

CITY OF LYNCHBURG, VIRGINIA



**AIRPORT MINIMUM STANDARDS  
FOR  
AERONAUTICAL SERVICES OR ACTIVITIES**

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## CHAPTER ONE

### GENERAL PROVISIONS

#### **Section I Purpose**

The Minimum Operating Standards contained in this document (the “Minimum Standards”) have been developed to provide the minimum threshold requirements for any person or entity desiring to provide aeronautical services to the public at Lynchburg Regional Airport. They are intended to be reasonable and non-discriminatory, and establish required standards for all aeronautical activities based on the Airport, but only to the extent that they do not constitute the granting of an exclusive right under FAA guidelines.

These Minimum Standards have been designed to ensure that the flying public and general aviation community are afforded an adequate level of aviation services when using Lynchburg Regional Airport, while ensuring that commercial aeronautical services or activities are not offered on the Airport without the knowledge and consent of the City of Lynchburg.

It is also the intent of these Minimum Standards to fulfill Federal Aviation Administration (FAA) “Sponsor Assurance” requirements that are imposed on airports as a condition of receiving federal funds. In addition to prohibiting federally funded airports from the granting of an exclusive right, economic discrimination and various other requirements, these assurances also mandate that airports maintain a fee and rental structure for facilities and services that will make the airport as self-sustaining as possible.

#### **Section II Definitions**

The following words and terms shall have the meaning indicated below, unless the context clearly requires otherwise:<sup>1</sup>

- A. "Aeronautical Activities" means 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. Aeronautical activities include, but are not limited to: aircraft charter operations, pilot training, aircraft rental, aircraft hangar leasing, sightseeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products, repair and maintenance of aircraft, sale of aircraft parts, and any other activities that directly relate to the operation of aircraft. In contrast, examples that are not "Aeronautical Activities" include: ground transportation (taxis, car rentals, limousine service, etc.), restaurants, in-flight food catering and auto parking lots.
- B. "Aircraft Management Services" refers to any FBO or SASO that arranges for third-party aircraft owners some or all of the services related to the operation of those third-party aircraft, such as aircraft storage, maintenance, flight crews, etc.

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<sup>1</sup> Definitions not included herein shall be defined by standard FAA definitions.

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- C. "Airport" means the Lynchburg Regional Airport (LYH) and all of the property, buildings, facilities and improvements within the exterior boundaries of such airport as it now exists on the Airport Layout Plan (ALP) or as it may hereafter be extended, enlarged or modified.
- D. "Airport Business License" means a license issued by the Airport Director that authorizes an individual or entity to operate on the airport utilizing the facilities of an approved airport tenant through a written sub-lease agreement.
- E. "Airport Commission" refers to the Lynchburg Regional Airport Commission, a nine-member advisory board appointed by Lynchburg City Council.
- F. "Airport Director" means the designated person appointed by the City to manage the airport located at 350 Terminal Drive, Suite 100, Lynchburg, VA 24502.
- G. "Airport Operation Areas" (AOA) means certain areas of the airport pavement infrastructure used for the parking, storage and movement of aircraft as part of a dedicated ramp and taxiway system.
- H. "Airport Permit" means a permit issued by the Airport Director authorizing an individual or entity to engage in special aeronautical activities not otherwise covered by a lease or Airport Business License.
- I. "Approved Airport Layout Plan (ALP)" means a fully executed plan that includes approval signatures from the FAA, DOAV and Lynchburg Regional Airport showing boundaries and proposed additions to all areas owned or controlled by the City of Lynchburg for airport purposes, the location and nature of existing and proposed airport facilities and structures, and the location on the airport for existing and proposed non-aviation areas and improvements thereon.
- J. "City" means the City of Lynchburg, Virginia, the Lynchburg City Council, and the City's designated officials, officers, employees or representatives.
- K. "DOAV" means the Virginia Department of Aviation.
- L. "Employee" means a person who is on the payroll of, or under contract with, an aircraft owner or airport business and, as such, the owner or business must comply with all applicable labor laws including Workers' Compensation, Social Security, etc., for that employee.
- M. "Exclusive Right" means the granting of a right to provide an aeronautical service at a federally funded airport subject to FAA Advisory Circular 150/5190-5 that, either intentionally or by overly restrictive requirements or minimum standards, acts to prohibit a competitor from providing that service.
- N. "FAA" means the Federal Aviation Administration.

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- O. "FAR" means Federal Aviation Regulation.
- P. "FBO" means a Fixed Base Operator(s) that provides, at a minimum: retail aviation fuel and related aircraft fueling services, FAR Part 145 aircraft maintenance services and other FBO handling services as necessary for aircraft operating at Lynchburg Regional Airport. Any authorized FBO shall be governed by a written agreement with the City to operate at the Airport under strict compliance with such agreement.
- Q. "General Aviation" refers to aeronautical activities involving all aircraft and operations other than scheduled or non-scheduled airline and certain air freight operations.
- R. "Independent Flight Instructor" means a free-lance flight instructor engaged in commercial flight instruction in an aircraft owner's or tenant's aircraft that does not otherwise constitute a flight training SASO service.
- S. "IFR" means Instrument Flight Rules, which govern the procedures for conducting instrument flight.
- T. "Lease Agreement" means a written lease with the City of Lynchburg to operate on the airport as approved by Lynchburg City Council and executed by the City Manager.
- U. "MSL" means an altitude expressed in feet measured from Mean Sea Level.
- V. "Minimum Standards" means the Airport Minimum Standards for Aeronautical Services and Activities that are established by the Airport as the minimum requirements to be met as a condition for the right to conduct an aeronautical activity on the airport.
- W. "NFPA" means the National Fire Protection Association.
- X. "Normal Business Hours" means 8:00 a.m. to 5:00 p.m. Monday through Friday, except holidays, each week of the year.
- Y. "NOTAM" means a "Notice to Airmen" as published by the FAA or airport.
- Z. "Permittee" refers to an individual or entity providing an aeronautical service on the airport and operating under the authority of an Airport Permit issued by the Airport Director.
- AA. "Pioneer" refers to a new general aviation business offering services not previously available to the public at Lynchburg Regional Airport and as such may be offered reduced rental rates during a limited, initial period.
- BB. "Proprietary Aeronautical Activity" means an activity, as prescribed by FAA Advisory Circular 150/5190-5 (Exclusive Rights at Airports), in which the City may engage while denying others the right to engage in the same activity.

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- CC. “SASO” refers to a Specialized Aviation Service Operator that is authorized to provide a single or limited multiple services, but does not meet the requirements for an FBO. Examples of a SASO include, but are not limited to, the following aeronautical activities: aircraft maintenance, avionics maintenance, Part 135 air charter, flight training, aircraft rental, aircraft sales and storage.
- DD. “Self-Fueling – Eligible Aircraft” shall be limited only to aircraft that are owned by the self-fueler, or are leased or operated under an exclusive management contract with the self-fueler. The self-fueler must have sole and continuous control of all aspects of the maintenance and operation of the aircraft, and only employees of the self-fueler may operate the aircraft.
- EE. “Self-Service Provider” is an individual, aeronautical operator or tenant that qualifies to provide self-servicing or self-fueling of their own aircraft as specified in Advisory Circular AC 150/5190-5. Self-servicing means the fueling or servicing of an aircraft by the owner, lessee or operator under an exclusive management contract with the self-service provider.
- FF. “Shall” The word **“shall”** is always mandatory.

## CHAPTER TWO

### AIRPORT OPERATORS, TENANTS AND MINIMUM STANDARDS

#### Section I Authorization to Operate at the Airport

- A. To operate at Lynchburg Regional Airport, a Fixed Base Operator (FBO), Specialized Aviation Service Operator (SASO) or Permittee shall:
1. Meet all requirements of these Minimum Standards, unless otherwise waived under Section XV of this chapter.
  2. Obtain authorization and accept, be bound by, comply with and conduct operations in accordance with all terms and conditions of one of the following:
    - a. A written **Lease Agreement** approved by Lynchburg City Council.
    - b. An **Airport Business License**, issued by the Airport Director, to operate on the airport utilizing the facilities of an approved airport tenant through a written sub-lease agreement.
    - c. An **Airport Permit**, issued by the Airport Director, for conducting special aeronautical activities as allowed under these Minimum Standards.
  3. Construct, obtain, or arrange for sufficient facilities and/or operations space to conduct the level of aeronautical activity proposed. Training or business activities shall not be

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- conducted in the public areas of the General Aviation terminal building, or in the leased space of another FBO or SASO, without written approval of the City or an agreement with an FBO or SASO, as applicable.
4. Obtain and comply with all requirements for appropriate licenses or certificates, or conform to a deadline acceptable to the City for meeting such requirements, from any federal, state and/or local governmental authority to conduct the aeronautical activity.
  5. Provide proof of a Campbell County Business License, if applicable.
  6. Demonstrate to the satisfaction of the City's Risk Manager proof of required insurance coverage as specified in Chapter Three.
- B. Except as may be authorized by the City under certain unique circumstances, it is the intent of these Minimum Standards to specifically prohibit any "through the fence" access to the public landing area of the airport by any independent operator offering an aeronautical activity, or by aircraft based on land adjacent to, but not a part of, the airport property.

## **Section II Process for Becoming Authorized**

There are generally three ways to obtain authorization to provide aeronautical services at Lynchburg Regional Airport:

- A. Unsolicited Aeronautical Services - A prospective FBO or SASO intending to operate at Lynchburg Regional Airport must submit an application for review by the Airport Commission and approval by the City as set forth in these Minimum Standards. If approved, the operator will then enter into a written **Lease Agreement** if the FBO or SASO will be a primary leaseholder with the City; **or**, be issued an **Airport Business License** if the SASO is sub-leasing from an existing primary leaseholder.
- B. City-Solicited Aeronautical Services - If the City desires to obtain the services of an FBO or SASO to operate from existing facilities or available land, the FBO or SASO will be selected through a competitive Request for Proposals (RFP) or Invitation for Bids process as solicited by the City and reviewed by the Airport Commission. The selected FBO or SASO will then enter into a written **Lease Agreement** with the City as approved by City Council.
- C. Special Aeronautical Activities - For those services that involve aircraft self-servicing in compliance with FAA sponsor assurances, or certain authorized services provided by an individual (like Independent Flight Instructor), an application must be submitted and, if approved by the Airport Director, the applicable **Airport Permit** will be issued.

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### **Section III Fixed Base Operators (FBOs) – General Requirements**

- A. To qualify as an FBO, an operator must offer, at a minimum, retail fuel services and Part 145 aircraft maintenance services to the public as outlined in Section IV. **Except for FAA-authorized proprietary aeronautical rights as may be exercised by the City pursuant to FAA Order 5190.6A, section 4-14, only an FBO shall have the authority to provide retail aviation fuel sales under these Minimum Standards.**
- B. FBOs are required to provide and maintain an office that, at a minimum, shall be staffed and open to the public from 6:00 a.m. to 10:00 p.m. daily, including weekends and holidays. Such office shall be the operator's office or place of business on the airport. Only one office shall be required of each FBO. No FBO, its employees, agents, officers or other persons connected with the business shall use the office area or other facilities of any other FBO without consent of said FBO and the Airport Director.
- C. Each FBO shall agree to be bound by, comply with, and conduct its business operations in accordance with the Airport Rules and Regulations.
- D. Unless otherwise provided in a lease agreement with the City, the FBO shall, at its own expense, provide, construct, install, equip and maintain all utilities, buildings, structures, ramps, tie-down area, taxiways, fences and all other facilities and improvements requested or approved by the City for the FBO to carry on the activities or services authorized by the City.
- E. Unless otherwise provided by the City, all operations of the FBO shall be conducted in an area of sufficient size but not less than that outlined in this document to accommodate all services for which the operator is approved. The FBO shall conduct its business operations strictly within the areas assigned it by the City and its operations shall not in any way interfere with the operations of the other FBOs, agencies, or other businesses operating on the airport; the use of the airport by the general public; or with any common-use areas. The FBO shall not use any common-use areas except as authorized by the Airport Rules and Regulations or by the City.
- F. The FBO shall arrange for the lawful, sanitary handling and timely disposal, away from the airport, of all trash, waste, and other materials including, but not limited to, used oil, solvents, and other waste. The piling and storage of crates, boxes, barrels, and other containers shall not be permitted within the leased premises.
- G. Each FBO shall provide all services on a fair, reasonable and not unjustly discriminatory basis to all users thereof.
- H. Each FBO shall charge prices for all products and services that are fair, reasonable and not unjustly discriminatory, with the exception that the FBO may be allowed to offer reasonable and nondiscriminatory discounts, rebates or other similar types of price reductions to volume purchasers.
- I. Each FBO shall post and/or have available for public inspection a complete list of all prices charged for their products and services.



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### **Section IV FBOs - Required Minimum Standards**

Except as otherwise provided in any agreement between an FBO and the City, an FBO at Lynchburg Regional Airport shall provide all of the facilities, services, products and equipment required under these Minimum Standards, including:

- A. Sufficient space on the airport to accommodate the aircraft fuel servicing area, aircraft fueling and line servicing equipment, and adequate space to accommodate the flow of traffic in and out of the service area. The FBO shall provide an office and a minimum of 750 square foot waiting area for customers that shall have separate restrooms for men and women, or access thereto.
- B. Adequate aircraft ramp parking or access to public-use ramp area.
- C. Sufficient qualified and trained personnel shall be on duty at least from 6:00 a.m. to 10:00 p.m. every day of the year unless a deviation is approved in writing by the Airport Director. The aviation fueling supervisor shall have been trained to the requirements of FAR Part 139.321(b)(6).
- D. Proper equipment for aircraft towing, inflating aircraft tires, washing aircraft windscreens, and recharging aircraft batteries.
- E. Aircraft maintenance and repair as specified in Chapter Two, Section VI(A). In addition, each FBO shall maintain adequate maintenance personnel, at least one (1) of which is an FAA-certified A&P and IA mechanic.
- F. Permanent restroom facilities for personnel, customers and the general public, or access thereto.
- G. Automobile parking for customers and employees, if adequate parking is not already available for public use as determined by the Airport Director.
- H. A separate area, or access thereto, sufficient for flight planning with appropriate seating, work areas, communication facilities, directories and all items necessary for complete flight planning separate from other public areas.
- I. Requirements for Fuel Sales
  1. An FBO must offer appropriate grades of aviation fuel including:
    - a. 100 Octane Low Lead
    - b. Turbine Fuel (JET-A)
    - c. An adequate inventory of generally accepted grades of aviation engine oil and lubricants.

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### 2. Fueling equipment requirements (general)

- a. All fuel systems shall have a means for quickly and completely stopping fuel flow in the event of an emergency.
- b. An adequate supply of properly located and functioning fire extinguishers, and other precautions and/or equipment, shall be provided as required by the City and/or NFPA fire codes.
- c. All fuel pumps shall be powered and the flow shall be controlled by a “deadman” flow control in the nozzle. Pouring or gravity flow shall not be permitted.
- d. All fuel pumps, meters, hoses, nozzles, fire extinguishers and grounding devices shall be UL approved, where applicable, and shall be kept in first class condition at all times.
- e. Adequate bonding (grounding) wires must be provided and continuously inspected and maintained for use during any fueling operation in order to eliminate the hazards of static electricity.
- f. All personnel shall be properly trained for the type of fuel system or equipment used, and must be trained to the fuel supplier’s standards and the fueling requirements of FAR Part 139.

### 3. Fuel Storage Tanks

- a. Minimum above ground storage tank capacity shall be 15,000 gallons for Jet “A” fuel sales and 6,000 gallons for Avgas, or access thereto.
- b. The current airport-owned fuel farm contains three 15,000 gallon storage tanks, with one open cradle position to accommodate a fourth 15,000 gallon tank. If an FBO chooses to install its own fuel farm facility and not utilize LYH’s shared fuel farm facility, all fuel storage tanks shall be above ground and located in the central fuel farm area designated by the City as shown on the Airport’s approved ALP, and shall comply with the National Fire Protection Association (NFPA) rules and regulations and all applicable regulations and commonly accepted industry standards.
- c. The FBO shall be responsible for all costs associated with the planning, engineering, installation, permitting, maintenance, insurance and operation of its owned fuel storage tanks.
- d. The FBO shall provide and/or maintain safe fuel storage tanks and adequate bulk handling of the fuel in conformance with all federal, state, and local regulations and ordinances, and NFPA fire codes pertaining to safe storage and handling of fuel, unless such fuel storage and handling is otherwise provided to the operator by the City.
- e. All fuel storage tanks must include adequate fuel spill prevention features, containment capabilities and/or equipment, and the FBO must maintain an approved Spill Prevention Countermeasures and Control (SPCC) plan, as applicable.

### 4. Mobile Fueling Equipment

- a. Mobile refueling equipment shall be adequate for the required fuel services offered, be in good working order and acceptable exterior appearance, and meet all safety and

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- environmental requirements of the insurance company, the City and/or its Risk Manager, FAA, DOAV, NFPA, and any other applicable federal, state or local regulations pertaining to such equipment.
- b. Mobile fueling equipment shall have reliable metering devices subject to independent inspection, with a pumping efficiency capable of filling the largest aircraft likely to be serviced at Lynchburg Regional Airport within thirty (30) minutes time.
  - c. All mobile refueling operations must provide adequate fuel spill prevention features, containment capabilities and/or equipment.
- J. As appropriate, the FBO shall only utilize City-designated facilities for washing and cleaning of aircraft, vehicles or equipment, or those designed to meet City, State and Federal environmental requirements.

### **Section V Specialized Aviation Service Operator (SASO) – General Requirements**

- A. A Specialized Aviation Service Operator (SASO) is a person or business that provides one or more aeronautical services to the public, but otherwise does not meet the requirements necessary to qualify as an FBO. No person or business shall operate at the airport as a SASO until such person or business has executed a Lease Agreement with, or obtained an Airport Business License from, the City. The SASO must meet the qualifications, standards and requirements of these Minimum Standards, pay any required fees, and receive approval from the City.
- B. The City will accept requests from SASOs to become an FBO, provided the required minimum aeronautical services to qualify as an FBO are offered.
- C. Except in cases of offering T-hangar or inside hangar aircraft storage only, the SASO is required to provide and maintain an office, or suitable alternative area, for conducting business with the public and that shall be open during hours consistent with the type of service(s) provided. This office shall contain the floor space adequate for the service(s) being provided as specified by these Minimum Standards, and shall have separate restrooms for men and women, or access thereto. These facilities and office spaces shall be kept in a neat, clean and orderly condition.
- D. Each SASO shall agree to accept, be bound by, comply with and otherwise conduct its business operations in accordance with the Airport Rules and Regulations.
- E. Unless otherwise provided in a Lease Agreement with the City, the SASO shall, at its own expense, provide, construct, install, equip and maintain all utilities, buildings, structures, ramps, tie-down area, taxiways, fences and all other facilities and improvements requested or approved by the City for the SASO to carry on the activities or services authorized by the City.
- F. Unless otherwise provided by the City, all operations of the SASO shall be conducted in an area of sufficient size necessary and appropriate to accommodate all services for which the operator is approved. The SASO shall conduct its business operations strictly within the areas

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assigned it by the City and its operations shall not in any way interfere with the operations of the other SASOs or FBOs, agencies, or other businesses operating on the Airport; the use of the Airport by the general public; or with any common-use areas. The SASO shall not use any common-use areas except as authorized by the Airport Rules and Regulations or by the City.

- G. The SASO shall arrange for the lawful, sanitary handling and timely disposal, away from the airport, of all trash, waste, and other materials including, but not limited to, used oil, solvents and other waste. The piling and storage of crates, boxes, barrels and other containers shall not be permitted within the leased premises.
- H. Each SASO shall provide all services on a fair, reasonable and not unjustly discriminatory basis to all users thereof.
- I. Each SASO shall charge prices for all products and services that are fair, reasonable and not unjustly discriminatory, with the exception that the SASO may be allowed to offer reasonable and nondiscriminatory discounts, rebates or other similar types of price reductions to volume purchasers.
- J. Each SASO shall post and/or have available for public inspection a complete list of all prices charged for their products and services.
- K. Demonstrate to the satisfaction of the City's Risk Manager proof of required insurance coverage as specified in Chapter Three.

### **Section VI Required Minimum Standards for FBO or SASO Aeronautical Services**

For each service provided by any FBO or SASO, the following Minimum Standards shall apply:

#### **A. Aircraft Maintenance and Repair**

- 1. Except as otherwise provided in any agreement between an FBO or SASO and the City, an FBO or SASO offering aircraft engine, airframe and accessory sales, maintenance and repair facilities to the public shall provide:
  - a. In case of airframe and/or engine repairs, a minimum of 6,000 square feet of hangar space to house aircraft upon which such service is being performed, 400 square foot of office space, and a waiting area for customers that shall have separate restrooms for men and women, or access thereto. The office shall be staffed and open to the public, at a minimum, during normal business hours.
  - b. Automobile parking for customers and employees, if adequate parking is not already available for public use.
  - c. Suitable storage space for aircraft awaiting repair, maintenance, or delivery consistent with the level of maintenance services offered.

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- d. Adequate enclosed shop space to house all shop equipment.
- e. Adequate equipment and tools, jacks, lifts, and testing equipment to perform overhauls as required for FAA certification and the repair of parts based on the type of maintenance services performed but, at a minimum, common single engine land and light multi-engine land general aviation aircraft.
- f. Sufficient number of FAA certified mechanics for the work to be performed.
- g. In the case of an FBO, each FBO shall have inspection authority for the work to be performed. Each FBO shall also have at least one (1) full-time FAA certified airframe and powerplant mechanic, with inspection authority, available during normal business hours and on call at other times available within two (2) hours.
- h. In the case of an FBO, availability of, or reasonable access to, necessary equipment and personnel to promptly remove from the public landing area (as soon as permitted by the FAA, NTSB and Virginia State Police authorities) disabled aircraft of all types up to 12,500 pounds gross weight. The FBO or SASO shall provide assistance as necessary to handle larger aircraft.
- i. Adequate provisions for the removal/disposal of solutions, cleaning agents, lubricants and other wastes in compliance with Federal, State and City regulations.
- j. As appropriate, the FBO or SASO must only use City-designated facilities for the washing and cleaning of aircraft, vehicles or equipment, or those facilities specially designed to meet City, State and Federal environmental requirements.

### B. Aircraft Charter (FAR Part 135 Air Carrier)

- 1. Except as otherwise provided in any agreement between an FBO or SASO and the City, an FBO or SASO conducting aircraft charter services shall be required to provide:
  - a. A minimum of 125 square feet of office space, adequate passenger lounge and rest rooms for the charter activity level involved, or access thereto. The office shall be staffed and open to the public consistent with the level of charter service provided, but subject to approval by the City.
  - b. At least one multi-engine aircraft that:
    - (1) has a seating capacity of at least six seats;
    - (2) is certified for IFR flight; and,
    - (3) meets exclusive-use requirements as defined in FAR part 135.25 paragraphs (b) and (c)
  - c. At least one full-time pilot.
    - (1) Pilot must have 24 hours-a-day availability upon reasonable notice.
    - (2) Pilot must be fully current under FAR part 135 and in compliance with all laws and procedures.
  - d. Automobile parking for customers and employees, if adequate parking is not already available for public use.

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### C. Aircraft Rental

1. Except as otherwise provided in any agreement between an FBO or SASO and the City, an FBO or SASO conducting aircraft rental activity shall provide:
  - a. Sufficient office space, or other suitable area, adequate for the level of service provided for arranging rentals and keeping records as may be necessary in connection with such activity, and a suitable waiting area for customers with separate rest rooms for men and women, or access thereto. The office shall be staffed and open to the public consistent with the level of rental services provided, but subject to approval by the City.
  - b. At least two airworthy aircraft suitably maintained and certificated.
  - c. Adequate arrangements for servicing the aircraft.
  - d. Adequate arrangements for parking the aircraft being rented.
  - e. A properly certificated and current flight instructor capable of conducting "flight checks" of prospective renters shall be available during normal hours of operation, or within a suitable time thereof.
  - f. Proper checklist and operating manuals on all aircraft rented.
  - g. An adequate supply of properly located fire extinguishers and other precautions and/or equipment required by City and NFPA fire codes.
  - h. Automobile parking for customers and employees, if adequate public parking is not already available.

### D. Flight Training

1. Except as otherwise provided in any agreement between an FBO or SASO and the City, an FBO or SASO conducting fixed wing or rotorcraft flight training activities shall provide:
  - a. All fixed wing flight training activities shall require at least two (2) certified training aircraft. Rotorcraft flight training activities shall require at least one (1) aircraft. Each fixed wing or rotorcraft aircraft shall :
    - (1) Have a minimum of two seats.
    - (2) Be maintained in accordance with Federal Aviation Regulations.
    - (3) Be kept in a clean and presentable manner.
    - (4) Be available for rental as well as training.
  - b. In the case of fixed wing flight training, equipment for IFR flight and training in at least one (1) of the aircraft listed above. This aircraft must have the following equipment:
    - (1) Two NAV/COMM Radios
    - (2) Transponder
    - (3) IFR certified GPS
    - (4) Current FAR 91.411 and 91.413 inspections
  - c. At least one current FAA certified flight instructor for the type of flight training involved, including an instrument instructor for fixed wing training activities.
  - d. A minimum of 125 square feet of office space that shall be staffed and open to the public during hours consistent with the level of instruction involved, but subject to the approval of the City.

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- e. Access to adequate conference/classroom space to accommodate a minimum of five students, and adequate waiting area for customers with separate rest rooms for men and women, or access thereto.
- f. Adequate teaching materials, mock-ups, pictures, slides or other visual aids necessary to provide proper ground school instruction.
- g. Adequate facilities or arrangements for storing, parking, servicing and repairing all of its aircraft.
- h. Automobile parking for customers and employees, if adequate public parking is not already available.

### E. Glider / Sailplane Flight Training

- 1. Except as otherwise provided in any agreement between an FBO or SASO and the City, an FBO or SASO conducting flight training in motorized or non-motorized glider or sailplane shall comply with all Airport Rules and Regulations, and provide:
  - a. At least one training aircraft that:
    - (1) Is maintained in accordance with Federal Aviation Regulations.
    - (2) Is kept in a clean and presentable manner.
  - b. At least one (1) current Certified Flight Instructor.
  - c. A minimum of 125 square feet of office space that shall be staffed and open to the public during hours consistent with the level of instruction involved, but subject to the approval of the City. Access to adequate conference/classroom space to accommodate a minimum of five students, and adequate waiting area for customers with separate restrooms for men and women, or access thereto. Adequate teaching materials, mock-ups, pictures, slides or other visual aids necessary to provide proper ground school instruction.
  - d. Adequate facilities or arrangements for storing, parking, servicing, and repairing all its aircraft.
  - e. Automobile parking for customers and employees if adequate public parking is not already available.
  - f. Any commercial sailplane operation at the Airport will be evaluated for an initial period of six (6) months to determine compatibility with the existing aircraft mix and volume of operations. Should this commercial operation create an unsafe environment for the present aircraft traffic, or prove to be incompatible with the current operations, it will be re-evaluated and, if deemed necessary by the City, discontinued. Prior to the permanent discontinuance of said operation, support documentation will be reviewed by the Richmond Flight Standards District Office of FAA, and the Airport Commission. A temporary termination of services can be ordered by the Airport Director at any time, if, in his or her sole opinion, an unsafe operating environment is created as a result of sailplane flight training activity.

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### F. Aircraft Sales

Except as otherwise provided in any agreement between an FBO or SASO and the City, an FBO or SASO providing aircraft sales activities shall provide:

1. Adequate office space, or other suitable area, that shall be staffed and open to the public during hours consistent with the level of sales involved, but subject to the approval of the City. A waiting room and separate rest rooms for men and women, or access thereto.
2. An area of sufficient size to permit the storage and/or display of all aircraft for sale or used in the aircraft sales business. All inventory must be insured with liability coverage acceptable to the City Risk Manager and include all aircraft that overnight at, or are based at, the Airport. The business shall be open to the public consistent with the level of sales provided, but subject to the approval of the City.

### G. Parts and Accessories Sales

The FBO or SASO must conduct one or more services listed in this section and provide suitable space approved for the display of the parts and accessories for sale.

### H. Aircraft Outside Storage

1. Unless existing paved tie-down space is otherwise leased to the FBO or SASO by the City, an FBO or SASO desiring to provide outside aircraft storage shall submit a proposal detailing the size and configuration of the ramp area to be used for outside aircraft storage.
2. Upon approval by the City, the ramp area to be constructed shall be subject to a ground lease agreement with the City.
3. Engineering design criteria for related site work, base preparation and paving shall be consistent with the type and size of aircraft to be stored. The operator shall provide an area of sufficient size to accommodate the ramp area with proper access and construct the ramp in a location stipulated in the official Airport Layout Plan (ALP).

### I. Aircraft Inside Storage - T-Hangar or Conventional

1. Unless a hangar is constructed for lease by the City, an FBO or SASO desiring to provide aircraft storage shall submit a proposal detailing the size, configuration and style of hangar storage for approval by the City and subject to a subsequent ground lease agreement. The operator shall have an area of sufficient size to accommodate the hangar structure with proper access and construct such facilities in locations stipulated in the official Airport Layout Plan (ALP).



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

### J. Aircraft Management Services

1. An FBO or SASO desiring to provide aircraft management services must have access to adequate aircraft storage facilities for the number of aircraft to be under management contract(s), either through (1) a lease agreement with the City; or (2) as a sub-lessee of an airport tenant. If the operator proposes to construct its own hangar facility, it shall have an area of sufficient size to accommodate the hangar structure with proper access and construct such facilities in locations stipulated in the official Airport Layout Plan (ALP).
2. An authorized SASO may have an office in the storage hangar to be used for aircraft management services. If no office is maintained, the SASO shall post in conspicuous places on the hangar facilities the name, address and telephone number of the FBO or SASO and of the person who shall be managing or operating the hangar facilities.

### K. Aircraft Stripping and Painting Facility

Except as otherwise provided in any agreement between an FBO or SASO and the City, an FBO or SASO offering aircraft stripping and painting services to the public shall:

1. Provide a minimum of 6,000 square feet of hangar space sufficient to house any aircraft upon which such service is being performed, a minimum of 150 square feet of office space and a waiting area for customers that shall have separate restrooms for men and women, or access thereto. The office shall be staffed and open to the public during normal business hours.
2. Provide adequate customer and employee auto parking, unless space is already available.
3. Provide suitable storage space for aircraft awaiting stripping, painting or delivery.
4. Provide adequate enclosed shop space to house necessary equipment and tools.
5. Have available during normal business hours, competent and responsible personnel who are knowledgeable of all phases of aircraft stripping, preparation, and treatment of aluminum and painting.
6. Comply with and abide by all standards, rules, regulations, and requirements of the FAA, Virginia Department of Environmental Quality, Environmental Protection Agency, OSHA, and any other City, State or Federal government agencies having jurisdiction over aircraft stripping and painting operations.
7. Comply with NFPA and the National Board of Fire Underwriters on "Paint Spraying and Spray Booth" regulations regarding the arrangement, construction, and protection of spray booths and the storing and handling of materials used in connection with aircraft painting, varnishing, and spray painting operations.

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8. Not allow any stripping, painting, varnishing, doping, materials or agents, or other contaminants to flow into or be placed in any sewer system.
9. Perform all aircraft stripping and painting operations inside the hangar or building.
10. Provide for the adequate containment and control of any dust or over spray that may result from preparation or painting activities.
11. Properly treat and dispose of solutions, cleaning agents, lubricants and other hazardous materials and wastes in compliance with Federal, State and City regulations.
12. Provide a written plan for approval by the City adhering to all the above safety and environmental requirements. This plan will be available for inspection by all environmental agencies of both the State and Federal Government.

### **L. Avionics Shop**

Except as otherwise provided in any agreement between an FBO or SASO and the City, an FBO or SASO offering avionics services to the public shall:

1. Provide a minimum of 400 square feet of space to be used for shop, storage and test equipment and a minimum of 125 square feet of office space and a waiting area for customers that shall have separate restrooms for men and women, or access thereto. The office shall be staffed and open to the public, at a minimum, during normal business hours.
2. Have available on a full-time basis during normal business hours an FAA-certified repairman in the field of aircraft electronics and/or aircraft instruments.

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

## **Section VII Special Aeronautical Activities (By Permit)**

### **A. Independent Flight Instructor**

1. An independent flight instructor providing a commercial aeronautical activity to the general public, and/or advertising to the general public will be permitted to provide aircraft flight instruction without meeting the requirements of Section 6(D) above (Flight Training), or Section 6(E) above (Glider/Sailplane Flight Training) of this Chapter provided that:
  - a. An Airport Permit is acquired from the Airport Director, which requires:
    - (1) Submission of an Independent Flight Instructor Application.
    - (2) Proof of the proper and current FAA licenses and certificates.
    - (3) Proof of insurance acceptable to the Airport Director.

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### B. Self-Fueling by Private, Corporate or Aircraft Charter Operators

1. Self-fueling by private, corporate, aircraft charter operators, aircraft owners or lessees is permitted by the City of Lynchburg. The Minimum Standards for self-fueling are as follows:
  - a. Only aircraft owned, leased or managed under a written contract by the self-fueling operator shall be permitted to be fueled or defueled. The self-fueler shall provide the Airport Director with a current list of owned or leased aircraft, a copy of the FAA's aircraft registration certificate for all aircraft verifying sole ownership by the permittee, or proof of being the sole operator under a lease or management contract for said aircraft.
  - b. A Permit issued by the Airport Director will govern all self-fueling operators and will be valid for a period of one (1) year. Following the one-year period, the permit may be continued on a month-to-month basis and can be terminated by either party upon 30 days written notice. An initial annual fee of \$50.00 and a \$25.00 annual renewal fee thereafter will be required for a Permit for Mogas self-fueling, and an initial annual fee of \$300.00 and a \$150.00 annual renewal fee thereafter will be required for a Self-Fueling Permit for avgas and/or jet fuel
  - c. Any individual, business or corporation desiring to self-fuel shall pay the City of Lynchburg the current fuel flowage fee established by the City on every gallon of fuel dispensed into their authorized aircraft. By the 15<sup>th</sup> day of each month, the self-fueler shall (1) submit a report that details the total amount of fuel pumped for the previous month, and (2) make full payment for the fuel flowage fee.
  - d. Only owners, principals or employees of the self-fueler may operate any fueling equipment.
  - e. The self-fueler shall carry adequate Liability, Fire, Auto, Fuel Truck and other insurance coverages as applicable to the type of self-fueling services being provided and in the amounts acceptable to the Airport Director.
  - f. Self-fueling operations must comply with all Lynchburg Regional Airport Rules and Regulations, and applicable local ordinances, state and federal regulations, including Federal Aviation Administration (FAA) Advisory Circulars, and shall conform to applicable American Standard Testing Method (ASTM) D-910 for Av-Gas, ASTM D-1655 for Jet Fuel, and ASTM D-439-58 for Mogas standards. Violations may result in the suspension or revocation of self-fueling privileges.
  - g. The self-fueler shall be responsible for the payment of any applicable federal or state taxes on aviation fuels, and for all reports required by the Internal Revenue Service, and shall comply with all related federal statutes and regulations.
2. Self-Fueling Storage Tanks and Mobile Refuelers
  - a. All fuel systems shall have a means for quickly and completely stopping fuel flow in the event of an emergency.
  - b. An adequate supply of properly located and functioning fire extinguishers, and other precautions and/or equipment, shall be provided as required by the City and/or NFPA fire codes.

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- c. All fuel pumps, meters, hoses, nozzles, fire extinguishers and grounding devices shall be UL approved, where applicable, and shall be kept in first class condition at all times.
  - d. All fuel pumps shall be powered and the flow shall be controlled by a “deadman” flow control in the nozzle. Pouring or gravity flow shall not be permitted.
  - e. Adequate bonding (grounding) wires must be provided as required and continuously inspected and maintained for use during any fueling operation in order to eliminate the hazards of static electricity.
  - f. All personnel shall be properly trained for the type of fuel system or equipment used.
3. Fuel Storage Tanks
- a. Fuel storage tanks may be above ground in a fixed location, or part of a portable, self-contained unit which incorporates all pumping equipment. Minimum above ground storage tank capacity for self-fueling shall be 6,000 gallons for Jet “A” fuel sales and 2,000 gallons for Avgas.
  - b. The self-fueler shall be responsible for all costs associated with the planning, engineering, installation, permitting, maintenance, insurance and operation of the fuel tanks.
  - c. All fixed aircraft fuel storage facilities shall be located in the central fuel farm area as shown on the airport’s approved ALP. The location of all portable, self-contained storage tanks shall be subject to the approval of the Airport Director.
  - d. All fixed and portable, self-contained storage tanks shall comply with the National Fire Protection Association (NFPA) rules and regulations and all applicable regulations and commonly accepted industry standards.
  - e. A representative of the self-fueler shall be present at the self-fueler’s fuel storage tank at times of delivery to verify and assure the proper type and quantity of fuel delivered and the proper filtration of the fuel into the fuel storage tank.
  - f. The self-fueler shall provide and/or maintain safe fuel storage tanks and adequate bulk handling of the fuel in conformance with all federal, state, and local regulations and ordinances, and NFPA fire codes pertaining to safe storage and handling of fuel, unless such fuel storage and handling is otherwise provided to the operator by the City.
  - g. All fuel storage tanks must include adequate fuel spill prevention features, containment capabilities and/or equipment, and must maintain an approved Spill Prevention Countermeasures and Control (SPCC) plan, as applicable.
4. Mobile Fueling Equipment
- a. Mobile refueling equipment shall be adequate for the required fuel services offered, be in good working order and acceptable exterior appearance, and meet all safety and environmental requirements of the insurance company, the City and/or its Risk Manager, FAA, DOAV, NFPA, and any other applicable federal, state or local regulations pertaining to such equipment.
  - b. Mobile refueling equipment shall have reliable metering devices subject to independent inspection.

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- c. All mobile refueling operations must provide adequate fuel spill prevention features, containment capabilities and/or equipment. All mobile refueling equipment shall be parked or stored in areas so designated by the airport Director, and shall be restricted to operating only within designated AOA ramp areas.

### 5. Small Quantity Self-Fueling (Mogas)

- a. Mogas may be substituted for Av-Gas only in those aircraft for which an individual Supplemental Type Certificate (STC) has been approved by the FAA. A copy of the individually held STC must be on file with the Airport Director's office prior to the commencement of any self-fueling operations.
- b. Permittees who do not have written permission from an FBO that allows the user to refuel on the FBO's leased premises shall coordinate with, and receive written permission from, the Airport Director for the location of, and access routes to, an alternative fueling location.

### C. Limited Aircraft Maintenance and Repair (Non-Based Tenant)

1. It is recognized that under certain circumstances, on-airport maintenance and repair FBO(s) or SASO(s) may not have the equipment, certification, personnel or expertise to provide all maintenance-related services for all types of aircraft. In such instances where an aircraft owner has been told by LYH's on-airport maintenance and repair FBO(s) or SASO(s) that they are unable to provide certain maintenance or repairs to a specific type of aircraft due to equipment, personnel and/or certification limitations, the aircraft owner may contract with an off-airport maintenance and repair service provider under certain conditions and limitations. In such instances, the off-airport service provider shall:
  - a. Only be allowed to service a LYH based aircraft in the event that authorized, on-airport maintenance and repair FBO(s) or SASO(s) are unable to perform the necessary services. New aircraft warranty work on a based aircraft shall also be permitted if no on-airport FBO(s) or SASO(s) are certified by the aircraft manufacturer to provide such warranty work.
  - b. Have access to adequate enclosed hangar/shop space to conduct the maintenance/repair services being performed.
  - c. Provide only FAA-certified and qualified mechanics.
  - d. Not utilize any public vehicle parking or aircraft ramp areas on the airport for the storage of equipment, parts or vehicles without the approval of the Airport Director.
  - e. Provide adequate provisions for the removal/disposal of solutions, cleaning agents, lubricants and other wastes in compliance with Federal, State and City/County regulations.
  - f. Must comply with all applicable insurance requirements as specified in Chapter Three of the Minimum Standards (Insurance Requirements).
  - g. Comply with all general terms and conditions for conducting aeronautical activities as specified in the Minimum Standards.

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- h. Complete and submit the required Application for Airport Permit form to the Airport Director for review and approval. If complete, the Airport Director shall issue the appropriate Airport Permit. No maintenance or repair services shall be conducted until an Airport Permit has been approved by the Airport Director.
2. Aircraft, engine or avionics manufacturers' mobile maintenance service centers shall be permitted to provide warranty and/or emergency repair services at LYH on aircraft under contract upon the submission of the required Application for Airport Permit to the Airport Director for review and approval. If complete, the Airport Director shall issue the appropriate Airport Permit. The Airport Director may grant immediate approval for the initial warranty or maintenance work to be performed under the condition that an application for an Airport Permit must be applied for and issued prior to any future warranty or repair work at LYH.

### **Section VIII Requirements for Sub-Lessees Permitted to Conduct Aeronautical Activities**

- A. Each FBO or SASO proposing to contract with an airport tenant as a sub-lessee to provide aeronautical activities at the airport shall meet the following requirements to the satisfaction of the City:
  1. The sublessee shall submit all materials required in the appropriate application for the service to be offered to the City.
  2. The sublessee must meet all Minimum Standards requirements appropriate to the aeronautical service to be provided.
  3. The sublessee shall provide a copy of its sublease agreement to the City.
  4. The sublessee must meet applicable requirements of the FAA, DOAV or other authority governing the proposed activity.
  5. The sublessee must demonstrate to the satisfaction of the City's Risk Manager proof of required coverage as specified in Chapter Three.
  6. Upon meeting all requirements, the sublessee must obtain from the City the applicable Airport Business License or Permit in order to conduct operations on the Airport.
  7. No interest in the activity shall be assigned or otherwise transferred to another party without written consent of the City.

### **Section IX Application Process**

- A. Except for instances where the City specifically solicits competitive proposals or bids for aeronautical services, an Application for Lease (Primary with City), Application for Business License (Secondary through sub-lease with primary leaseholder) or Application for Airport Permit to carry on any aeronautical activity must be submitted in accordance with these Minimum Standards.

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- B. Applications can be obtained from the Airport Director, Lynchburg Regional Airport, City of Lynchburg.
- C. For a Lease Agreement or Business License – Submit a completed application, together with all supporting documentation, to the Airport Director containing the following information:
1. The name, address and telephone number and email address of the applicant.
  2. A written letter/proposal that provides a detailed description of the nature of the proposed aeronautical activity to be provided, including date of intended commencement, space and facility requirements, proposed location on the airport, etc.
  3. The professional qualifications of the personnel who will manage and/or operate the proposed service.
  4. Descriptions and cost estimates of any proposed capital improvements and site on which the construction is intended. Preliminary plans and dates for such improvements that the applicant intends to make on the airport as part of the activity for which approval is sought.
  5. A current financial statement prepared in accordance with generally accepted accounting principals by a certified public accountant, if available and, if not, a current financial statement as is typically provided to a financial institution. The City reserves the right to independently evaluate the applicant's financial information and, in its sole judgement and opinion, determine the applicant's financial ability to provide responsible, safe and adequate service to the public.
  6. A written listing of the assets owned, leased or being purchased, that will be used in the business on the Airport. Copies of any sub-leases or purchase contracts may be attached.
  7. A current credit report covering all areas in which the applicant has done business in the past five (5) years.
  8. A description of previous experience in airport services, a listing of key personnel to be assigned to the Lynchburg Regional Airport and a description of the duties, responsibilities, and prior experience of such personnel.
  9. All parties owning an interest in the business including each partner, director, or corporate officer shall sign each application. Those principals who will be managing the business shall submit a detailed listing of all corporate or business entities with which they have been involved during the past year, along with their legal name.
  10. Proof of Campbell County Business License, or ability to obtain, as applicable.

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11. Any additional information and material necessary or requested by the Airport Commission or City to establish to the satisfaction of the Airport Commission or City that the applicant can qualify and will comply with these Minimum Standards.

**NOTE: If so printed and marked as “Proprietary” by the applicant, the Airport Director shall hold the financial information included with the application separate from the application, and shall not make it available for public inspection, unless required to do so by the Virginia Freedom of Information Act.**

- D. For an Airport Permit – Submit a completed application, together with all required documentation, to the Airport Director containing the following:
  1. The name, address and telephone number and email address of the applicant.
  2. A written description of the nature of the aeronautical activity to be provided, including date of intended commencement, space and facility to be used, location on airport, etc.
  3. Proof of Campbell County Business License, as applicable.
  4. If independent freelance services are to be provided as permitted by these Minimum Standards, a letter from the aircraft owner or tenant attesting to those services.
  5. All documentation as may be required under applicable sections of these Minimum Standards.
  6. Such other information as the Airport Director may require.
- E. Any applicant, upon request by the City, shall provide a written and signed authorization for the FAA and all aviation or aeronautical commissions, administrators, or departments of all states in which the applicant has engaged in aviation business to release information in their files relating to the applicant or its operation. The applicant shall execute such forms, releases or discharges as may be requested by those agencies.
- F. Incomplete applications will be returned for additional information, completion and further review and will be delayed until the application is complete.

### **Section X Action on Application**

- A. Application for **Lease Agreement** with City (Unsolicited by City)
  1. The application, together with all supporting documentation, shall be submitted to the Airport Director no less than fifteen (15) working days prior to any regularly scheduled meeting of the Airport Commission.



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2. All application materials submitted shall be reviewed by the Airport Director for possible inclusion on the agenda at the next regularly scheduled Airport Commission meeting.
3. If the application is complete and all required materials are included, the application shall be considered by the Airport Commission at its next regularly scheduled meeting for the purpose of making a recommendation to the City to approve or disapprove the application.
4. If the application is recommended for approval by the Airport Commission and subsequently approved by the City, the Airport Director, in conjunction with the City Attorney's office, will develop a draft lease agreement for negotiation with the applicant.
5. Once negotiations are completed, the Airport Director will coordinate the scheduling of a Public Hearing before Lynchburg City Council for final action and approval of a lease.

#### **B. Application for **Lease Agreement** with City (Solicited by City)**

1. The Airport Director, in conjunction with the City of Lynchburg Procurement Department, shall develop a formal Request for Proposals (RFP), or Invitation for Bids, for the aeronautical service(s) to be provided.
2. The RFP or Invitation for Bids shall be advertised and distributed to the public through industry publications, local media and the City's web site.
3. All proposals or bids submitted shall be reviewed by the Airport Director and the City Procurement Department to determine whether the document is complete, responsive and conforms to RFP or Bid requirements.
4. For those proposals or bids that are determined to be complete with all required materials included, the proposals or bids shall be considered by the Airport Commission at its next regularly scheduled meeting for the purpose of reviewing and ranking proposals, or evaluating bids to determine consistency with the applicable minimum standards for the FBO or SASO service to be provided. The Commission, at that meeting or subsequent meetings, shall make a recommendation to the City as to the most qualified and responsive proposal or acceptable bid.
5. Following the selection of the highest ranked firm, the Airport Director, in conjunction with the City Attorney's office, will develop a draft lease agreement for negotiation with the highest ranked firm.
6. Once negotiations are completed, the Airport Director will coordinate the scheduling of a Public Hearing before Lynchburg City Council for final action and approval of a lease.

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### C. Application for **Airport Business License**

1. The application, together with all supporting documentation, shall be submitted to the Airport Director no less than fifteen (15) working days prior to any regularly scheduled meeting of the Airport Commission.
2. All application materials submitted shall be reviewed by the Airport Director for possible inclusion on the agenda at the next regularly scheduled Airport Commission meeting.
3. If the application is complete and all required materials are included, the application shall be considered by the Airport Commission at its next regularly scheduled meeting for the purpose of making a recommendation to the City to approve or disapprove the application.
4. If the application is subsequently approved by the City, the Airport Director will prepare and issue an Airport Business License.

### D. Application for **Airport Permit**

1. The application, together with all supporting documentation, shall be submitted to the Airport Director no less than ten (10) working days prior to the intended commencement of any of the aeronautical activities being submitted for approval
2. All application materials submitted shall be reviewed by the Airport Director for completeness and conformance to the Minimum Standards.
3. If the application is complete and all required materials are included, the application shall be reviewed by the Airport Director to approve or disapprove the application.
4. If the application is subsequently approved, the Airport Director will prepare and issue an Airport Permit.

### E. Action on Applications, Bids or Proposals - The City may deny any application, or reject any bid or proposal to operate any activity on the airport, if, in its sole opinion, it finds any one or more of the following:

1. The applicant does not meet the qualifications, standards and requirements established by these Minimum Standards.
2. The applicant's proposed operations or construction will create a safety hazard as determined by City or by the FAA through a review of FAA Form 7460 and subsequent determination that said construction or operations constitute a hazard to navigation or obstruction.

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3. The granting of the application will require the City to spend funds, or to supply labor or materials that the City is unwilling or unable to spend or supply.
4. There is no appropriate, adequate, or available space or building on the airport to accommodate the applicant at the time of the application.
5. The proposed operation, airport development or construction is inconsistent with, or does not comply with, the approved Airport Layout Plan (ALP) for the airport.
6. The development or use of the area requested by the applicant will result in depriving existing FBO(s) of portions of the area in which they are operating; will result in congestion of aircraft or buildings; or will unduly interfere with the operations of any present FBO on the Airport, or prevent free access to the FBO's operations.
7. The applicant has supplied the City with any false information or has misrepresented any material fact or has failed to make full disclosure in their application or in supporting documents.
8. The applicant has violated any of the Lynchburg Regional Airport Rules and Regulations, or the regulations and standards of any other airport, or the Civil Air Regulations, the Federal Aviation Regulations, or any other statutes, ordinances, laws or orders applicable to the airport or any other airport.
9. The applicant has defaulted in the performance of any lease or other agreement with the City.
10. In the sole judgement and opinion of the City, the applicant's credit report contains substantial negative information, and/or the applicant does not appear to be a person of reasonable business responsibility and reputation.
11. In the sole judgement and opinion of the City, the applicant does not have, or appear to have, access to the operating funds necessary to conduct the proposed operation.
12. The applicant has committed any crime, or violated any City ordinance. Misdemeanor traffic violations are exempt.
13. The applicant is unable to obtain sufficient insurance, financial sureties or guarantors to protect the interest of the City, the Commonwealth of Virginia, the FAA or other appropriate governmental entities.
14. The applicant's activities or operations have been, or could be, detrimental to the Airport or another airport.

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- F. Nothing contained herein shall be construed to prohibit the City from granting or denying, for any reason it deems sufficient, a Lease Agreement or Business License to do business at or otherwise use the Airport.
- G. Lynchburg City Council, whose decisions are final, shall approve all leases of property at Lynchburg Regional Airport.
- H. Upon the recommendation of the Airport Commission, the Airport Director shall have the authority to issue an Airport Business License. The Airport Director shall have the authority to issue a Permit, consistent with these Minimum Standards. In the event a license or permit is denied, the decision may be appealed to the Lynchburg City Manager.

### **Section XI Airport Business Licenses and Lease Agreements Non-Transferable**

- A. No right, privilege, permit, or license to do business at the Airport, or any lease of any area of the Airport or a part thereof, shall be assigned, sold or otherwise transferred or conveyed in whole or in part without the prior express written consent of the City.
- B. No lease, or portion thereof, may be assigned or sublet without prior approval of the City. All assignees or subleases approved by the City shall comply with the Rules and Regulations and Minimum Standards.

### **Section XII Refuse**

- A. All FBOs or SASOs shall provide for adequate refuse receptacles and regular collection to ensure that no person shall throw, dump, or deposit any waste, refuse or garbage on the Airport.
- B. All waste, refuse or garbage shall be placed and kept in closed garbage cans or containers, and shall meet all applicable City codes.
- C. All operations areas shall be kept safe, neat and clean at all times.

### **Section XIII Approval of Construction**

- A. No building, structure, tie down, ramp, paving, taxi area or any other improvement or addition on the airport shall be placed or constructed, enacted, or altered or removed without prior written approval of the City. Prior to such work being done, the City may, at its discretion, require a work bond, letter of credit or other surety to guarantee the work. The form of such bond, letter of credit or surety shall be subject to the approval of the City Attorney.
- B. The City shall consider conformance to the Airport Capital Improvement Plan (ACIP) for the Airport, Airport Master Plan, and Approved Airport Layout Plan (ALP) prior to the approval or denial of any construction or development at the airport.

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### **Section XIV Airport Operations Areas (AOAs)**

No person who is authorized to operate or conduct business activities at the airport shall do so on any area except that approved in writing by the City.

### **Section XV Waiver of Chapter Two Provisions**

The City may, at its discretion, waive all or any portion of these Minimum Standards for the benefit of any government or governmental agency performing non-profit public services to the aircraft industry, or performing air search and rescue operations, or performing fire prevention, fire fighting, medical or law enforcement operations, but only to the extent permitted by the rules of the FAA and the laws of the Commonwealth of Virginia and the City of Lynchburg.

### **Section XVI Interpretation and Enforcement**

The Airport Director is the City official designated to administer these Minimum Standards and shall have the responsibility for the interpretation and enforcement thereof.

### **Section XVII Dispute Resolution Process**

In the event of disputes or complaints by any person other than the City, the following procedures shall apply:

1. Complaints against any FBO, SASO or Permittee for violation of the Airport Rules and Regulations, or the terms of an FBO or SASO Lease Agreement or Airport Business License, shall be in writing and filed with the Airport Director. All complaints shall be signed by the person making the complaint and shall specify dates, times, facts, etc.
2. In the case of a violation of Airport Rules and Regulations, the Airport Director shall investigate the complaint and make a recommendation to the City Manager for action.
3. In the case of a dispute concerning a Lease Agreement, Airport Business License or Airport Permit other than the Airport Rules and Regulations, the Airport Director may submit the dispute to the Lynchburg Regional Airport Commission at its next regularly scheduled meeting for a recommendation to the City Manager. The Commission may recommend that the dispute be acted on by the City Manager, or referred to Lynchburg City Council for resolution.

### **Section XVIII Repair, Restoration, Replacement**

Nothing contained in these Minimum Standards shall be construed to require the City to maintain, repair, restore or replace any structure, improvement or facility that is damaged or destroyed.

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### **Section XIX Effect on Existing Leases**

- A. All FBOs or SASOs under a written lease agreement with the City at the time these Minimum Standards become effective shall be required to meet or exceed the Minimum Standards.
- B. Such FBO or SASO shall also be required to meet or exceed any amendments to the Minimum Standards for the aeronautical activity being provided to the public at this Airport.

### **Section XX Pioneers**

When an applicant wishes to qualify as a pioneer in order to provide services not already provided at the airport, the foregoing Minimum Standards may be modified subject to the written approval of the City for a limited period of time (not to exceed one year). It is the express purpose of this provision to encourage the expansion of services at the Airport where they do not exist, and only to the extent and for the period of time necessary, to create an inducement to the establishment of such services.

## **CHAPTER THREE**

### **INSURANCE REQUIREMENTS**

#### **Section I Typical Requirements**

The following include, but are not limited to, some of the standard insurance coverages and limits required by the City:

- A. All policies shall be subject to the review and approval by the City's Risk Manager. Specific insurance coverage, provisions, requirements and limits shall be specified in each Lease Agreement, Airport Business License or Airport Permit as applicable to the operation or activity being performed.
- B. The FBO, SASO or Permittee shall provide the City with Certificates of Insurance confirming the required insurance and coverages and the additional insured endorsement, signed by a person authorized by the insurance company to bind the company to the representations contained therein. Certificates of insurance must be provided to the City's Risk Management Division by the FBO or SASO for approval upon execution of a Lease Agreement or prior to the issuance of an Airport Business License or Airport Permit.
- C. Each FBO, SASO or Permittee shall submit on an annual basis to the Airport Director copies of all certificates of insurance for required insurance, any policy amendments and policy renewals and any additional information related to required insurance, or otherwise within ten (10) days of a request by the City for confirmation of insurance.

## *Lynchburg Regional Airport*

- D. Each FBO, SASO or Permittee shall submit to the appropriate insurer timely notices and claims of all losses insured under any required insurance policy, pursue such claims diligently and comply with all terms and conditions of required insurance policies. Each FBO, SASO or Permittee shall promptly give the Airport Director copies of all notices and claims of loss and any documentation or correspondence related to such losses. Each FBO, SASO or Permittee shall make all policies for required insurance, policy amendments and other related insurance documents available for inspection and photocopying by the Airport Director or the City upon reasonable notice.
- E. FBOs and SASOs - Each FBO or SASO shall maintain the following insurance policies as required insurance under these Minimum Standards. In addition to any other insurance coverage required by any Lease Agreement, Airport Business License or Airport Permit (e.g., insurance to cover the damage or loss of property and/or equipment in or on the Premises), the FBO or SASO shall obtain and maintain in effect the following insurance coverage:
1. \$3,000,000 Airport General Liability Insurance for bodily injury and property damage.
  2. \$1,000,000 Products and Completed Operations Liability Insurance for aircraft refueling, maintenance, sales, and the sale of aircraft parts.
  3. All Risk Legal Liability property insurance in amounts as set forth in any lease or permit.
  4. Vehicles - \$1,000,000 vehicle liability combined single limit for private passenger automobiles and light trucks.
  5. Fuel Trucks and other trucks over 20,000 lbs. - \$3,000,000 combined single limit for bodily injury and property damage.
  6. The FBO, SASO or permitted operator shall provide Hangar Keepers' liability insurance of no less than \$1,000,000 for each aircraft and \$2,000,000 per occurrence, or shall provide an alternate amount of coverage and/or deductible as agreed to by the Airport Director.
  7. Worker's Compensation Insurance as required by the Commonwealth of Virginia.
  8. Insurance for aircraft registered in Virginia shall be in accordance with Code of Virginia, Chapter 8.1, Title 5.1-88.1 through 6, and the minimum coverage shall be as follows:
    - a. \$50,000 bodily injury or death of one person
    - b. \$100,000 bodily injury or death of two or more persons
    - c. \$25,000 property damage protection
    - d. \$250,000 single limit policy
    - e. All other insurance required by law

*Lynchburg Regional Airport*

- F. Independent Flight Instructors and Self-Service Providers – Permit holders for these activities shall provide the required insurance coverages as contained in the applicable sections of these Minimum Standards.
- G. All required insurance shall be obtained in accordance with the following:
1. The City, its officials, employees, and agents, shall be named as an additional insured, as applicable, under the terms and conditions of the policies covering liability for personal and/or physical injuries (including death) and property damage, and policies covering City owned buildings leased hereunder.
  2. Any deductible or self-insured retention applicable to required coverages shall be paid by the FBO, SASO or Permittee and the City shall not be required to participate therewith.
  3. Each of the insurance policies and certificates required herein, except for Worker’s Compensation Insurance, shall bear the provision that the insurance company agrees that 30 days prior to cancellation of or reduction in the insurance afforded by the policy, written notice shall be provided to the City’s Risk Management Division.
  4. The insurance required of the FBO, SASO or Permittee herein shall be primary, and any insurance or self-insurance maintained by the City shall be in excess of the insurance required of the FBO, SASO or Permittee and shall not contribute therewith.
  5. The FBO’s, SASO’s or Permittee’s failure to comply with any reporting provisions of the insurance policies shall not affect coverage provided to the City.
  6. The FBO, SASO or Permittee will obtain all insurance from insurance companies authorized by Virginia’s State Corporation Commission to do business in Virginia.
  7. The City will not carry, and will not be obligated to provide, any “contents coverage” insuring the contents of any office, hangar or other space within a leased or sub-leased premises. The FBO or SASO shall provide such coverage during the term of any lease or sublease agreement and thereafter, if and for so long as any property of the City is located and/or to be used within the premises.
  8. The subcontractors of an FBO, SASO or Permittee, who perform their services on Airport property, shall be subject to all of the insurance requirements contained within any Lease Agreement, Airport Business License or Airport Permit.
  9. The failure of an FBO, SASO or Permittee to maintain all of the required insurance coverage, or to pay all of the insurance premiums when due and payable, shall be grounds for the immediate termination of any Lease Agreement, Business License or Permit without any prior notice by the City.



# Lynchburg Regional Airport

10. The City reserves the right to review and/or modify the insurance requirements prior to any renewal or extension of any lease or agreement.

## CHAPTER FOUR

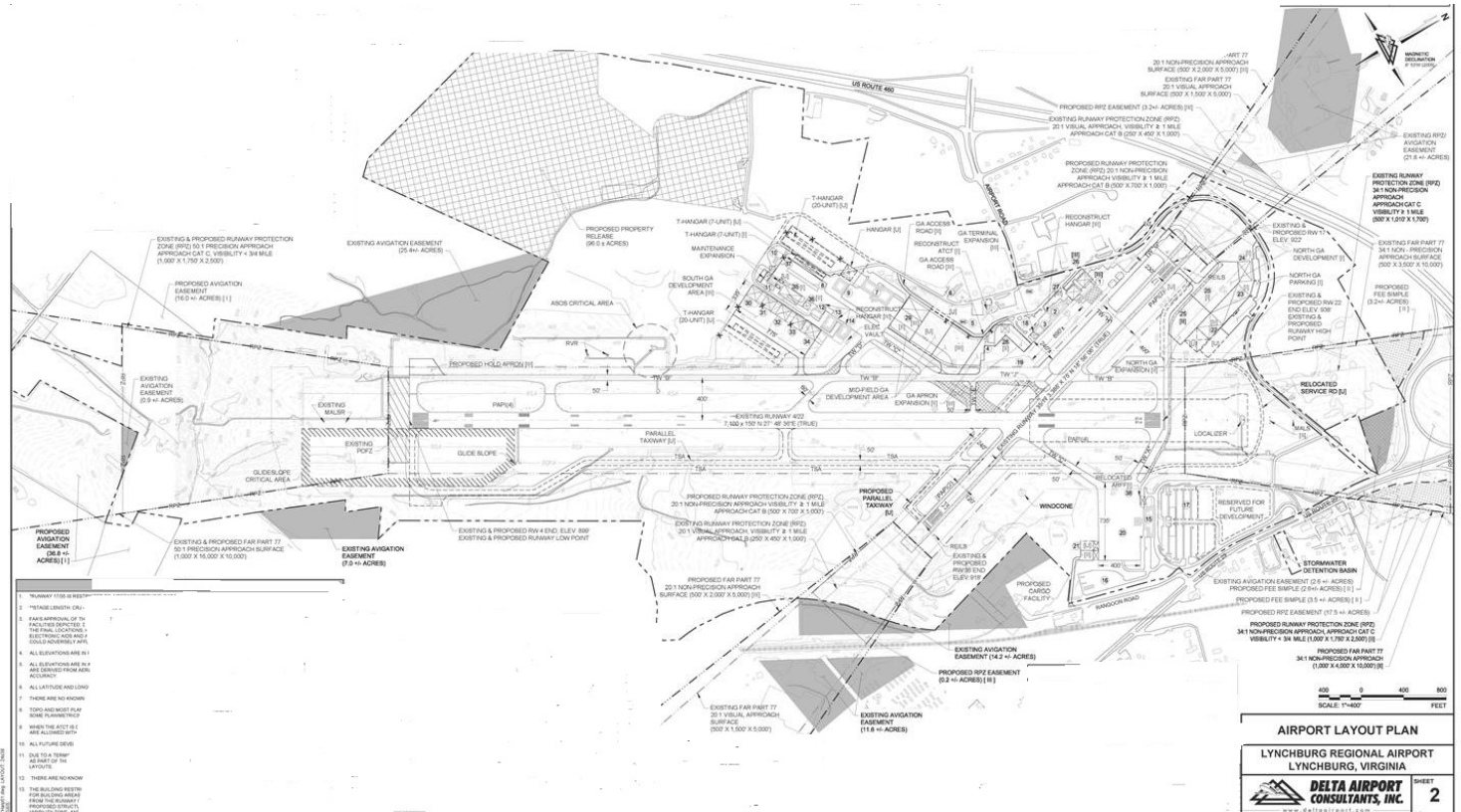
### AIRPORT MASTER PLAN

#### Section I FBO, SASO or Permittee Approval Not Required

The City may, without the knowledge, consent or approval of any FBO or SASO or other person licensed to do business or use part of the Airport, make changes in the Master Plan of the Airport, Approved Airport layout Plan and in the City's planning and policies in connection with the development of the airport and in the Airport Rules and Regulations and these Minimum Standards. However, it is the City's intent to inform FBOs or SASOs and other businesses of any such changes that are significant.

#### Section II Appendices

#### APPENDIX A: LYH Airport Layout Plan (ALP)



*Lynchburg Regional Airport*

**Lynchburg Regional Airport Minimum Standards**

**APPENDIX B: Applications for Lease Agreements, Airport Business Licenses and Airport Permits.**

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**Lynchburg Regional Airport**

**Application  
for  
Airport Lease Agreement**

**SECTION I – General Information**

1. Applicant's Name \_\_\_\_\_
2. Company Name \_\_\_\_\_
3. Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_
4. Telephone \_\_\_\_\_ E-mail Address \_\_\_\_\_

**SECTION II – Other Information**

1. Type of Aeronautical Activity  
 FBO    SASO (Specify) \_\_\_\_\_    Other (Specify) \_\_\_\_\_
2. Proposed Date of Commencement \_\_\_\_\_
3. Proposed Location \_\_\_\_\_

**SECTION III – Required Documentation Enclosed (Check each box)**

- Letter or proposal providing detailed description of the nature of the proposed aeronautical activity, documentation showing proposed service(s) will meet the airport's minimum standards, professional qualifications of management personnel, business plan, previous experience and other relevant information

***Lynchburg Regional Airport***

- Description, preliminary drawings and cost estimates of any proposed capital improvements, if applicable, including compliance with FAA-approved Airport Layout Plan (ALP)
- A current financial statement prepared in accordance with generally accepted accounting practices
- Written listing of assets owned, leased or being purchased that will be used in the business on the airport (copies of sub-leases or purchase contracts may be attached)
- A current credit report covering all areas of business in the past five (5) years
- Listing of all corporate or business entities with which principal(s) have been involved in the last year, including legal name

**SECTION IV – Certification**

Signature of Applicant \_\_\_\_\_

Name (Printed) \_\_\_\_\_ Title \_\_\_\_\_

Date \_\_\_\_\_



**Mail Completed Application**

**To:**

**Airport Director  
Lynchburg Regional Airport  
350 Terminal Drive, Suite 100  
Lynchburg, VA 24502**

**Tel: 434-455-6090**

**Fax: 434-239-9027**

**Recommended for Approval by Airport Commission:** \_\_\_\_\_  
Date

**Lease Agreement Approved by City Council:** \_\_\_\_\_  
Date

# Lynchburg Regional Airport

## Application for Airport Business License

### SECTION I – General Information

1. Applicant's Name \_\_\_\_\_
5. Company Name \_\_\_\_\_
6. Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_
7. Telephone \_\_\_\_\_ E-mail Address \_\_\_\_\_

### SECTION II – Other Information

1. Type of Aeronautical Activity  
 SASO (Specify) \_\_\_\_\_
2. Proposed Date of Commencement \_\_\_\_\_
3. Proposed Location \_\_\_\_\_
4. Sub-Lessee of What Airport Tenant \_\_\_\_\_

### SECTION III – Required Documentation Enclosed (Check each box)

- Letter or proposal providing detailed description of the nature of the proposed aeronautical activity, professional qualifications of management personnel, business plan, previous experience and other relevant information
- Copy of sub-lease agreement, or proposed sub-lease agreement, with current airport tenant
- Proof of required insurance as specified in Chapter Three of Minimum Standards

***Lynchburg Regional Airport***

- A current financial statement prepared in accordance with generally accepted accounting practices.
- Written listing of assets owned, leased or being purchased that will be used in the business on the airport (copies of sub-leases or purchase contracts may be attached)
- A current credit report covering all areas of business in the past five (5) years
- Listing of all corporate or business entities with which principal(s) have been involved in the last year, including legal name.

**SECTION IV – Certification**

Signature of Applicant \_\_\_\_\_

Name (Printed) \_\_\_\_\_ Title \_\_\_\_\_

Date \_\_\_\_\_



**Mail Completed Application**

**To:**

**Airport Director  
Lynchburg Regional Airport  
350 Terminal Drive, Suite 100  
Lynchburg, VA 24502**

**Tel: 434-455-6090**

**Fax: 434-239-9027**

**Recommended for Approval by Airport Commission:** \_\_\_\_\_  
**Date**

**Airport Business License Issued by Airport Director:** \_\_\_\_\_  
**Date**

## **Lynchburg Regional Airport**

### **Application for Airport Permit**

#### **SECTION I – General Information**

1. Applicant's Name \_\_\_\_\_
2. Company Name \_\_\_\_\_
3. Address \_\_\_\_\_ City/State/Zip \_\_\_\_\_
4. Telephone \_\_\_\_\_ E-mail Address \_\_\_\_\_

#### **SECTION II – Other Information**

1. Type of Permitted Aeronautical Activity  
 Self-Service    Independent Flight Instructor    Other (Specify) \_\_\_\_\_
2. Proposed Date of Commencement \_\_\_\_\_
3. Proposed Location \_\_\_\_\_

#### **SECTION III – Required Documentation Enclosed (Check each box)**

- Letter or proposal providing detailed description of the nature of the proposed aeronautical activity, professional qualifications of personnel, facility on airport to be used and other relevant information
- If Independent Flight Instructor, copy of letter from aircraft owner or tenant verifying instruction being provided by applicant
- Proof of applicable insurance coverage as required

***Lynchburg Regional Airport***

If self-fueling, understand and meet all requirements of Section VII (B) of Lynchburg Regional Airport Minimum Standards

**SECTION IV – Certification**

Signature of Applicant \_\_\_\_\_

Name (Printed) \_\_\_\_\_ Title \_\_\_\_\_

Date \_\_\_\_\_



**Mail Completed Application  
To:**

**Airport Director  
Lynchburg Regional Airport  
350 Terminal Drive, Suite 100  
Lynchburg, VA 24502**

**Tel: 434-455-6090  
Fax: 434-239-9027**

**Airport Permit Issued by Airport Director: \_\_\_\_\_  
Date**