

Sec. 10-35. - Entities subject to the minimum standards.

- (1) The minimum standards shall apply to any entity proposing to conduct a commercial aeronautical activity for which minimum standards are prescribed herein. Commercial aeronautical operators subject to the minimum standards include fixed base operators and specialized aviation service operators.
- (2) The minimum standards prescribed herein, except subdivision III (Application Requirements), shall apply to the county in any instance in which the county is conducting a commercial aeronautical activity at the airport.
- (3) The minimum standards shall not apply to: (i) an air charter or air taxi operator accessing the airport for the limited purpose of picking up or dropping off passengers in an aircraft that is not based at the airport, and (ii) a flight instructor accessing the airport for the limited purpose of picking up or dropping off a student pilot or conducting flight training in an aircraft that is not based at the airport. An entity performing one of the foregoing activities is not a commercial aeronautical operator for purposes of the minimum standards.
- (4) The minimum standards shall not apply to noncommercial aeronautical activities, including, for example, and without limitation: private hangar storage, flying clubs, and co-ops. Noncommercial aeronautical activities may be subject to rules and regulations imposed by the county and the terms of a lease, license, permit or other contract.
- (5) The minimum standards shall not apply to self-servicing and self-fueling by a tenant, provided that the aircraft being self-serviced or self-fueled is owned by the tenant or under the tenant's exclusive operational control. Self-servicing and self-fueling may be subject to rules and regulations imposed by the county and the terms of a lease, license, permit or other contract.
- (6) No entity shall be permitted to conduct a commercial aeronautical activity at the airport that is not expressly addressed in the minimum standards without the county's written approval. In reviewing a request, the county will consider the nature of the commercial aeronautical activity, the proposed business terms, and the consistency of the aeronautical activity with then-existing airport operations and activities. The county further may request review by the Federal Aviation Administration to consider, for example, and without limitation, whether the aeronautical activity may be conducted safely at the airport. The county may decide, in its sole discretion, to amend the minimum standards prior to executing an agreement authorizing the commercial aeronautical activity.
- (7) No entity shall be permitted to conduct a commercial aeronautical activity at the airport in support of an aeronautical activity that is prohibited by the Federal Aviation Administration or a county ordinance, rule or directive. For example, and without limitation, no commercial aeronautical activity may be conducted in support of the operation of ultra-light aircraft, commercial skydiving, unmanned aerial vehicles (UAVs), and hot air balloons, which are prohibited from operating at the airport pursuant to county ordinance.

(Ord. No. G-2012-13, § B(I), 3-26-2013)