance with these Minimum Standards. This is to ensure that those who have undertaken to provide commodities and services, as approved, are not exposed to unfair or irresponsible competition, and to protect the public from irresponsible, unsafe and/or inadequate services or activities. These Minimum Standards were developed taking into consideration the aviation functions of the airport, facilities that currently exist at the airport, services being offered at the airport, the future development planned for the airport and the promotion of fair competition at the airport.

Any person who engages in the sale or rental of any commodities, supplies, services or any type of business or commercial activity whatsoever on the airport shall have a current commercial operating agreement, contract, lease or other written agreement with the City of Hamilton or its Aviation Advisory Board.

For the privilege of conducting aeronautical activities or services on the airport, all operators, vendors and their employees or agents shall meet these minimum standards, which will:

1. Govern the quality and level of services that are offered to the public; and
2. Protect patrons from irresponsible, unsafe or inadequate service; and
3. Discourage the unqualified provider for the protection of both the established operator and the public; and
4. Prevent revenue from being diverted from the airport; and
5. Assist in eliminating charges of discrimination. Fairness dictates that any business that derives similar benefits from use of the airport should also meet the same or similar standards and pay similar fees for similar services; and
6. Encourage orderly development; and
7. Assist the City or Aviation Advisory Board by establishing a consistent policy to avoid conflicts of interest and politically motivated pressures; and to eliminate all discrimination in employment, access and pay and benefits.
8. Protect the community interest by acting in a manner to maximize benefit to the community.

Administration and Policy Oversight

The City of Hamilton Municipal Airport is a department of the City of Hamilton, TX. Therefore, the Hamilton City Council, the City Administrator and by delegation, the Hamilton Airport Aviation Advisory Board and the Airport Manager shall be responsible for the administration and enforce of these Airport Minimum Standards for the Hamilton Municipal Board.

SECTION TWO - GENERAL REQUIREMENTS

Prospective and Existing Providers

The following rules and regulations apply to all prospective and existing commercial service providers at the Hamilton Texas Municipal Airport:

1. Experience and Capability

A provider shall have such business background and shall have demonstrated business capability to the satisfaction of and in such manner as to meet with the approval of the City or Aviation Advisory Board. Any prospective operator seeking to conduct commercial activity at the airport shall demonstrate that it has adequate resources to realize the operator's business objectives. Appendix One – Proposal Requirements should be used as a guide to assist a prospective operator in demonstrating the prospective operator's background, resources and abilities.

2. Agreement Required

No operator shall use any land, conduct any commercial activity or solicit business in connection therewith unless such activity is conducted in accord with the Commercial Minimum Standards and unless a proper operating agreement or lease agreement allowing the conduct of such specifically authorized activities on the airport has been executed by the operator and the City or Aviation Advisory Board. The terms and conditions of any agreement between the City or Aviation Advisory Board and an operator requesting permission to perform a commercial activity shall be contained in a written lease, sublease, contract or operating agreement; provided, however, that use of the airport by a party performing commercial activities in the absence of a written agreement shall not excuse such party from the payment of applicable fees and charges established by the City or Aviation Advisory Board. An operator shall not engage in any commercial activity not specifically authorized by its agreement.

Except as otherwise provided in a written agreement, any party performing commercial activities shall be subject to the Airport Rules and Regulations and Commercial Minimum Standards. In the event of a conflict between an agreement and the Commercial Minimum Standards, the agreement shall govern. No hangar lease agreement shall extend beyond 240 months. No Land Lease may extend beyond 360 months.

3. Payment of Fees, Rents and Charges

All operators shall pay the rates and charges as enacted by the City or Aviation Advisory Board or as otherwise specified in a written agreement. Fees and charges must be paid in a timely manner and without any holdbacks or deductions, unless agreed to in writing by the City or Aviation Advisory Board.

4. Minimum Leased Premises

The operator shall lease sufficient land and/or building space to accommodate all activities and operations proposed by the operator. The minimum size requirements in each instance shall be subject to the approval of the City or Aviation Advisory Board. The existence of a lease does not include overflow activities at any other portion of airport property without a written exemption being issued, which shall include the exact measurements of the extended portion, the additional rate to be paid for such space and the beginning and ending dates of the exemption.

5. Facility Maintenance

Unless otherwise agreed to in writing, during the term of any agreement, the operator shall, at its own expense, keep and maintain the premises (land, building or structures on the land) and all such improvements and facilities and additions thereto, including all paved areas associated with the premises as well as interior maintenance of all building and or leased premises constructed or installed by it or by the City or Aviation Advisory Board, in good condition and repair, reasonable wear and tear expected.

6. Products, Services and Facilities

A Fixed Base Operator (FBO) may conduct an activity or activities, meeting the applicable standards specified herein, in addition to those specifically identified in Section Four – Fixed Base Operator/Specialized Aeronautical Service Operator.

A Specialized Aeronautical Service Operator (SASO) may provide at least one of the aeronautical activities identified in Section Four – Fixed Base Operator/Specialized Aeronautical Service Operator except fuel.

7. Exclusive Rights

No person shall be granted an exclusive right to conduct any commercial activity on the airport as mandated by FAA Advisory Circulars regarding exclusive right and minimum standards for commercial activities. The absence of competition alone is not a violation of the exclusive right policy. The City or Aviation Advisory Board reserves the right to provide commercial activities itself.

8. Non-Discrimination

Operator agrees to abide by those certain covenants and assurances required or recommended by the FAA, TSA, Texas Department of Transportation (INDOT), United States Department of Transportation (USDOT) or by Federal or Texas statute. In the event of breach of any such covenant, the City or Aviation Advisory Board shall have the right to terminate any agreement and to reenter and repossess any land and/or facilities thereon, and hold the same as if said agreement had never been made or issued. The City or Aviation Advisory Board shall have the right to take such action as the Federal Government may lawfully direct to enforce this obligation. In the event future covenants and/or assurances are required of the City or Aviation Advisory Board by the USDOT, TX DOT, FAA, or TSA, which are applicable to an agreement, operator shall conform with the provisions thereof so long as the agreement is in effect.

9. Licenses, Permits, Certifications and Ratings

Operators shall obtain and maintain all applicable licenses, permits, certifications and/or ratings for the activities specified herein and shall either present them upon request or submit them to the City or Aviation Advisory Board as required.

10. Personnel

Operator shall employ a sufficient number of personnel that are qualified, certified, trained and current in the function/position for which they are employed and are working while on the airport. The

operator shall maintain during all its business hours a responsible person in charge to supervise the operations in the leased/assigned area with the authorization to represent and act for and on behalf of the operator.

11. Safety and Security

The City or the Aviation Advisory Board have overall responsibility for safety and security at the airport. Operators shall obey all rules and regulations promulgated from time to time by the U.S. Department of Transportation, U.S. Department of Homeland Security, the FAA, the TSA, the State of Texas, the Texas Department of Transportation, the City of Hamilton, the County of Hamilton and the Hamilton Municipal Airport Aviation Advisory Board governing the conduct and operation of the airport and its facilities. Any rules and regulations promulgated by the City or Aviation Advisory Board shall not be inconsistent with any legally authorized Federal or state rules or regulations.

12. Enforcement

The Airport Manager or a designated supervisor will enforce the provisions of these Commercial Minimum Standards and may call upon the City or the Aviation Advisory Board for such assistance as the Airport Manager may, from time to time, require. Failure by operator to comply with the applicable standards set forth herein may result in the suspension of authorized activities on the airport until such time standards are met. Furthermore, said failure to comply may also result in the termination of any agreement between the operator and the Board.

13. Indemnification and Insurance

All prospective/existing operators shall procure and maintain insurance coverage as stipulated for each particular type of activity according to the insurance guidelines established by the City of Hamilton or the Hamilton Municipal Airport Aviation Advisory Board in consultation with its insurance agency, as amended from time to time, and on file with the City of Hamilton, Texas. Said coverage amounts are minimum amounts; each operator should make its own analysis to determine if additional coverage is needed.

Each Airport Operator shall protect, defend, indemnify and hold the City of Hamilton, TX, the Hamilton Municipal Aviation Advisory Board; including all directors, officers, employees, agents, contractors, licensees or invitees thereof completely harmless from and against liabilities, losses, suits, claims, judgments, fines or demands arising by reason of injury or death of any person or damage to any property, including all reasonable costs for investigation and defense thereof (including but not limited to attorneys' fees, court costs, and expert fees), of any nature whatsoever arising out of or incident to an agreement and/or the use or occupancy of the leased/assigned premises by operator, or the acts or omissions of operator, its officers, agents, employees, contractors, subcontractors, licensees, or invitees, regardless of where the injury, death, or damage may occur, except to the extent such injury, death or damage is caused by the act or omission of the City of Hamilton, its City Staff or the Hamilton Municipal Airport Aviation Advisory Board, including all directors, officers, employees, agents, contractors, licensees or invitees thereof. The City or Aviation Advisory Board shall give to operator reasonable notice of any such claims or actions.

14. Amendment of Standards

These standards are subject to change by amendment or cancellation, in whole or in part, from time to time, by this or any future City of Hamilton, TX Administrator or its Aviation Advisory Board or successors and that no rights shall accrue to any FBO, SASO or third party by virtue of adoption of these Standards.

15. Existing Agreements

These Commercial Minimum Standards do not alter provisions/requirements of existing contractual agreements between City or it's Aviation Advisory Board and existing entities that are in direct conflict with these Commercial Minimum Standards. Existing entities, however, are required to comply with these Standards unless the Standards are in conflict with current valid agreement. All entities are subject to the then current standards immediately following the expiration, early termination, and/or any modification to an existing agreement through amendment, exercising a lease option, or extension between the City or Aviation Advisory Board and that entity.

16. Deviations Allowed

These Commercial Minimum Standards are established to assist the City and the Aviation Advisory Board in its consideration of those desiring to operate on the airport. The City reserves the right to authorize deviations from these standards in the event that exceptional circumstances exist, which in the sole opinion of the City or Aviation Advisory Board, necessitates such deviations so that the public may be adequately served. Such deviations may be either by way of waiving or modifying certain standards set forth herein or by requiring additions to the standards.

17. Alterations

All physical alterations and improvements, including but not limited to offices, hangars, access roads, access taxiways, vehicle parking areas and aircraft parking areas shall be in accordance with design and construction standards established by the City or Aviation Advisory Board and in accordance with applicable Federal, state and local codes, ordinances, laws, rules and regulations. Operator shall not proceed with any construction or remodeling on the leased/assigned premises without first obtaining advance written approval of plans and specifications for such work from the City or Aviation Advisory Board.

18. Spill plan

All operators using or selling fuel, chemicals, or other products considered by Federal, state or local authorities to be pollutants or hazardous shall provide a fuel and/or chemical spill plan for approval by the City Council or the City Administrator and appropriate environmental agencies prior to operator's use/sale of such products.

19. Non-Profit and Civic Events

The Airport Manager, with the concurrence of the City Administrator, may allow certain non-profit events, including community events to be held on airport property. During such events, existing City and State regulations regarding parking, consumption of alcohol, persons on or near runways or ramps, collection of fees, etc., may be waived or modified. Such exceptions should be in writing and approved prior to the staging of the event.

SECTION THREE - FIXED BASE OPERATOR AND SPECIALIZED AERONAUTICAL SERVICE OPERATOR

Commercial services to the public at the Hamilton Municipal Airport may be provided by Fixed Base Operators (FBO) and/or Specialized Aeronautical Service Operators (SASO), under written agreement, who shall provide the services meeting the standards established hereunder. In the absence of these parties, the City of Hamilton reserves the right to provide some or all needed services.

3-A. Fixed Base Operator (FBO)

1. Definition

A Fixed Base Operator (FBO) is a commercial operator engaged in the sale of aeronautical products and services, and the maintenance of public-access facilities at the airport. The aeronautical activities to be provided at the airport shall include, at a minimum, the following:

1. Sales and dispensing of aviation lubricants, such as aviation oils and other aircraft lubricants. All fuel will be purchased through the City of Hamilton.
2. Provision of passenger, crew and aircraft ground services, including aircraft marshalling and reception, crew and passenger support, and such amenities as are appropriate to enhance business and personal travel on general aviation aircraft
3. Aircraft maintenance, full-time and Type A or B requirements (see Section Four)
4. Flight training, full-time Type A or part-time Type B (see Section Four)
5. Aircraft storage and tiedown, including management of paved tiedown spaces, hangar facilities, and transient aircraft parking.

In addition to the general requirements set forth in Section Two, an FBO at the airport shall comply with the Minimum Standards set forth in Section Four.

In addition to the general requirements set forth in Section Two, the FBO shall pay the fuel flowage fee and percentage of gross receipts while operating at the airport.

2. Scope of Activity

Unless otherwise stated in these Minimum Standards, all products and services shall be provided by FBO employees using vehicles and equipment owned by the City or Aviation Advisory Board.

FBO products and services shall include the following:

1. Aviation fuels and lubricants including: Jet Fuel, Avgas, and aircraft lubricants:

FBO shall deliver and dispense, upon request, Jet Fuel, Avgas, and aircraft lubricants into all general aviation aircraft normally frequenting the airport.

FBO shall provide an appropriate response time during required hours of activity, excepting situations beyond the control of the FBO.

FBO may provide afterhours fueling services by operational credit card self-fuel/pay system.

2. Passenger, crew, and aircraft ground services, support, and amenities:

FBO shall meet, direct, and park all aircraft arriving on operator's leased premises and/or other available public apron areas.

FBO shall provide courtesy transportation, utilizing operator's vehicles, for passengers, crew, and baggage, as necessary and/or appropriate.

FBO shall provide parking and tiedown of aircraft upon the operator's leased premises and/or other available public apron areas.

FBO shall provide hangar storage of aircraft, to include in-out service.

FBO shall provide arrival and departure services for aircraft using operator's leased premises including crew and passenger baggage handling.

3. Aircraft maintenance – full-time

FBO shall provide aircraft maintenance on the airframe, powerplant, and associated systems of general aviation aircraft. In addition, FBO shall provide aircraft line maintenance for general aviation aircraft, maintenance performed on aircraft on apron areas.

FBO can meet these Minimum Standards for the provision of aircraft maintenance by and through Section Four requirements. The FBO can maintain Type A or B requirements, provided they are full-time.

FBO can meet these Minimum Standards for the provision of aircraft maintenance by an authorized sublessee who meets the minimum standards for Aircraft Maintenance Operator and operates from the FBO's leased premises.

FBO can meet these Minimum Standards for the provision of aircraft maintenance by and through the requirements as outlined in Section Four with full-time service hours, Type B.

4. Flight training – full-time, Type A or part-time Type B

FBO shall provide an IFR Aircraft for rental for VFR/IFR for flight training purposes.

FBO shall provide a certificated CFI for flight training.

FBO may use contracted agents for training.

5. Aircraft storage and tiedown services may be provided to private aircraft owners.

4. Minimum Leased Premises

FBO shall have adequate land, apron/paved tiedown, facilities, hangars, terminal, maintenance, fuel storage and vehicle parking to accommodate all activities of FBO and all approved sublessees, but not less than the following:

1. Contiguous Land – (12,000 SF), upon which all required improvements including apron, paved tiedown, facilities, and vehicle parking shall be located.

2. Apron with sufficient weight bearing capacity to accommodate the largest Aircraft handled or serviced by FBO.

a. If an existing or otherwise approved FBO has insufficient apron to meet the Minimum Standards, and sufficient public apron is available contiguous to the FBO leased premises, then the airport may lease, upon fair and reasonable terms, to the FBO that portion of such public apron area so as to enable the FBO to comply with these Minimum Standards.

3. Paved tiedown should be adequate to accommodate the number, type and size of based and transient aircraft requiring tiedown space at the operator's leased premises, but not less than 4 paved tiedown spaces.

5. Facilities – (6,000 SF) consisting of the following:

a. Terminal space – (2000 SF); Customer area shall be dedicated to include adequate space for crew and passenger lounge, flight planning room, conference room, public use telephones and restrooms. Administrative area shall be dedicated to include adequate space for employee offices, work areas and storage.

b. Maintenance area shall include adequate space for employee offices, work areas and storage for aircraft parts and equipment.

c. Hangar space – (4000 SF); At least one hangar shall be capable of accommodating any aircraft regularly utilizing the airport.

6. Fuel Storage

A. FBO shall have available to it an on-airport fuel storage facility at the airport, to be owned by the City of Hamilton and unless otherwise authorized or required, in a location consistent with the Airport Master Plan, Airport Layout Plan, or other land use plan. The City of Hamilton, at present, maintains two 12,000-gallon fuel tanks at Hamilton Municipal Airport and adequate fuel can be provided. No other aviation fuels or lubricants shall be permitted to be brought onto the airport for commercial operations, nor resale, including Aerial Application Operators.

B. Fuel storage facility shall have total capacity for three days peak supply of aviation fuel for aircraft being serviced by FBO.

C. FBO shall maintain the fuel storage facility, all improvements thereon, and all appurtenances thereto, in a clean, neat, orderly and fully functional condition consistent with good business practice and equal to or better than in appearance and character, other similar improvements on the airport.

D. FBO shall demonstrate that satisfactory arrangements have been made with a reputable aviation petroleum supplier/distributor for the delivery of aviation fuels in the quantities that are necessary to meet the requirements set forth herein.

E. FBO shall have a written Spill Prevention Contingency and Control Plan (SPCC Plan) that meets regulatory measures for in-ground fuel storage facilities. An updated copy of the SPCC Plan shall be filed with the Airport Manager at least 30 days prior to commencing operations.

F. FBO shall be liable and indemnify the City of Hamilton and City or Aviation Advisory Board for all leaks, spills or other damage that may result through the handling and dispensing of fuel by it..

G. Fuel delivered shall be clean, bright, pure, and free of microscopic organisms, water, or other contaminants. Ensuring the quality of the fuel is the responsibility of FBO.

H. FBO shall maintain current fuel reports on file, including total gallons of fuel delivered by type and make, such reports made available to the City Administrator, Airport Manager or Aviation Advisory Board as required.

7. Fueling Equipment

Any mobile jet fuel refueling system installed and maintained by an FBO for public commercial use shall require approval by the City or Aviation Advisory Board. Any mobile Avgas refueling system installed and maintained by an FBO for public commercial use shall require approval by the City or Aviation Advisory Board. Aircraft refueling vehicles shall be equipped with metering devices that meet all applicable regulatory measures. One refueling vehicle dispensing jet fuel shall have over-the-wing and single point aircraft servicing capability. Avgas truck will hold a minimum of 750 gallons. Jet A Truck will hold a minimum of 2000 gallons.

Each refueling vehicle shall be equipped and maintained to comply with all applicable safety and fire prevention requirements, standards, and regulatory measure including without limitation, those prescribed by:

1. State of Texas Fire Code and local fire district;
2. National Fire Protection Association (NFPA) Codes;
3. Texas Department of Environmental Management;
4. 14 CFR Part 139, Airport Certification, Section 139.321 "Handling/Storing of Hazardous Substances and Materials".
5. Applicable FAA Advisory Circulars (AC) including AC 00-34 "Aircraft Ground Handling and Servicing" and AC 150/5210-5 "Painting, Marking and Lighting of Vehicles Used on an Airport".

8. Other Equipment

FBO shall have all equipment necessary to perform its operations to include but not limited to the following equipment:

1. Adequate equipment for emergency starting aircraft
2. One courtesy vehicle to provide transportation of passengers, crews, and baggage to and from destinations on the airport and local area hotels and restaurants
3. Aircraft tug and tow bar with a rated draw bar capacity sufficient to meet the towing requirement of the heaviest general aviation aircraft normally frequenting the airport
4. Aircraft engine heaters
5. Portable pressure tanks
6. Adequate number of approved and regularly inspected dry chemical fire extinguisher units shall be maintained within all hangars, on apron areas, at fuel storage facilities, and on all ground handling and refueling vehicles
7. All equipment reasonably necessary for the proper performance of aircraft maintenance in accordance with applicable FAA regulations and manufacturers' specifications shall be provided.

9. Personnel

FBO personnel, while on duty, shall be clean, neat in appearance, courteous, and at all times, and properly uniformed. FBO shall have a properly trained and qualified employee to provide aircraft fueling, parking, and ground services and support during operating hours.

10. Hours of Activity

Aircraft fueling and passenger, crew, and aircraft ground handling services, support, and amenities shall be continuously offered and available to meet reasonable demands of the public for this activity six (6) days a week, excluding legal holidays, and to include at least eight (8) hours per day.

Aircraft fueling and passenger, crew, and aircraft ground handling services, support and amenities shall be available on-call and after hours, seven (7) days a week if required by events.

1. Manned hours of aircraft fueling and passenger, crew, and aircraft ground handling services, support and amenities shall be conducted by qualified line service personnel.
2. Remaining hours and after hours can be fulfilled by an operable credit-card-based self-pay fueling system.
3. Manned versus non-manned hours of aircraft fueling and passenger, crew and aircraft ground handling services, support and amenities may be adjusted by operator upon written request and approval by the City Administrator or Airport Advisory Board approval to meet seasonal lulls and surges.
4. Aircraft maintenance shall be continuously offered and available to meet reasonable demand of the public for this activity five days a week, seven (7) hours a day. Aircraft maintenance shall be made available after hours, on-call. Additional aircraft maintenance requirements shall comply with Section Four.
5. Flight Instruction may be offered per the requirements set forth in Section Four as Type A or B.

11. Aircraft Removal

FBO shall provide appropriate recovery services and equipment necessary to promptly remove disabled aircraft from the airfield.

12. Insurance

FBO shall procure and maintain minimum insurance in accordance with the insurance guidelines, established by the City or Aviation Advisory Board in consultation with its insurance agent. Said insurance guidelines are subject to periodic modification. FBO shall have a minimum of \$5,000,000 liability and vehicle coverage.

3-B. Specialized Aeronautical Service Operator (SASO)

1. Definition

A SASO is an aeronautical business on the airport that offers limited aeronautical service. Examples of services provided may include flight training, aircraft rental, aircraft sales, aircraft charter, maintenance, aerial applicators or other specialized commercial flight support business the SASO is authorized to conduct through licensing by the Board. Only an FBO is authorized through a contract with the City or Aviation Advisory Board to sell fuel.

2. Scope of Activity

A SASO may provide commercial activity/services as authorized by the Board from the following permitted list:

- A. Aviation maintenance service
- B. Aircraft rental and flight training
- C. Aircraft sales
- D. Aircraft charter
- E. Aerial application

Note: A SASO is not permitted to provide or sell aviation fuel.

3. Minimum Leased Premises

Leased premises for each SASO shall be at least that described herein or otherwise required by the Board. If SASO is a sublease of an FBO, SASO may use the FBO's leased premises to meet the requirement herein, provided that the FBO meets the FBO premise requirements.

Notwithstanding the specific requirements of each SASO, the general leased premise requirements for a SASO that is not a sublease of an FBO are to be determined by the City or Aviation Advisory Board.

4. Personnel

SASO shall employ a sufficient number of personnel that are qualified, certified, trained and current in the function/position for which they are employed and are working while on the airport. At least one employee must be present and available, upon reasonable notice, to greet customers.

5. Hours of Activity

SASO shall make provisions for its premises to be open during normal business hours, 5 days a week, excluding holidays, for all offered services.

6. Insurance

SASO shall procure and maintain minimum insurance in accordance with the insurance guidelines established by the City or Aviation Advisory Board in consultation with its insurance agent. Said insurance guidelines are subject to periodic modification.

7. Equipment

SASO shall provide sufficient equipment necessary to meet the requirements of each commercial activity/service as specified for each SASO.

SECTION FOUR - FBO / SASO COMMERCIAL ACTIVITIES

Fixed Base Operator/Special Aeronautical Service Operator Services:

The following descriptions detail criteria specific to the activity being performed. FBO's may use a SASO to meet the requirements of a mandatory service except for providing aviation fuel to the public. SASO's are eligible to sublease from an FBO in order to meet minimum standards; however, an FBO must meet primary leased premise requirements.

All services provided at the Hamilton Municipal Airport must be under the authorization and control of the City Council and City Administrator. Delegated authority may extend to the Airport Manager or Aviation Advisory Board. Temporary permits of varying duration (daily or up to one year in length) shall be obtained from the City Administrator as applicable for any commercial activity to be performed by an individual or entity on the airport. This permit must be obtained prior to commencement of any commercial activity.

NOTE: Only the City of Hamilton or a authorized FBO can provide fuel for aircraft and equipment at the airport.

4-A Aircraft Maintenance Operator

1. Definition and Scope of Activity

An Aircraft Maintenance Operator is a commercial operator engaged in providing aircraft maintenance (as defined in 14 CFR Part 43) for aircraft other than those owned, leased and/or operated by (and under the full and exclusive control of) the operator, which includes the sale of aircraft parts and accessories.

1. Each Aircraft Maintenance Operator shall be established as one of the following types of operations

Type A – FAA certificated Repair Station under 14 CFR Part 145

Type B – FAA certified Aircraft Maintenance facility under 14 CFR Part 43

Type C – FAA certified Aircraft Maintenance facility under 14 CFR Part 43

In addition to the general requirements set forth in Section Three, each Aircraft Maintenance Operator at the airport shall comply with the following minimum standards set forth in this section. FBO's shall comply with the minimum standards set forth in Section Four associated with aircraft maintenance.

Experimental category aircraft are exempted from FAR 43 and 145 requirements.

2. Minimum Leased Premises

Operators (Type A or B) engaging in this activity shall have adequate land, apron/paved tiedown, facilities, and vehicle parking to accommodate all activities of the operator, but not less than the following square footages (SF) for the specific type of aircraft accommodated, which are not cumulative:

1. Contiguous Land – (10,000 SF), upon which all required Improvements including apron, temporary aircraft parking, facilities, and vehicle parking shall be located.

2. Facilities (3,200 SF) shall include customer, administrative, maintenance, and hangar areas.

a. Customer area shall include adequate space for customer lounge, public use telephone, and restrooms. Not applicable for Type B operators.

b. Administrative area shall include adequate and dedicated space for employee offices, work areas, and storage.

c. Maintenance area shall include adequate and dedicated space for employee work areas, shop areas, and storage for aircraft parts and equipment.

d. Hangar area shall be at least large enough for the type of aircraft maintenance being provided or large enough to accommodate the largest aircraft undergoing

aircraft maintenance (other than preventative aircraft maintenance), whichever is greater.

3. Licenses and Certification

An Operator conducting Type A maintenance shall be properly certificated as an FAA Repair Station under 14 CFR Part 145.

An Operator conducting Type B maintenance shall be properly certified as an FAA A&P with IA under 14 CFR Part 43.

An Operator conducting Type C maintenance, independent operator, shall be properly certified as an FAA A&P under 14 CFR Part 43.

1. Maintenance of a specialized nature, not otherwise available at the Hamilton Municipal Airport or maintenance not available within a reasonable timeframe may be performed.

2. Maintenance of a specialized nature, may be performed as part of or as a complete procedure.

All operators' personnel shall be properly certificated, if applicable, by the FAA, current, and hold the appropriate ratings and medical certification for the work being performed.

4. Personnel

Operator shall provide a sufficient number of personnel to adequately and safely carry out aircraft maintenance in a courteous, prompt, and efficient manner and meet the reasonable demands of the public for this activity.

1. An operator conducting aircraft maintenance shall employ one A&P mechanic, who may fulfill the responsibilities of a customer service representative.

2. An operator conducting annual inspections shall employ a mechanic certified as an IA (Inspection Authorization).

5. Equipment

Operator shall provide sufficient equipment, supplies and availability of parts as required for certification as a Repair Station, as defined by 14 CFR Part 145 (Type A) and 14 CFR Part 43 (Types B and C), to perform maintenance in accordance with manufacturer's recommendations or equivalent on various types of based aircraft.

Equipment requirements include tugs, tow bars, jacks, dollies, and other equipment, supplies, and parts required to perform the activity.

6. Hours of Activity

Operator (Type A – Repair Station FAR 145) shall be open and services shall be available to meet reasonable demands of the public for this activity, at least five days a week, eight hours a day, with public posting of hours of operation.

Operator (Type B – FAR 43) shall be open and services shall be available to meet reasonable demands of the public for this activity, with public posting of hours of operation.

1. FBO Operator under Type B shall be open and services shall be available to meet reasonable demands of the public for this activity, at least five days a week, eight hours a day, with public posting of hours of operation.

Operator (Type C – FAR 43) shall notify the Airport Manager regarding the planned hours to be performing maintenance on the airport.

7. Insurance

An Aircraft Maintenance Operator shall procure and maintain minimum insurance in accordance with the insurance guidelines established by the City or Aviation Advisory Board in consultation with its insurance agent. Said insurance guidelines are subject to periodic modification.

4-B. Aircraft Rental or Flight Training Operator

1. Definition and Scope of Activity

An Aircraft Rental Operator is a commercial operator engaged in the rental of aircraft.

A Flight Training Operator is a commercial operator engaged in providing flight instruction.

1. A Flight Training Operator can operate as one of the following three Types:

Type A – Full-time flight school

Type B – Part-time flight school

Type C – Independent operator

In addition to the General Requirements set forth in Section Two, each Aircraft Rental or Flight Training Operator at the airport shall comply with the following minimum standards set forth in this Section Four.

2. Minimum Leased Premises

Operator engaging in this activity shall have adequate land, apron/paved tiedown, facilities and vehicle parking to accommodate all activities of the operator, but not less than the following:

1. Contiguous Land – upon which all required improvements including apron, facilities and vehicle parking shall be located:

a. Type A operators – 10,000 SF land requirement

b. Type B operators – 5,000 SF land requirement

2. Apron/paved tiedown shall be adequate to accommodate an aircraft.

a. If operator utilizes a hangar for the full-time storage of operator's entire fleet at the airport, paved tiedowns are not required unless temporary apron/paved tiedown storage (*i.e.*, daytime) is required.

3. Facilities (800 SF) shall include customer and administrative areas. Maintenance and hangar areas are required if operator is conducting aircraft maintenance on aircraft owned, leased, and/or operated by (and under the full and exclusive control of) operator.

If operator provides aircraft maintenance on other aircraft, operator shall meet the minimum standards for an Aircraft Maintenance Operator.

a. Customer area shall include adequate space for customer lounge, class/training rooms, public use telephone, and restrooms for Type A and B operators.

Type C operators shall include office room and training aids for quality training, which could include space leased from a resident FBO or the airport.

b. Administrative area shall include adequate and dedicated space for employee offices, work areas, and storage.

c. Hangar area, if required, shall be large enough to accommodate the largest aircraft in operator's fleet at the airport maintained by operator. Both Type A and B operators must have hangar space for flight training and/or rental aircraft.

d. Maintenance area, if required, shall include adequate and dedicated space for employee work areas, shop areas, and storage for aircraft parts and equipment.

3. Licenses and Certifications

Personnel performing aircraft proficiency checks and/or flight training shall be properly certificated by the FAA, current, and hold the appropriate ratings and medical certification for the aircraft being utilized and/or flight training being provided.

1. Flight Training Operators shall have at least one flight instructor with the appropriate ratings and medical certification to provide flight instruction.

4. Personnel

Operator shall provide a sufficient number of personnel to adequately and safely carry out aircraft rental and/or flight training in a courteous, prompt and efficient manner adequate to meet the reasonable demands of the public/members seeking such services.

1. Aircraft Rental Operators shall employ one flight instructor, who may fulfill the responsibilities of the customer service representative.

2. Flight Training Operators shall employ one flight instructor, who may fulfill the responsibilities of the customer service representative. In addition, Flight Training Operators shall have available ground school instruction sufficient to enable students to pass the pilot FAA written examinations.

5. Equipment

Operator shall have available for rental or use in flight training, either owned by or under written lease to operator and under the full and exclusive control of operator, one properly certified and currently airworthy aircraft equipped for and fully capable of flight under instrument conditions. Flight Training Operators shall provide, at a minimum, adequate mock-ups, pictures, videotapes, or other training aids necessary to provide proper and effective ground school instruction.

6. Hours of Activity

An Aircraft Rental Operator and a Flight Training Operator shall be open and services shall be available to meet the reasonable demands of the public for this activity.

a. Flight Training Operator Type A, shall be open, at least five days a week, eight hours a day, with public posting of hours of operation.

b. Flight Training Operator Type B, shall be open and services shall be available to meet the reasonable demands of the public for this activity, with public posting of hours of operation.

c. Flight Training Operator Type C, shall notify the Airport Manager regarding the planned hours to be performing flight training on the airport, through the Airport Business Permit Application.

7. Insurance

An Aircraft Rental or Flight Training Operator shall procure and maintain minimum insurance in accordance with the insurance guidelines, established by the City or Aviation Advisory Board in consultation with its insurance agent. Said insurance guidelines are subject to periodic modification.

Disclosure Requirement: Any Operator conducting aircraft rental, sales, or flight training shall post a notice and incorporate within the rental and instruction agreements the coverage and limits provided to the renter or student by operator, as well as a statement advising that additional coverage is available to such renter or student through the purchase of an individual non-ownership liability policy. Operator shall provide a copy of such notice to the Airport Manager.

4-C. Aircraft Charter Operator

1. Introduction

An Aircraft Charter Operator is a commercial operator engaged in on-demand common carriage for persons or property (as defined in 14 CFR Part 135) or operates in private carriage (as defined in 14 CFR Part 125).

An Aircraft Management Operator is a commercial operator engaged in the business of providing aircraft management including, but not limited to, flight dispatch, flight crews, or aircraft maintenance coordination.

In addition to the General Requirements set forth in Section Two, each Aircraft Charter Operator and Aircraft Management Operator at the airport shall comply with the following minimum standards set forth in this Section Four.

2. Leased Premises

Operator engaging in this activity shall have adequate land, apron/paved tiedown, facilities, and vehicle parking to accommodate all activities of the operator, but not less than the following:

1. Contiguous Land – (5,000 SF minimum) upon which all required Improvements including apron, facilities, and vehicle parking shall be located.
2. Apron/paved tiedown shall be adequate to accommodate an aircraft.
 - A. If operator utilizes a hangar for the storage of operator's total fleet at the airport, no tiedowns will be required.
3. Facilities (9000 SF) shall include customer and administrative areas. Maintenance and hangar areas are required if operator is conducting aircraft maintenance on aircraft owned, leased, and/or operated by (and under the full and exclusive control of) operator. If operator provides aircraft maintenance on other aircraft, operator shall meet the minimum standards for an Aircraft Maintenance Operator.
 - a. Customer area shall include adequate space for customer lounge, public use telephone, and restrooms.
 - b. Administrative area shall include adequate and dedicated space for employee offices, work areas, and storage.
 - c. Hangar area, if required, shall be at least large enough to accommodate the largest aircraft in operator's fleet at the airport maintained by operator, whichever is greater.
 - d. Maintenance area, if required, shall include adequate and dedicated space for employee work areas, shop areas, and storage for aircraft parts and equipment.

3. Licenses and Certifications

Aircraft Charter Operators shall have and provide copies to the Airport Manager of all appropriate certifications and approvals, including without limitation, the Pre-application Statement of Intent (FAA Form 8400-6), the Registrations and Amendments under Part 298 (OST Form 4507), and/or FAA issued operating certificate(s).

Personnel shall be properly certificated by the FAA, current, and hold the appropriate ratings in the aircraft utilized and medical certifications for activity.

4. Personnel

Operator shall provide a sufficient number of personnel to adequately and safely carry out activity in a courteous, prompt, and efficient manner adequate to meet the reasonable demands of the public seeking such services. Operator shall employ a chief pilot (Aircraft Charter Operator only), who may fulfill the responsibilities of the customer service representative.

5. Equipment

Aircraft Charter Operators shall provide, at a minimum, either owned or under written lease to operator and under the full and exclusive control of operator, one (1) certified and continuously airworthy, four-place, single-engine (instrument-qualified) aircraft.

6. Hours of Activity

Operator shall be open and services shall be available to meet the reasonable demands of the public for this activity.

7. Insurance

An Aircraft Charter Operator shall procure and maintain minimum insurance in accordance with the insurance guidelines, established by the City Council or City Administrator in consultation with its insurance agent. These insurance guidelines are subject to periodic modification.

4-D. Aircraft Sales Operator

1. Introduction

An Aircraft Sales Operator is a commercial operator engaged in the sale of two or more new and/or used aircraft during a 12-month period. In addition to the General Requirements set forth in Section Two, each Aircraft Sales Operator at the airport shall comply with the following minimum standards set forth in this Section Four.

2. Leased Premises

Operator engaging in this activity shall have adequate land, apron/paved tiedown, facilities, and vehicle parking to accommodate all activities of the operator, but not less than the following:

1. Contiguous Land – (5,000 SF) upon which all required Improvements including apron, facilities, and vehicle parking shall be located.
2. Apron/paved tiedowns shall be adequate to accommodate an aircraft. If operator utilizes a hangar for the storage of operator's entire fleet at the airport (inventory), no paved tiedowns will be required.
3. Facilities (800 SF) shall include customer and administrative areas. Maintenance and hangar areas are required if operator is conducting aircraft maintenance on aircraft owned, leased, and/or operated by (and under the full and exclusive control of) operator. If Operator provides aircraft maintenance on other aircraft, operator shall meet the minimum standards for an Aircraft Maintenance Operator.
 - a. Customer area shall include adequate space for customer lounge, public use telephone, and restrooms.
 - b. Administrative areas shall include adequate and dedicated space for employee offices, work areas, and storage.
 - c. Hangar areas, if required, shall be large enough to accommodate the largest aircraft in operator's fleet at the airport maintained by operator, whichever is greater.
 - d. Maintenance area, if required, shall include adequate and dedicated space for employee work areas, shop areas, and storage for aircraft parts and equipment.

3. Dealership

An operator which is an authorized factory sales franchise, dealer, or distributor, either on a retail or wholesale basis, shall have available or shall make available (with advance notice) at least one current model demonstrator of aircraft in its authorized product lines.

4. Licenses and Certifications

Personnel shall be properly certificated by the FAA, current, and hold the appropriate ratings and medical certification for providing flight demonstration in all aircraft offered for sale.

5. Personnel

Operator shall provide a sufficient number of personnel to adequately and safely carry out activity in a prompt and efficient manner adequate to meet the reasonable demand of the public seeking such services. Operator shall employ at least one (1) current commercial pilot.

6. Equipment

Operator shall provide necessary and satisfactory arrangements for aircraft maintenance in accordance with any sales guarantee or warranty period.

7. Hours of Activity

Operator shall be open and service shall be available to meet the reasonable demands of the public for this activity.

8. Insurance

An Aircraft Sales Operator shall procure and maintain minimum insurance in accordance with the insurance guidelines established by the City or Aviation Advisory Board in consultation with its insurance agent. These insurance guidelines are subject to periodic modification.

4-E. Aerial Application Operator

1. Definition - This regulation specifically covers special use, aerial and/or ground applications with loaded departures originating from Hamilton TX Municipal Airport, for the purpose of applying wet or dry chemicals and/or seeds and generally considered within Part 137 commercial operation status. Further, it does not apply to such Part 137 operations operating from other airports wherein this airport is used only for the purpose of weather avoidance, maintenance, interim use of hangars/parking/tiedown, fueling from airport supplies and the like, where no loading/unloading of chemicals or seeds are involved.

2. Scope of Activity - All commercial agricultural operators and their employees using the Hamilton Municipal Airport shall operate under the Federal and State regulations for commercial Aerial Application Operators.

3. Use of Premises – All applicators will be assigned a location to be used at the airport on a day-to-day basis. The location will be determined by the Airport Manager.

4. Notice of Airport Usage – All aerial applicators operating from the Hamilton Municipal Airport will need to provide a 12-hour notice prior to arrival to ensure adequate fueling systems and personnel are available.

5. Licenses and Certifications - Said commercial agricultural operators shall provide the following information prior to the arrival of the first aircraft:

- a. Listing of all aircraft to be operated from the Hamilton Municipal Airport by FAA registration number (N-number)
- b. A certificate of insurance for each aircraft to be operated from the Hamilton Municipal Airport
- c. Copy of the FAR Part 137 operating certificate
- d. Copy of each applicators license for the State of Texas
- e. Copy of the FAA pilot certificate for each pilot
- f. With proper documentation, the Airport Manager will provide a certificate of acceptance permitting operations from this airport.
- g. No Aerial Application Operators will be permitted to use the Hamilton Municipal Airport without the appropriate documentation and a certificate of acceptance.

6. Personnel – Only those persons necessary to accomplish aerial application operations will be permitted on the Airport Operations Area (AOA). The FAR Part 137 certificate holder is responsible for the behavior and conduct of their air and ground personnel while operating at the Hamilton Airport.

7. Communication – All aerial applicators must have an operating VHF two-way aircraft radio for aircraft to aircraft communication while using the Hamilton Municipal Airport.

8. Equipment – Only the following will be allowed in the loading area at any one time. No personal vehicles will be allowed. Overnight parking of all equipment will be at the sole discretion of the Airport Manager.

- a. Aircraft
- b. Support personnel and Spill containment materials and supplies
- c. Chemical loading truck

9. Hours of Activity - Hours of activity will be commensurate with any hours necessary to accomplish the task and will not be subject to the operating hours of the FBO.

10. Fuel – The City of Hamilton, TX, at present, maintains two 12,000-gallon fuel tanks at Hamilton Municipal Airport and adequate fuel can be provided. No other aviation fuels or lubricants shall be permitted to be brought onto the airport for commercial operations, nor resale, including Aerial Application Operators.

11. Insurance - The minimum insurance requirements are as follows for each and every aircraft:

- a. General liability shall be \$ 1,000,000
- b. Premises liability shall be \$ 500,000
- c. Chemical liability shall be \$ 300,000. Amounts may be changed upon 30-day notice given, by the City of Hamilton.
- d. Each policy submitted, shall list the City of Hamilton, its employees and the Aviation Advisory Board as additional insured and shall indemnify and hold same harmless
- e. Necessary certificates of insurance shall be received prior to commencement of any operations

12. Operating Rules - All Aerial Application pilots operating from Hamilton Municipal airport. Temporarily or those permanently based, shall be required to follow the appropriate FAR regulations pertaining to airport, flight operations, and specific Aerial Application

13. Infractions and Enforcement - All commercial agricultural operators using the Hamilton, TX Municipal Airport, shall operate under the provisions of Part B Section Four of the Minimum Standards regulations for commercial Aerial Application Operators. Any and all violations of these, Minimum Standards and Rules and Regulations are reason for immediate termination of applicators certificate of acceptance and operator agrees to cease operations and peacefully leave the airport property immediately.

14. Spills and Containment Procedures - All commercial agricultural operators must carry equipment and supplies to mitigate accidental discharge and/or spill. Operator or its agents shall be responsible for capture, disposal and all cleanup activities related to any spill or aviation fluids and any chemical or Agricultural products related to the spill or its clean-up.

15. Chemicals - All chemical mixing and handling must meet Texas State Chemist Office regulations for mixing of chemicals and personal protection equipment. Chemicals must be pre-mixed prior to arrival at the airport. No mixing of raw chemicals is permitted on the grounds of the airport unless authorized in writing by the Airport Manager or the Airport Advisory Board.

4-F. Temporary Specialized Aeronautical Service Operator (SASO)

1. Definition

The airport recognizes that aircraft operators using the airport may require specialized assistance with the maintenance of their aircraft and/or flight training of their pilots. When assistance is not available on the airport through an existing commercial operator due to the specialized nature of the maintenance and/or flight training requirements, the Airport Manager may allow an aircraft operator to solicit and utilize the services of a qualified entity to provide said services. In addition to the General Requirements set forth in Section Two, each Temporary Specialized Commercial Aeronautical Operator at the airport shall comply with the following minimum standards set forth in this Section Four.

2. Scope of Activity

Operator shall conduct activity on and from the leased premises of the aircraft operator in a first-class manner consistent with the degree of care and skill exercised by experienced operators providing comparable products and services and engaging in similar activities.

3. Permit

Aircraft operator must submit a written request, through the Commercial Activity Application, to the Airport Manager on behalf of Temporary Specialized Aeronautical Service Operator. Operator shall obtain a thirty (30)-day temporary permit, issued by the City Administrator, prior to engaging in activity on the airport.

Renewal shall be subject to the operator's compliance with all terms of the temporary permit and the City Administrator's permission. Operator shall comply with all requirements for the permitted activities and limit service

provided to those strictly stated on the temporary permit. Aircraft operators requiring after-hour or weekend service by a Temporary Specialized Aviation Service Operator must notify the Airport Manager prior to operator engaging in activities on the airport. Aircraft operator is responsible for assuring compliance of all regulatory measures by the Temporary Specialized Aviation Service Operator while on the airport.

4. Licenses and Certifications

Operator shall have and provide to the airport evidence of all agency licenses and certificates that are required.

5. Insurance

An Aircraft Sales Operator shall procure and maintain minimum insurance in accordance with the insurance guidelines established by the City or Aviation Advisory Board in consultation with its insurance agent. These insurance guidelines are subject to periodic modification.

SECTION FIVE - APPLICATION/PERMIT PROCESS

Specialized Aeronautical Service Operator – Application

Any individual or company desiring to conduct aviation related business on the airport in the form of a new entity or through the sale or transfer of a going concern for the purpose of securing earnings, income, compensation, reimbursement (including exchange of service), and/or profit, whether or not such objectives are accomplished shall comply with the following application procedures.

Application Process

The applicant must demonstrate that it has sufficient management experience, available personnel and equipment to provide high quality service in an efficient and workmanlike manner throughout the term of any agreement. An application must be submitted to the Airport Manager, for approval by the City Administrator (in writing and form suitable to the City) in accordance with the Proposal Requirements as specified in Appendix One, attached hereto.

Approval Process

All applications will be reviewed and acted upon by the Board. Applications may be denied for one or more of the following reasons:

1. The applicant does not meet qualifications, standards and/or requirements established by these Commercial Minimum Standards.
2. The applicant's proposed operations or construction will create a safety hazard on the airport.
3. The granting of the application will require the expenditure of local funds, labor or materials on the facilities described in or related to the application and/or operation will result in a financial loss to the City.
4. There is no appropriate or adequate available space on the airport to accommodate the entire activity of the applicant.
5. The proposed operation, development and/or construction does not comply with approved Airport Layout Plan (ALP).
6. The development or use of the area requested will result in a congestion of aircraft or buildings or will result in unduly interfering with the operations of any present FBO/SASO on the airport, such as problems in relation to aircraft traffic or service or preventing free access and egress to the existing FBO/SASO areas; or will result in depriving, without the proper economic study, an existing FBO/SASO of portions of its leased area in which it is operating.
7. Any party applying or having an interest in the business, has supplied false information, or has misrepresented any material fact in the application or in supporting documents or has failed to make full disclosure on the application.

8. Any party applying or having an interest in the business that has a record of violating any airport Rules and Regulations of any other airport or any other rule, regulation, law or ordinance applicable to this or any other airport.
9. Any party applying or having an interest in the business has defaulted in the performance of any agreement with the City of Hamilton or any agreement at any other airport.
10. Any party applying or having an interest in the business that is not sufficiently credit worthy and responsible in the sole judgment of the Board to provide and maintain the business for which the application relates and to provide prompt payment of amounts due under an agreement.
11. The applicant does not have the finances necessary to conduct the proposed operation for at least six (6) months.
- The City reserves at all times the right to approve or disapprove the application of any proposed aeronautical activity. Such approval shall take into account the aforementioned standards along with an analysis of the business background, financing and proposed plans for the development of an aeronautical activity. Final approval by the City shall thus be based on an evaluation of the application in regard to the purposes and intent as set forth and based on a commonly acceptable business analysis.

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Part C – DEFINITIONS USED IN THIS DOCUMENT

The abbreviations, titles, functions and other aviation activity related words or phrases used in this legal document shall be interpreted by utilizing the following definitions. Where conflicting State or Federal law or governing documents use a different interpretation, these definitions shall become secondary and may be used to clarify the meaning of the phrases used herein.

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.

NOTE: 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, parachute or ultra-light activities and any other activities that, because of their direct relationship to the operation of aircraft, can appropriately be regarded as aeronautical activity. Activities, such as model aircraft and model rocket operations, are not aeronautical activities. The preceding is for example purposes only.

AGREEMENT – (or **PERMIT**), A written contract, executed by both parties, and enforceable by law between the City of Hamilton and an entity granting a concession, transferring rights or interest in land and/or improvements, and/or otherwise authorizing and/or prohibiting the conduct of certain activities. Such agreement will recite the terms and conditions under which the activity will be conducted at the airport including, but not limited to, term of the Agreement; rents, fees and charges to be paid by the entity; and the rights and obligations of respective parties.

AIRCRAFT - Means a powered or non-powered vehicle that is used or intended to be used for flight in the air.

AIRCRAFT CHARTER OPERATOR - An entity that engages in non-scheduled passenger/cargo transportation services.

AIRCRAFT MAINTENANCE OPERATOR - An authorized entity who provides aircraft airframe and powerplant (A&P) maintenance, repair and/or overhaul service.

AIRCRAFT SALES OPERATOR - An entity engaged in the sale of new and/or used aircraft.

AIRCRAFT RENTAL OPERATOR - An entity engaged in the rental of fixed or rotor wing aircraft to the public.

AIRFRAME & POWERPLANT (A&P) MECHANIC – A person who holds an aircraft mechanics certificate with both the airframe and powerplant ratings. This certification is issued by the FAA under the provisions of 14 CFR Part 65.

AIRPORT – An area of land or water that is used, or intended to be used, for aircraft takeoff and landing. It includes any appurtenant areas used, or intended to be used, for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon. It also includes any heliport. Hamilton Municipal Airport, together with all improvements and facilities of whatever nature located thereon is an airport.

AVIATION ADVISORY BOARD – A non-employee board, appointed by the Hamilton City Council to advise the City Administrator on aviation related issues at the Hamilton Municipal Airport, and to advise the Airport Manager on policy and procedures as needed.

AIRPORT CERTIFICATION MANUAL - A document required by the Federal Aviation Administration detailing the airport's obligations pursuant to 14CFR139.

AIRPORT DISTRICT OFFICE (ADO) – These FAA offices are outlying units or extensions of regional airport divisions. They advise and assist airport sponsors with funding requests to improve and develop public airports. They also provide advisory services to the owners and operators of both public and private airports in the operation and maintenance of airports. See the FAA Website for a complete listing of all ADO offices at http://www.faa.gov/airports_airtraffic/airports/regional_guidance/.

AIRPORT IMPROVEMENT PLAN (AIP) – See **FEDERAL AIRPORT OBLIGATIONS**

AIRPORT LAYOUT PLAN (ALP) - A graphic presentation to scale of existing and ultimate airport facilities, their location on the airport and the pertinent clearance and dimensional information required to show

PART C – DEFINITIONS (continued)

relationships with applicable standards and has been approved by the Federal Aviation Administration (FAA).

AIRPORT MANAGER - Means the person/employee contracted by the City Administrator, to manage the airport.

AIRPORT OPERATIONS AREA - A restricted area of the airport that can be used for landing, takeoff, surface maneuvering of aircraft and contiguous areas delineated for the protection and security of aeronautical activities.

AIRPORT SECURITY PLAN - A document required by the Transportation Security Administration (TSA) detailing the airport's requirements as contained in the applicable security regulations.

AIRPORT SPONSOR – The airport sponsor is either a public agency or a private owner of a public-use airport that submits to the FAA an application for financial assistance (such as AIP grants) for the airport. In accepting an application for financial assistance, the FAA will ensure that the airport sponsor is legally, financially, and otherwise able to assume and carry out the certifications, representations, warranties, assurances, covenants and other obligations required of sponsors, which are contained in the AIP grant agreement and property conveyances.

AGREEMENT - Any contract, lease or concession with a concurrence of intention.

APRON – Those paved areas of the airport within the Airport Operations Area designated by the Hamilton Municipal Airport for the loading or unloading of passengers, servicing or parking of aircraft.

ASSURANCE - A provision contained in a Federal grant agreement to which the recipient of Federal airport development assistance has voluntarily agreed to comply in consideration of the assistance provided.

AVIONICS/INSTRUMENT MAINTENANCE OPERATOR - An authorized entity engaged in the business of and providing a facility for the repair, maintenance and overhaul of aircraft radios, electrical systems, instruments, propellers and other accessories.

BOARD - Means the Airport Advisory Board, appointed by the City of Hamilton, Administrator or Mayor to oversee the operations of the Hamilton Municipal Airport and to interact with tenants and vendors.

CFR - Means Code of Federal Regulations.

CITY – Refers to the City of Hamilton, Texas, its City Administrator, the City Council or its governing authority.

CITY ADMINISTRATOR – Hamilton is a City Administrator/City Council form of government. The City Administrator is hired by the City Council to serve as its administrator and chief operating officer of the City of Hamilton.

COMMERCIAL ACTIVITY - Relating to an operation conducted for the purpose of securing earnings, income, compensation, reimbursement (including exchange for service), and/or profit, whether or not such objectives are accomplished.

COMMERCIAL HANGAR OPERATOR - An entity engaged in the lease of conventional hangars and/or hangars for the storage of aircraft.

COMMERCIAL SELF FUELING – The fueling of an aircraft by the pilot of that aircraft, using fuel pumps installed for that purpose. The fueling facility may or may not be attended by the FBO owner/operator of such a facility. The use of this type of facility is commercial in nature and is not to be considered Self-Service (as defined herein). The City reserves the right to operate Commercial Self-Service Fueling.

COMMERCIAL SELF-SERVICE FUELING – A fueling concept that enables a pilot to fuel an aircraft from a commercial pump installed for that purpose by an FBO or the airport sponsor. The fueling facility may or may not be attended.

DOPING - A process of applying fabric and a thick liquid over a fabric covered aircraft.

EXCLUSIVE RIGHT - A power, privilege or other right excluding or debarring another from enjoying or exercising a like power, privilege or right. An exclusive right can be conferred either by express agreement (i.e. lease agreement), by the imposition of unreasonable standards or requirements or by any other means. Such a right conferred on one or more parties, but excluding others from enjoying or exercising a similar right or rights, would be an exclusive right.

FAA - The Federal Aviation Administration.

FAR - Means the Federal Aviation Regulations, as published and amended from time to time.

FEDERAL AIRPORT OBLIGATIONS – All references to a Federal grant program, Federal airport development assistance, or Federal aid contained in Advisory Circular No: 150/5190-7 are intended to address obligations arising from the conveyance of land or from grant agreements under the following act: Airport Improvement Program (AIP) – This grant-in-aid program administered by the FAA under the authority of the airport and Airway Improvement Act of

PART C – DEFINITIONS (continued)

1982, 49 U.S.C. 47101, et seq., assists in maintaining a safe and efficient nationwide system of public-use airports that meet the present and future needs of civil aeronautics.

FEDERAL GRANT ASSURANCE – A Federal grant assurance is a provision within a Federal grant agreement to which the recipient of Federal airport development assistance has agreed to comply in consideration of the assistance provided. Grant assurances are required by statute, 49 U.S.C. 47101.

FIXED BASE OPERATOR (FBO) – A Commercial Operator granted the right by the airport sponsor to operate on an airport and provide aeronautical services. Only an FBO or the City may provide fuel service at the airport. The Operator engaged in the sale of multiple products, services and facilities to Aircraft Operators including, at a minimum, the following activities at the airport:

1. sale of aviation fuels and lubricants
2. passenger, crew and aircraft ground services, support and amenities (line service)
3. aircraft maintenance/repair
4. flight training
5. aircraft storage and tiedown
6. aircraft rental

FIXED BASE OPERATOR LEASE - Means any (a) lease agreement between the City and the FBO leasing property at the airport or (b) sub-lease agreement approved by the City between an FBO and any person sub-leasing property at the airport for the purpose of providing aeronautical services to the public at the airport.

FLIGHT TRAINING OPERATOR - An entity engaged in instructing pilots in dual and solo flight training using fixed or rotary wing aircraft.

FLYING CLUB - A non-profit entity organized to provide its members guests, aircraft for club and personal use.

FUELING OPERATIONS - The dispensing of aviation fuel into aircraft.

FLIGHT STANDARDS DISTRICT OFFICE (FSDO) - Means Flight Standards District Office (FAA)

GRANT AGREEMENT – A Federal grant agreement represents an agreement made between the FAA (on behalf of the United States) and an airport sponsor for the grant of Federal funding.

HCC – Refers to the Hamilton City Council and its Mayor or other duly authorized signatory.

INDEPENDENT CONTRACTOR - Fee control over the means or methods used in doing the work or performing the service, as opposed to being an employee of the other party.

INSPECTION AUTHORIZATION (IA) MECHANIC – A person who holds an aircraft mechanics certificate with an inspection authorization rating. This certification issued by the FAA under provisions of 14 CFR, Part 65.

INSTRUMENT FLIGHT RULES (IFR) - Means instrument flight rules, which govern the procedures for conducting flight under instrument meteorological conditions.

LANDSIDE - Means all buildings and surfaces used by surface vehicular and pedestrian traffic at the airport not involving aircraft.

LEASED AIRCRAFT - (pertaining to the lease of aircraft by an entity conducting an aeronautical activity) A long-term written agreement established on a minimum basis of six (6) months wherein the lessee shall have full control of the scheduling and use of the specific aircraft.

MINIMUM STANDARDS - The qualifications or criteria which may be established by an airport owner as the minimum requirements that must be met by businesses engaged in on-airport aeronautical activities or for the right to engage in on-airport commercial aeronautical activities. These standards established by the City, amended from time to time, are the minimum requirements to be met by an FBO or SASO or proposed FBO or SASO as a condition for the right to provide aeronautical services to the public at the airport.

NON-COMMERCIAL ACTIVITY - Relating to an operation not conducted for the purpose of securing earnings, income, compensation, reimbursement (including exchange of service) and/or profit.

NOTAM - Means a Notice to Airman published by the FAA as a method of notifying the flying public of conditions at the airport that may affect flight.

PART C – DEFINITIONS (continued)

NTSB - Means the National Transportation Safety Board and its successors.

OPERATOR - Any FBO, SASO and/or entity subject to the standards set forth herein.

OWNER - Any individual, firm, partnership, corporation, company, association, entity, trustee, receiver, assignee or similar representative thereof that owns or leases an aircraft.

PERMITTEE – A person or business who has written permission (permit) from the Airport Manager to conduct occasional commercial activity, within the confines of the permit, at the airport.

PERSON - An individual, firm, partnership, corporation, company, association, entity, trustee, receiver, assignee or similar representative thereof.

PROVIDER – A person, individual, firm, partnership, corporation, company association, entity, trustee, receiver, assignee or similar representative who makes a provision or stipulation or supplies what is needed on the airport.

PUBLIC AIRPORT – Means an airport open for public use that is publicly owned and controlled by a public agency.

PUBLIC USE AIRPORT – Means either a public airport or a privately owned airport open for public use.

RAMP PRIVILEGE - The authorized driving of a vehicle (by an individual with airport approval) upon an aircraft-parking ramp of the airport to deliver persons, cargo or equipment to an aircraft as a matter of convenience or necessity. Only vehicles granted Ramp Privilege may drive on the aircraft ramp areas.

RENTAL AIRCRAFT - An aircraft leased orally to more than a single lessee or an aircraft leased for less than six (6) months. Aircraft leased in this manner shall not be self-maintained, self-served or self-fueled by the lessee.

SINGLE POINT FUELING – A method or process of refueling an aircraft in which the fueling hose is attached to a single point to fill all onboard aircraft tanks, sometimes referred to as pressure fueling. This method of fueling significantly saves time and effort.

SOARING CLUB - A non-profit entity organized to provide its members with non-powered aircraft for club use and personal use. Members share some costs amongst the membership. Training and flight time may require payments.

SPECIALIZED AVIATION SERVICE OPERATOR (SASO) – SASOs are sometimes know as single-service providers or special FBOs performing less than full services. These types of companies differ from a full service FBO in that they typically offer only a specialized aeronautical service such as aircraft sales, flight training, aircraft maintenance or avionics services, aircraft charter, air taxi or ambulance, aerial application such as crop dusting or banner towing or other specialized commercial flight support activities that are authorized to conduct such business through licensing by the City .

SELF-FUELING – Means the fueling of an aircraft (i.e. changing the oil, washing) by the owner of the aircraft with his or her own employees and using his or her own equipment. Self-fueling and other self-services cannot be contracted out to another party. Self-fueling implies using fuel obtained by the aircraft owner from the source of his/her preference, subject to the prior receipt of a fueling permit from the airport. This is one of the activities that can be conducted by the aircraft owner or operator by his or her own employees using his or her own equipment. In addition to self-fueling, other activities that can be performed by the aircraft owner

with his or her own employees includes activities such as maintaining, repairing, cleaning, and otherwise providing service to an aircraft, provided the service is performed by the aircraft owner or his/her employees with resources supplied by the aircraft owner.

NOTE: 14 CFR Part 43 permits the holder of a pilot certificate to perform specific types of preventative maintenance on any aircraft owned or operated by the pilot. See 14CFR Part 43, Maintenance, Preventive Maintenance, Rebuilding and Alteration.

SELF-SERVICE – A fueling concept that enables a pilot to fuel an aircraft from a commercial fuel pump installed for that purpose by an FBO or the airport sponsor. The fueling facility may or may not be attended. The use of a self-service fueling pump is a commercial activity and is not considered self-fueling.

SHALL - Means mandatory and not discretionary.

SPECIAL EVENT - Means an aeronautical activity, which does not comply with these Rules and Regulations or which, although it may comply with these Rules and Regulations may require an accommodation by other

PART C – DEFINITIONS (continued)

users of the airport. Special event includes, but is not limited to, fly-ins, air shows, skydiving exhibitions, balloon operations or similar events or activities.

SUBLEASE - A lease by a tenant or lessee of an interest in part or all of leased premises to another person or company but with the original tenant or lessee retaining some rights or interests under the original lease.

THROUGH THE FENCE OPERATIONS - An arrangement that the airport may at times enter into to permit access to the public landing areas by independent operators offering an aeronautical activity or access to aircraft based on land adjacent to, but not part of, the airport and property beyond the City 's control. It also includes services performed on the airport by individuals or companies which do not have a lease or permit from the City to perform services.

UNICOM - Means a nongovernmental communication facility, which may provide airport information at certain airports. Locations and frequencies are shown on aeronautical charts and publications.

VISITORS – All persons coming onto airport property who are not employed by the City of Hamilton or by an FBO or other City or airport- based enterprise. Specific authorization is required for visitors to enter the Ramp, Taxiway or Runway areas as well as utilities and equipment maintenance areas of Airport operations. Visitors may be asked to leave or may be removed from airport property during emergencies or certain special events.

VISUAL FLIGHT RULES (VFR) - Means Visual Flight Rules, which govern procedures for conducting flight under visual meteorological conditions as described in FAR Part 91, General Operating and Flight Rules.

The purpose of this document is to ensure that Hamilton Municipal Airport is in compliance with the wording and intent as specified in FAA Order 5190.6B, Change 3, dated September 15, 2023. In any situation where the terms and intent of this document conflict with FAA Order 5190.6B, Change 3, the FAA Order will prevail.

APPENDIX ONE – PROPOSAL REQUIREMENTS

Business proposals regarding Airport activity, submitted to the City or Aviation Advisory Board shall include such information outlined by the following elements, as determined applicable by the City or the Aviation Advisory Board:

1. The proposed nature of the business.
2. Name of all principals and/or the holding company to include a short resume for all principals and financial backers.
3. Short resume of the manager of the business, if different from above, including this person's experience and background in managing business similar in nature.
4. List of four references; include name, title, company, telephone number, Email and address.
5. Intended scope of operation and/or development. Include list of services to be offered and a business plan for the proposed operation including any market analysis.
6. Site plan in accordance with Airport Layout Plan (ALP) and the land use requirements.
7. Number and type of aircraft that will be provided, if applicable.
8. Equipment necessary and special tooling to be provided, if any.
9. Number of persons to be employed, specifying full and/or part time.
10. Periods of days and hours of proposed operation.
11. Amount of space/land that will be leased, including preferred location.
12. Construction cost estimate.
13. Construction schedule.
14. List of any prospective sub-tenant(s) and their intended operation(s).
15. Evidence of financial responsibility to perform the project and operation including financial statements prepared or certified by a Certified Public Accountant.
16. A current credit report, from a major credit reporting agency, for each party owning or having a financial interest in the business and a credit report on the business itself covering all geographical areas in which it has done business in the five (5) year period immediately prior to such application.
17. Preliminary plans, specifications and dates, including construction schedule, for any improvements which the applicant intends to make on the airport as part of the activity for which approval is sought. Applicant must comply with appropriate review procedures of the City.
18. Proof that the applicant has or the capability of having the minimum insurance coverage as specified by the City , by attaching hereto proof of insurance with a copy of the policy binder or other suitable proof of such capability, such as an insurance letter of intent.
19. Statement of past work experience in conducting the proposed operation and construction.
20. Evidence of financial projections for the first year of operation and the succeeding four (4) years.
21. Marketing plan to include methods to be used to attract new business, advertising and incentives.
22. Plans for physical expansion if the business should warrant such expansion.
23. A listing of assets owned, being purchased or leased which will be used in the business on the airport.
24. A written authorization for use by the City to present to the FAA, other entities/agencies, aviation or aeronautics commissions, or administrators' departments of all states in which the applicant has engaged in aviation business for those entities/agencies to release information in their files relating to the applicant or its operation. The applicant will execute all such forms, releases or discharges as may be required by those agencies.
25. Such other information as the City may require.

APPENDIX TWO - COMMERCIAL AERONAUTICAL ACTIVITY

AERONAUTICAL ACTIVITY PERMIT

Commercial Aeronautical Activity Permit issued at Hamilton (TX) Municipal Airport

A sample permit is provided on the following page. This permit is subject to change from time to time by the City of Hamilton or by the Hamilton Airport Aviation Advisory Board.

Valid for the following periods of time: _____ **Dates:** _____

Applicant Information

First Name _____ Last Name _____

Business Name _____

Phone _____

(24-hour contact number)

Current Address

Address _____

City _____ State _____ Zip _____

Projected Start date _____

Aircraft Information – *Attach list of additional aircraft*

If more than one aircraft and/or pilot will be operating under this Certificate of Acceptance, please attach the required information for each aircraft and pilot.

Type _____

Tail Number _____

Certificate of Insurance attached? _Yes _No

Copy of FAR Part 137 attached? _Yes _No

Copy of Texas Applicators License attached? _Yes _No

Copy of FAA Pilot Certificate for each pilot attached? _Yes _No

All commercial agricultural operators and their employees using the Hamilton Municipal Airport agree to operate under the Airport Minimum Standards and regulations for Commercial Aerial Application operators. Upon signing, the City or Aviation Advisory Board agrees to provide a Certificate of Acceptance for the applicant to operate from the Hamilton Municipal Airport. The Certificate of Acceptance may be revoked by a determination of the City or Aviation Advisory Board if Airport Minimum Standards or this agreement are violated.

Signed _____ Signed _____
Hamilton Municipal Airport Manager City Administrator or Mayor

Date Signed _____

Applicant Date _____

**ADOPTION OF ORDINANCE
MINIMUM AIRPORT STANDARDS**

This Ordinance shall be in full force and effect from and after its passage by the City Council of the City of Hamilton, Texas.

Ordinance approved this _____ day of _____, 2024

Signed: _____

Title: _____

Signed: _____

Title: _____