FREDERICK MUNICIPAL AIRPORT
FREDERICK, MARYLAND

RULES AND REGULATIONS AND
MINIMUM OPERATING STANDARDS

Amended and Passed
By the
Mayor
and
Board of Alderman

February 4, 1993
Revised March 4, 1993
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Federal Aviation Administration Order 5190.6A, “Airport Compliance Requirements” dated October 2, 1989.


INTRODUCTION

Frederick Municipal Airport (FDK), owned and operated by The City of Frederick, Maryland, is located approximately 35 nautical miles northwest of Washington, D.C., the nation's capital, and approximately 35 nautical miles west of the City of Baltimore, Maryland. It is officially designated by the Federal Aviation Administration (FAA) as a "relever" Airport for Baltimore/Washington International (BWI) Airport. It is a general aviation facility serving the air transportation needs of the citizens of Frederick, Maryland, and of the surrounding communities.

The Airport is used by pilots and passengers for personal, business and recreational flying activities and also offers to the communities it serves other aeronautical services, such as charter and air taxi flights, crop dusting, emergency medical evacuation and medical transport for patients, and blood and transplant organs. It is the national headquarters for the Aircraft Owners and Pilots Association (AOPA) and the AOPA Air Safety Foundation, as well as home for the Mid-Atlantic Soaring Association (M-ASA), the Frederick Airport Association, the Frederick Composite Squadron Maryland Wing of the Civil Air Patrol, the Aviation Maintenance Technology Program of the Frederick Community College, the Frederick Wing of the Air Medivac Unit of the Maryland State Police and the Experimental Aircraft Association Chapter 524.

The Airport, aside from offering to the community aviation related as well as economic services and benefits, is a symbol of pride for The City of Frederick and its citizens. It is representative of the City's desire and commitment to move forward and to progress.

The government of The City of Frederick, representing the people of Frederick, Maryland, supports the Airport and its activities and intends to do that which is necessary to ensure its viability in order that it may continue to safely, efficiently and adequately serve, to the best of its ability, the air transportation needs of all who use it and rely on its services.
CHAPTER I
GENERAL PROVISIONS

SECTION 1. PURPOSE

These Airport Rules and Regulations and Minimum Operating Standards, hereafter referred to as “Regulations and Standards” are designed to establish the necessary Regulations and Standards for the management, government and use of the Airport and to ensure the continued viability and safety of the Airport for its users and for the citizens of Frederick. These Regulations and Standards are intended to be reasonable, non arbitrary and nondiscriminatory. These Regulations and Standards apply equally to everyone using the Airport and shall be observed, abided by and obeyed.

SECTION 2. DEFINITIONS AND ABBREVIATIONS

The following words and terms shall have the meaning indicated below, unless the context clearly requires otherwise:

a. Aeronautical Activity – Any business activity commonly conducted at airports which involves, makes possible or is required for the operation of aircraft. These activities include, but are not limited to, charter operations, pilot training, aircraft renting, sight seeing, aerial photography, crop dusting, aerial advertising, aerial surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products, repair and maintenance of aircraft or sale of aircraft parts.

b. Airport – The Frederick Municipal Airport and all of the area, buildings, facilities and improvements within the boundaries of said Airport as it now exists or as it may hereafter be extended or enlarged.

c. Airport Commission – The body, consisting of seven (7) members appointed by the Mayor and Board of Aldermen, which is charged with making recommendations with regard to policies concerning the Airports operations and development.

d. Airport Manager – Means the Airport Manager or his designee, designated by the City and authorized to conduct the overall day-to-day affairs of the operation of the Airport, to take a reasonable actions necessary to protect the public while present at or using the Airport and to oversee all Airport operations for compliance with these Rules and Regulations and Minimum Operating Standards, the laws of the State of Maryland, the laws of Federal Government, and the Rules and Regulations of the Federal Aviation Administration (FAA).

e. “AIM” – Airmen’s Information Manual published by the FAA, containing information and procedures for aircraft operations.

g. Fixed Base Operator (FBO) – A person, partnership or incorporated party licensed and authorized by the City to conduct business for profit on the Airport as a tenant operator providing one or more services to the public.

h. Individual Users – Individual pilots, aircraft owners, aircraft tie-down space renters, T-hangar renters, transient Airport facility users and corporate owners of aircraft using the Airport.

i. Independent Flight Instructor – An individual, fully licensed and certified by the FAA to perform flight instruction, who is not affiliated in any way with an established or existing flight school or other aeronautical activity or FBO on or operating from the Airport.

j. "MAA" – The Maryland Aviation Administration.

k. Minimum Standards – The qualifications which may be established by the Airport Owner as the minimum requirements to be met as a condition for the right to conduct an aeronautical activity on the Airport.

l. NOTAM – Notice to Airmen, disseminated by the FAA.

m. NTSB – National Transportation Safety Board.

n. Owner – The City of Frederick, Maryland as represented by its duly elected officials (City).

o. Taxiline (TL) – The portion of the aircraft parking area used for access between taxiways and aircraft parking positions.

p. Taxiway (TW) – A defined path established for the taxiing of aircraft from one part of an airport to another.

SECTION 3. OWNERSHIP

The Airport is owned by The City of Frederick and is operated through direct and indirect actions by its duly elected officials, the Mayor and Board of Aldermen. The entire city staff is available to support Airport activities.

SECTION 4. THE AIRPORT COMMISSION

A Commission consisting of seven (7) members having staggered three (3) year terms is appointed by the Mayor and Board of Aldermen (Owner) to make recommendations regarding all Airport activity including establishment of policies; operational requirements; short and long range planning; marketing; budgeting; both operations and
capital improvement; policies regarding tenant leasing; and all other interactions of a public relations nature. The powers of the Commission are outlined in a separate authorizing document issued by the Owner. The Commission conducts monthly public meetings and reports to the Owner on appropriate matters. Citizens may bring matters to the attention of the Commission by requesting, through the Chairman, to be added to the meeting agenda or by letter to the Chairman or Airport Manager. Airport Commission members shall comply with the requirements of the City Ethics Ordinance and shall not participate in the discussion or vote on any matter before the Commission in which they may have a conflict of interest.

SECTION 5. AIRPORT MANAGER

The Airport Manager, a City employee and the City’s representative at the Airport, is responsible for the overall management and operation and shall report to the Director of Public Works and consult with the Airport Commission. The Airport Manager shall administer these Rules, Regulations and Standards in a reasonable, impartial and uniform manner so as not to allow discriminatory application thereof. The Airport Manager shall be independent of and shall not have a personal financial interest, direct or indirect, in any FBO or other aeronautical business on the Airport. The Airport Manager is authorized to take all reasonable actions necessary to protect and safeguard the public and to oversee all Airport operations consistent with these Regulations and Standards, those of the FAA and the laws of the State of Maryland and the City of Frederick.

(a) The Airport Manager will control the Airport’s primary Unicom frequency in strict accordance with applicable FCC regulations.

(b) Complaints pertaining to any activity or service at the Airport, if not accommodated satisfactory by the Airport Manager, may be registered by writing the Chairman of the Frederick Airport Commission. The address of the Chairman of the Airport Commission shall be prominently displayed for the public by all businesses, commercial operators and/or FBOs at the Airport.

SECTION 6. REGULATIONS AND STANDARDS

All aeronautical activities at the Airport, all operation and flying of aircraft at the Airport and all business and other activities at the Airport shall be conducted in accordance with these Regulations and Standards, and all pertinent rules, regulations, orders and rulings of the FAA, the MAA and all other local, state and federal agencies as appropriate, which are made a part of these Regulations and Standards by this reference. In the event of any conflict between these Regulations and Standards and any law, rule, regulation or order of any governmental agency cited in this section exercising the same or similar jurisdiction, the latter shall prevail.
SECTION 7. SPECIAL EVENTS

Special events such as, but not limited to, air shows, air races, fly-ins, skydiving, balloon operations or other similar events or activities requiring the general use of the Airport, other than activities specifically described and allowed herein, shall be held only after a written request from the sponsoring agency has been formally submitted to the Airport Manager for approval and approved by the City. Said approval shall specify the areas of the Airport authorized for such special use, dates, insurance and such other terms and condition as the City may require. Events requiring no City assistance may be approved by the Airport Manager; events requiring City assistance must be approved by the Mayor and Board of Aldermen. Requests for special events must be made in writing to the Airport Manager and may require at least six (6) to twelve (12) months advance notice to obtain authorization depending on the type and nature of the event to be held. The Airport Manager will provide at least thirty (30) days advance notice of special events to the FBO’s.

SECTION 8. PUBLIC USE

The Airport shall be open for public use at all hours, subject to regulations or restrictions, due to weather, the conditions of the Airport operational area, and special events and like causes, as may be determined by the City. The Airport is provided by the City for the use, benefit and enjoyment of all.

SECTION 8. COMMON USE AREAS AND EQUIPMENT

Common Use Areas Include:

- All runways and designated Helicopter Landing Areas.
- All taxiways including apron taxiways through leased areas.
- All taxilines including taxilanes through leased ramp areas and T-hangar taxilanes.
- All ramp areas not specifically leased for FBO exclusive use.

All Common User Areas shall be for the use of all persons operating aircraft on the Airport and shall, at all times, be kept clear and available for use. Except in emergency situations, no FBO or other person shall use any common use area for the parking or storing of aircraft, the repair, servicing or fueling of aircraft or for any other purpose other than the flying and operation of aircraft without the prior consent or authorization of the Airport Manager.

Common Use Equipment Includes:

- All Airport lighting.
- All navigational aids and components.
- All apparatus or equipment for disseminating weather and wind information, for radio or other electrical communication, and any other
structure, equipment or mechanism having a similar purpose for guiding or controlling flight in the air or the landing and takeoff of aircraft.

Common use designations may be changed from time to time by City resolution.

SECTION 10.  GROUND VEHICULAR TRAFFIC AND PARKING

Normal traffic laws of the State of Maryland shall apply to the streets, roads and vehicular parking areas at the Airport, unless otherwise provided by law. Except for fire fighting equipment, ambulance and emergency vehicles or pilots and passengers of aircraft, no person shall take or drive any vehicle on the Airport, other than on established streets, roads and vehicular parking facilities, unless permission has first been obtained from the Airport Manager. Operators of unauthorized vehicles, shall be subject to arrest and vehicles towed, if necessary, at owner’s expense. Fines imposed upon the Airport by the FAA for Air Operating Area (AOA) incursions will be passed on to the perpetrator. Vehicles may be used to tow gliders from their hangar area to the glider operations area and as necessary for flight operations. All vehicles operated on the Airport must comply with all State of Maryland motor vehicle safety standards.

SECTION 11.  PEDESTRIANS

For their own protection, all pedestrians and sightseers, except those guided by qualified personnel, shall remain behind the fenced operational areas unless arriving or departing in an aircraft. Pedestrian incursions will be treated the same as vehicle incursions above.

SECTION 12.  EXTERIOR ADVERTISING AND SIGNS

No signs or other advertising shall be placed or constructed upon the Airport or any building or structure or improvement thereon without having first obtained written approval from the City.

SECTION 13.  OPERATORS TO KEEP REGULATIONS AND STANDARDS AVAILABLE

All commercial operators with valid leases to do aeronautical business on the Airport shall keep a current copy of these Regulations and Standards prominently posted in their place of business and available for viewing to all who enter. It is the responsibility of all owners of aircraft based at the Airport and pilots who regularly use the Airport to be familiar with the contents of this document. Further it is the responsibility of the City and/or Airport Manager to provide to all operators with valid leases to do aeronautical business on the Airport and all owners of aircraft based at the Airport, a current copy of these Regulations and Standards and to have available an adequate supply of copies for pilots who use the Airport on a regular basis.
SECTION 14. CHEMICALS AND HAZARDOUS MATERIALS

A. Tenants utilizing chemicals or other hazardous materials shall store these materials in containers and/or buildings meeting local, state and federal standards. The location of on-airport storage areas shall be approved by the City. Storage facilities shall be designated to protect the public and the environment from any harmful effects from these materials. Any accidental spills or leaking of these materials shall be immediately reported to the Airport Manager and designated local, state or federal authorities.

B. No chemicals, fuels, lubricants or hazardous materials may be discharged into the storm water or sanitary sewer systems. All chemicals and used containers shall be disposed of by the tenant off airport property and in compliance with applicable local, state and federal regulations.

C. Anyone handling any chemicals or hazardous materials on the EPA Hazardous Materials List shall conform with all local, state and federal standards including, but not limited to, EPA and OSHA Standards.

D. A contract or arrangement with an approved hazardous waste hauler must be maintained for removing contaminated materials as necessary. Evidence of the arrangement must be presented to the Airport Manager upon request.

E. Tenants handling certain hazardous material may be required to obtain an EPA Storm Water Discharge Permit.
CHAPTER II.

AIRCRAFT OPERATION AND AIRPORT TRAFFIC

SECTION 1. GENERAL

a. Every person operating an aircraft within the Airport boundaries shall comply with and operate such aircraft in accordance with these Regulations and Standards, and all pertinent rules, regulations, orders and rulings of the FAA, MAA and other appropriate governmental agencies. Every person operating an aircraft is responsible for the safety of his/her operation and for the safety of others exposed to such operations, and therefore shall exercise good operating procedures and judgment at all times. Aircraft shall not be operated carelessly or negligently nor in disregard of the rights and safety of others.

b. Since Frederick Municipal Airport is an airport without an operating control tower, all pilots of aircraft having radio equipment permitting two-way communications shall monitor the Airport Unicom to obtain Airport advisory information prior to entering the Airport traffic pattern. Pilots having radios permitting reception only shall maintain a listening watch on the Unicom frequency while in the vicinity of the Airport.

c. The traffic pattern diagram at Exhibit A is made a part of these Rules and Regulations and every person operating an aircraft should follow the designated pattern. Glider traffic patterns are shown on Exhibit B.

d. All aircraft shall follow the appropriate taxiway and runway guidance marking and lighting when operating on the Airport.

e. In the event the Airport Manager believes the conditions of the Airport are unsafe for landings or takeoffs, it shall be within his authority to issue a NOTAM to close the Airport, or any portions thereof, for a reasonable period of time so that those unsafe conditions may be corrected.

f. In the event any aircraft is wrecked or damaged to the extent that it cannot be moved under its own power, the Airport Manager shall be immediately notified by the Pilot in Command and/or FBO’s. Subject to governmental investigations and inspection of the wreckage, the owner or pilot of the wrecked or damaged aircraft, or the owner’s agent or legal representative shall, as soon as reasonably possible, obtain the necessary permission for removal of said aircraft from all landing areas, taxi-strips, and all other traffic areas, and place or store said aircraft where designated by the Airport Manager or FAA representatives.

SECTION 2. PARKED AIRCRAFT

a. No person shall park, store, tie-down or leave any aircraft on any area of the Airport other than that prescribed by the Airport Manager.
b. Pilots or owners shall properly secure their aircraft while parked or stored. Pilots are solely responsible for parking and tying down their aircraft, including any special security measures required by weather conditions or other conditions at the Airport. Pilots also shall be responsible within reason for securing aircraft in a manner necessary to avoid damage to other aircraft or buildings at the Airport in the event of winds or other severe weather. The City’s obligation, unless otherwise provided for by an FBO lease agreement, shall be the maintenance of the aircraft parking space, exclusive of tie-down rope and grass surface.

c. A specific tie-down space shall be assigned each aircraft. Separate areas shall be designated by the City and/or Airport Manager to each FBO for FBO aircraft and transient tie-downs. No person shall knowingly take or use any aircraft anchoring or tie-down facility when such facilities are already in actual use by or rented to another person.

d. All repairs to aircraft or engines shall be made in the spaces or areas designated for this purpose by the City and/or Airport Manager and not on any part of the landing area, taxistrips, ramps or fueling or service areas. The designated area for owner maintenance and self-fueling is annotated on Exhibit C.

SECTION 3. TRAFFIC RULES

a. All aircraft within the traffic patterns for the Airport shall follow the posted noise abatement procedures (see signs on Airport) over noise sensitive areas and the recommended Airport traffic pattern. The traffic patterns have been established to minimize operations over noise sensitive areas.

b. All IFR approaches in VFR weather conditions should be terminated before the Airport traffic pattern area, unless the pilot assures himself that continued operations can be completed safely with adequate VFR separation.

c. Aircraft on IFR clearances should not assume that they have priority over VFR aircraft, and they must maintain vigilance for VFR flights in or near the traffic pattern of the Airport.

d. The traffic pattern altitude for Frederick Municipal Airport is as follows:

| (1) All Helicopters | 800’ AGL (1100’ MSL) |
| (2) Single engine and light multi-engine | 1000’ AGL (1300’ MSL) |
| (3) Heavy multi-engine and jet | 1500’ AGL (1800’ MSL) |

SECTION 4. FIRE REGULATIONS

The following shall apply, except where either insurance requirements or applicable coded differ, in which case the latter shall prevail.
a. No aircraft shall be fueled or defueled while its engine is running or while in a hangar or other enclosed place. Fueling shall be done in such a manner and with such equipment that adequate connections for grounding of static electricity shall be continuously maintained.

b. The cleaning of engines or other parts of aircraft shall not be carried on in any hangar, except with nonflammable substances. If flammable liquids shall be employed for this purpose, the operation shall be carried on in the open air.

c. All hangar and shop floors shall be kept clean and free from oil, gas and other flammable substances. No volatile, flammable solvent shall be used for cleaning floors. No rags soiled with flammable substances shall be kept or stored in any building on the Airport in such a manner as to create any fire hazard.

d. No person shall smoke or ignite any matches, flares, lighters or other objects which produce an open flame anywhere within a hangar, shop, building or structure in which any aircraft is or may be stored, or in which any gas, oil or flammable substance is stored or within 50 feet of any aircraft or any fueling facility.

e. All persons using the Airport area or the facilities of the Airport in any way shall exercise the utmost care to guard against fire and injury to persons or property.

f. Fuel services shall be provided only by an authorized FBO line attendant using proper safety equipment and procedures, or by the aircraft owner (self-fueling), as authorized by the FAA. Unless otherwise authorized by the City, all self-fueling aircraft owners will fuel their aircraft only in the designated self-fueling and self maintenance area (Exhibit C), utilizing the proper equipment and, at least, the minimum safety procedures outlined below.

The following minimum conditions for refueling operations must be followed:

(1) Portable fire extinguisher, supplied by fueler, must be available in vicinity of fueling operation.
(2) Applicable bonding and grounding procedures must be used.
(3) All funnels shall be metal and shall be bonded to the aircraft.
(4) Fueling personnel shall not carry lighters or matches on their person while engaged in fuel servicing operations.
(5) Where applicable, all equipment used in the fueling operation shall be U.L. approved.
(6) Comply with all other requirements of local fire codes.

-NOTE-
These requirements are also applicable to those aircraft owners refueling with automobile gasoline permitted by FAA issued supplemental type certificates (STC) for their aircraft.
SECTION 5.  GLIDER OPERATIONS

Glider operations shall be conducted along the north side of Runway 12/30 in accordance with traffic patterns as shown on Exhibit B and safety procedures, as approved by the City and reviewed by the FAA. Cars used for towing gliders or glider trailers to/from the glider flight line shall take the shortest routes practicable while keeping safely clear of power plane and glider operations.
CHAPTER III

AERONAUTICAL ACTIVITIES, LEASES AND CONCESSIONS

SECTION 1. BUSINESS ACTIVITIES

POLICY

Rules, Regulations and Minimum Standards are intended to promote fair competition at the Frederick Municipal Airport and to insure that those who have undertaken to provide commodities and services as approved, are not exposed to unfair or irresponsible competition. The imposition of minimum standards, by expressing minimum levels of service that must be offered, relate primarily to the public interest, and such appropriate standards, uniformly applied, discourage substandard would-be enterprises, thereby protecting both the established aeronautical activities and the Airport patrons.

Subject to applicable orders, certificates or permits from the FAA or its successors, Grant Agreements with the FAA, and the laws of the State of Maryland, no person or organization shall use the Airport or any portion thereof or any of its improvements or facilities for commercial, business or profit making activities who has not first complied with these Regulations and Standards and obtained the consent and required approval and/or licenses for such activities from the City and/or FAA, and entered into such written leases and subleases and other agreements prescribed by the City. The City reserves the right to issue requests for proposals for competitive bids.

SECTION 2. APPLICATION

Any individual person, persons, or organization which intends to conduct a business or service for hire at the Airport must contact the Airport Manager and make a application in writing for qualification and approval, to the City. The authorizing of a business to operate on the Airport by the City does not imply, intentionally or otherwise, that said business has exclusive rights. The City, being the recipient of federal funds via the FAA, is obligated to comply with Federal Aviation Administration Policy Statement, “Exclusive Rights at Airport”.

“The Federal Aviation Administration considers that the existence of an exclusive right to conduct any aeronautical activity limits the usefulness of an airport and deprives the using public of the benefits of competitive enterprise. Apart from the legal considerations, it is FAA policy that it is clearly inappropriate to apply federal funds to improvement of an airport where full realization of the benefit would be restricted by the exercise of an exclusive right to engage in aeronautical activities.”
SECTION 3. QUALIFICATIONS AND SUPPORTING DOCUMENTATION

Qualification to conduct a business operation at the Airport shall be determined by assessment of an application to the Airport Manager. The written application shall contain at the minimum:

a. The proposed nature of the business.

b. The names of all parties who are being submitted as owning and interest in the business or will appear on leases or other documents as being owner, partner, director, or corporate officer, and those who will be managing the business, and a brief description of their previous experience in related activities.

c. A current financial statement prepared or certified by a Certified Public Accountant.

d. A written listing of assets owned or being purchased which will be used in the business on the Airport.

e. A current credit report covering all geographical areas in which the applicant has done business in the five-year period immediately prior to such application.

f. A written authorization for the FAA and all aviation or aeronautical commissions, administrators, or departments of all states in which the applicant had engaged in aviation business, to release information in their files relating to the applicant or its operation. The applicant will execute such forms, releases, or discharges as may be requested by those agencies for the City.

g. A drawing of the proposed lease area and preliminary plans and specifications for any improvements which the applicant intends to make on the lease area as part of the activity for which approval is sought.

h. Show proof (provide copy) of liability insurance coverage for the business operation.

After proper review, the Airport Commission will forward applications, with appropriate recommendations to the City for review.

SECTION 4. ACTION ON APPLICATION

All applications will be reviewed and acted upon by the City within 60 days from receipt from the Airport Commission. Applications may be denied or any bid or proposal may be rejected for one or more of the following reasons:

a. The applicant for any reason does not meet the qualifications, standards and requirements established by these Regulations and Standards.
b. The applicant’s proposed operations or construction will create a safety hazard on the Airport.

c. Approval of the application will require the City to expend funds or to supply labor or materials which the City is unwilling to provide; or the operation will result in a financial loss to the City.

d. There is no appropriate, adequate or available space or building on the Airport to accommodate the proposed activity of the applicant at the time of the application unless the applicant proposed to construct such facility.

c. The proposed operations, development, or construction does not comply with the approved Airport Layout Plan.

f. The development or use of the area requested by the applicant will deprive existing FBOs of portions of the area in which they are operating, or will result in a congestion of aircraft and/or buildings; or will result in interference with the operations of any present FBO on the Airport, such as problems with aircraft traffic or service, or preventing free access to the FBO’s area.

g. Any party applying, or having an interest in the business, has supplied the City with any 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 or in supporting documents.

h. Any party applying, or having an interest in the business, has a record of violating these Regulations and Standards, or the Regulations and Standards of any other Airport, or the Federal Aviation Regulations or any rules and regulations applicable to the Airport.

i. Any party applying or having an interest in the business, has defaulted in the performance of any lease or any other agreement with the City.

j. Any party applying, or having an interest in the business, has a credit report containing derogatory information which suggests said applicant does not appear to be a person of satisfactory business responsibility and reputation.

k. The applicant does not appear to have or have access to the operating funds necessary to conduct the proposed operation.

l. Any party applying or having an interest in the business has been convicted of any crime or violation of any City ordinance of such a nature that it indicates to the City that the applicant would not be a desirable operator on the Airport.

m. The health, welfare or safety of the community could in any way be jeopardized.
n. Nothing contained herein shall be construed to prohibit the City from denying, for any reason it deems sufficient, an application to do business on the Airport for the purpose of selling, furnishing or establishing non-aviation products and supplies, or any service or business of a non-aeronautical nature, or the application by a person for an area on the Airport for the personal nonprofit use of such person.

SECTION 5. NON-TRANSFERABILITY

Except as otherwise provided in leases existing at the time of adoption of the MOS date February 4, 1993, no right, privilege, or approval 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 part without the prior express written consent of the City. No lease, or portion thereof, may be assigned or sublet without prior approval of the City and all assignees or subleases, as approved by the City, shall comply with these Regulations and Standards.

SECTION 6. RATES

Rates charged by any person, partnership or corporation conducting a business or providing a service at the Airport shall not be excessive, discriminatory nor otherwise unreasonable, and shall be on file with the Airport Manager.

Rates charged by an FBO at its leasehold for hangar space, T-hangar rentals, tie-downs, products and services shall not be excessive, discriminatory nor otherwise unreasonable, and shall be on file with the Airport Manager. The FBO will prepare and submit through the Airport Manager, a schedule of rates for preview by the City to be charged for each type of service to be provided, such as fuel, tie-down, T-hangar, multi-space storage, parking fees, ramp fees (by aircraft type and category), labor rates, flight instruction and aircraft rented.

When the business desires to change rates, a written request including justification will be submitted through the Airport Manager for review by the City. The request must include a detail of the current rate(s) and a detail of the proposed rate(s).

SECTION 7. APPROVAL OF CONSTRUCTION

No buildings, structures, tie-downs, ramps, paving, taxi areas or any other improvement or addition on the Airport shall be placed or constructed on the Airport, or altered or removed without prior approval of the City. In the event of any proposed construction, the City may, at its discretion, require an appropriate bond to guarantee the completion of the construction in accordance with its approval. The City shall consider conformance to the capital improvement plan for the Airport and Airport Master Plan prior to the approval or denial of any construction or development at the Airport.
SECTION 8. AREA OF ACTIVITY

No person authorized to operate or conduct business activities at the Airport shall do so on any area except that specified by the lease agreement, or otherwise approved in writing by the City.

SECTION 9. FIXED BASE OPERATOR (FBO)

a. A Fixed Base Operator is a person, partnership or incorporated party licensed and authorized by the City to conduct business for profit on the Airport as a tenant operator and conducting an aeronautical activity, and has met the qualifications, standards and requirements contained herein. It is the responsibility of the FBO to obtain and maintain in compliance all necessary Federal (FAA), State (MAA), County and City licenses or certifications for the conduct of those Aviation Business Activities or Services to be offered to the public. The FBO will be responsible for the personnel employed in their business activity to ensure that they are qualified and hold the necessary certificates required by the FAA or other regulatory agencies. The FBO will be responsible for maintaining a record keeping system for the sale of all goods and services offered to the public for a period of no less that five (5) years. The FBO may be in business to conduct one or more of the following services to the public at the Airport:

(1) Aircraft sales and services.
(2) Parts and accessories sales.
(3) Charter operations which include, but are not limited to, passenger or “air taxi” freight, or other aerial delivery; aerial survey; agricultural spraying; aerial photography; and advertising.
(4) Aircraft rental and sight-seeing.
(5) Flight instruction and/or ground schools.
(6) Maintenance services, which shall include services in one or more of the following:
   (a) Airframe overhaul and repair.
   (b) Engine overhaul and repair.
   (c) Avionics and electrical systems repair.
   (d) Instrument repair.
   (e) Aircraft interior work.
   (f) Refinishing and painting.
(7) Line services, which must include the following:

(a) Supplying of fuel, oil and other Fluids and lubricants.
(b) De-icing fluid and service.
(c) Interior and exterior cleaning.
(d) Minor services.

(8) Aircraft storage, inside and/or outside.

b. The application for an FBO lease shall specify all aeronautical services which the applicant desires to offer at the Airport. An FBO may provide or conduct only those services for which if has executed a lease agreement with the City.

c. Unless covered under preexisting agreements with the City, no person shall use the Airport as an FBO until such person has executed a lease agreement approved by the City establishing Airport space lease terms, rental amounts, insurance requirements and other terms and conditions required by the City; has met the qualifications, for Rules, Regulations and Minimum Operating Standards; and has paid the required fees.

d. Minimum Qualifications: A fixed base operator shall, in addition to meeting all other requirements and qualifications of their written agreement and of these Rules and Regulations, meet the following minimum qualifications for each type of service that they are authorized provide:

(1) Aircraft Sales: The authorized FBO who engages in an aircraft sales business at the Airport shall lease an area of Airport land sufficient in size to provide the office space hereinafter required and the space needed for the storage and/or display of a minimum of two (2) aircraft or as many more as such operator reasonably expects to have on hand in such business at any one time.

(2) Parts and Accessory Sales: The authorized FBO who engages in the business of selling parts and accessories at the Airport, shall be licensed to provide at least one other fixed base operator service and shall lease an area of Airport land sufficient in size to provide the office space hereinafter required and the space needed for the display and storage of all of the parts and accessories that operator reasonably expects to have on hand in such business at any one time. The land required to be leased under this provision shall be in addition to the land leased for the operator’s other said business activity, but the office space provided for the other activity may be used for the office of the parts and accessory sales business.
(3) **Charter Operations:** The authorized FBO who engages in a charter operation at the Airport shall lease an area of Airport land sufficient in size to provide the office space hereinafter required and storage for as many aircraft as such operator reasonably expects to have on hand in such business at any one time; in addition, such operator shall have available for use at least one (1) aircraft based at the Airport which is in compliance with all FAA rules and regulations dealing with aircraft used in charter operations.

(4) **Aircraft Rental:** The authorized FBO who engages in an aircraft rental business at the Airport shall lease an area of Airport land sufficient in size to provide the office space hereinafter required and the space needed for the storage of a minimum of two (2) aircraft or as many more as such operator reasonably expects to have on hand in such business at any one time.

(5) **Flight Instruction and/or Ground School:** The authorized FBO who engages in a flight instruction and/or ground school business at the Airport shall lease an area of Airport land of sufficient size to provide the office space hereinafter required, a classroom of sufficient size, and an area sufficient in size to store two (2) aircraft or as many more aircraft as such operator reasonably expects to have on hand in such business at any one time. In addition, such fixed base operator shall have on hand and available for use at least two (2) aircraft suitable for instruction and, if ground school training is offered as part of such business, shall have on hand and available for use such equipment and apparatus as would reasonably be expected to be available for such training.

(6) **Maintenance Services:**

(a) The authorized FBO who engages in maintenance service business at the Airport shall lease an area of Airport land sufficient in size to provide the office space hereinafter required and a shop building large enough to accommodate all necessary tools and equipment used in such business. In addition, the area to be leased shall be large enough to store all aircraft such operator can reasonably be expected to have on hand for service or otherwise at any one time. The shop shall be equipped with such tools, machinery, equipment, parts and supplies as are normally necessary to conduct a full-time business operation in the maintenance services being offered, and shall be staffed by mechanics and other personnel who are qualified and competent and who hold all necessary certificates required by the FAA.
(b) The business of such maintenance service provider shall be conducted on a regular basis and shall be open during normal business hours on all normal business days with competent personnel on duty.

(7) Line Services:

(a) The authorized FBO who engages in the business of providing line service at the Airport, shall lease an area hereinafter required and the space needed to accommodate the line service, the aircraft being serviced and the flow of traffic in and out of the line service area.

(b) Services provided in addition to fuel will include emergency starting, de-icing, parking, washing, tire inflation, oil changing, and service not requiring a certified mechanic rating. All equipment necessary to provide these services will be available.

(c) In addition, an authorized FBO under this provision shall provide and maintain mobile fuel trucks, all necessary pumps, tanks, fueling islands and areas, ramps and other fueling facilities that may be necessary, in order to provide those types specified by lease, provided that the operator shall not place or maintain any fueling facilities on the Airport, mobile or fixed, which are not previously approved by the City. The operator shall not deliver fuel into any aircraft unless the fuel has first been placed in a suitable filtered tank approved by the City which meets all federal, state and local standards and regulations. There shall be no fueling direct from a transport truck into a refueler. There shall be no fueling direct from a transport truck into a refueler. Any established Tank Farm shall provide storage for at least 10,000 gallons of jet fuel and/or 10,000 gallons of aviation fuel (AVGAS).

(d) Authorized operators of airport fuel farms and mobile refueler trucks are required to take appropriate precautions to prevent contamination of the tanks and piping by solids, water or other contaminants and insure that vehicle safety equipment is operating. The FBO operator is required to provide and maintain a daily, monthly, quarterly and annual fuel farm and vehicle handling and inspection system with procedures that are designed to ensure that equipment malfunctions are detected immediately and corrective action taken prior to servicing aircraft. Safe fuel handling requires
that FBO to have complete and accurate operating logs that list the test results and status of each component of the fuel handling and delivery system. These records will be complete to the extent that they include not only the various periodic checks as recorded but also information on product receipt inventory, records and product deliveries. The handling, inspection, maintenance and record keeping system will comply with all FAA and other applicable federal, state and local regulation.

(c) An authorized FBO under this provision shall keep a current, complete and accurate record of all fuel, oil and other products sold in connection with line services and shall, at the request of the City, make available all invoices and records of purchases and sales by the operator of fuels, oils and products sold in connection with the line services. Failure to keep an accurate record of all purchases and sales of line service products by an operator under this provision shall be reason to revoke the operator’s license and authority to do business on the Airport for all services.

(f) Each authorized FBO offering line services shall maintain sufficient full time attendants on duty to service aircraft without unreasonable delay during the hours of 0700-2100, April-October and 0700-1800, November-March, seven days a week. All attendants will be trained in accordance with FAA regulations, and records will be maintained to certify the training. Annual refresher training must be conducted and certified.

(g) The authorized FBO with fueling facilities shall at all times maintain an adequate supply of the fuels, oils, and fluids as specified by lease. A mobile fuel truck may only operate in the FBO’s leased area and such other areas as may be designated from time to time by the City.

(h) All authorized FBO’s licensed to provide line services under this provision shall pay such charges or taxes as may, from time to time, be imposed by the City on gallonage of airplane fuel pumped, and/or sold or stored, by such operators.

(8) Aircraft Storage:

(a) Outside Storage: The authorized FBO who engages in the business of storing airplanes outside at the Airport, shall be licensed to provide at least one other fixed base operator
service and shall lease an area of Airport land sufficient in size to provide the office space hereinafter required and the space needed for a tie-down area of sufficient size to accommodate all of the aircraft that such operator can reasonably expect to store at any one time. Said tie-down area land needed shall be in addition to the land leased for the operators other business activity, but the office space provided for such other activity may be used for the office of the outside storage business.

(b) Inside Storage: The authorized FBO who engages in the business of storing airplanes inside at the Airport shall lease an existing building or an area of Airport land sufficient in size for the construction of a storage building of at least 11,500 square feet, with proper access ramps, taxiways and other accessories and shall construct building, ramps, taxiways and accessories at the operator’s sole cost and expense according to plans and specifications therefore previously submitted and approved and according to all applicable laws and regulations. If no office is maintained, as is herein allowed for such a business, the operator shall post in conspicuous place on the building the name, address and telephone number of the person who is in charge of such business.

e. Minimum Requirements

(1) Commencement of Activities: Each FBO shall, upon authorization and as the construction of any required physical facilities permit, immediately commence and conduct on a full time basis, all business activities and services authorized.

(2) Office Space: Except in cases of FBOs in the sole business of offering inside storage space, each FBO shall provide and maintain the following: an office which shall be staffed and opened to the public during the normal business hours of each normal business day, which shall be the operator’s office or place of business on the Airport; a waiting room with appropriate furnishings; restroom(s) which meet the existing ADA and building codes for accommodating the handicapped; and a public telephone.

(3) NTSB/FAA Requirement: The FBO and all personnel and employees shall be competent and shall hold all current valid certificates, permits, licenses or other authorities required by the FAA. If, as a result of any action, order or ruling of the FAA, any FBO’s authority to operate is
suspended or revoked for a period of ninety (90) days or more, the FBO's license and authority to operate at the Airport may be revoked.

(4) **Indemnity and Insurance:** The FBO shall agree, and by its operation at the Airport does agree to indemnify, defend, and save the City, its authorized agents, officers, representatives and employees, harmless from and against any and all actions, penalties, liabilities, claims, demands, damages, or losses, resulting from claims or court actions, however civil, criminal or in equity, and arising directly or indirectly out of acts or omissions of the FBO, its agents, employees, servants, guests, or business visitors. The FBO shall secure, at its expense, public liability and property damage insurance on which the City shall be named as additional insured. Such policies of insurance shall be maintained in full force and effect during all terms of existing leases and agreements or renewals or extensions thereof. Such policies shall be in a minimum amount of $5,000,000 single limit per accident for bodily injury or death to one or more persons and/or property damage. Insurance of lesser amounts can be granted for a particular FBO activity if it can be demonstrated that said lesser amount is adequate, subject to the review of the Insurance Commission.

All insurance must be placed with an insurance company licensed to do business in the State of Maryland and must be rated A- or better by A.M. Best Company. Copies of all such policies of insurance shall be delivered to the City and shall be delivered to the City and shall be held for the benefit of the parties as their respective interests may appear. The amounts of said insurance shall not be deemed a limitation on the FBO's liability to the City.

(5) **Public Responsibility:** An FBO shall cooperate with the City and Airport Management in the operation, management and control of the Airport and shall do all things reasonable to advance or promote Airport and aeronautical activities thereon and to develop the facility into a more attractive, efficient, and modern Airport.

The FBO shall furnish all services authorized or licensed on a fair, equal and not unjustly discriminatory basis to all users and shall charge fair, reasonable, and not unjustly discriminatory prices for each unit of service, provided that the FBO may make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers, if permitted by law.

(6) **Lease:** Each FBO approved shall enter into a lease agreement with the City which includes an agreement on the part of the FBO to accept, be bound by, comply with and conduct its business operations in accordance with these Regulations and Standards and to agree that its
license and authority to carry on business at the Airport shall be subject to the terms and conditions set forth in the Regulations and Standards and the revocation or termination thereof as herein provided. For an FBO to qualify for approval, it must have available sufficient operating funds to conduct the proposed business.

(7) **Subleasing/Sale of Lease:** No right, privilege, permit or license to do business on the Airport, or any lease of any area of the Airport shall be assigned, sold, or otherwise transferred or conveyed in whole or in part without prior express written consent of the City.

(8) **Plans:** Plans and specifications and an FAA 7460-1 Form for any construction required by the FBO shall be submitted to the City for review and approval within 60 days from successful negotiations of a lease agreement. Construction thereon shall commence within 60 days from the City's approval of the plans and specifications. The deadlines provided in this paragraph may be extended by the City for good cause upon the request of the FBO. All construction shall comply with applicable building codes, City standards and specifications and other ordinances, and the proper permits including fees, shall be secured and paid for by FBO.

(9) **Approval of Construction:***

(a) No buildings, structures, tie-downs, ramps, paving, taxi areas, or any other improvements or additions shall be placed or constructed on the Airport, or altered therefrom without prior approval of the City. In the event of any construction, alteration or removal, an appropriate bond to guarantee the completion of the work in accordance with submitted plans and specification and all applicable local standards may be required.

(b) Unless otherwise agreed to, any aeronautical activity operator shall, at their own expense, provide, construct, install, equip and maintain all utilities, buildings, structures, ramps, tie-down areas, taxiways, fences and all other facilities and improvements approved as being necessary for the operation. The City may, at its discretion, provide assistance in the development of the operation area.

(10) **Utilities:** The FBO shall promptly pay, when due, all charges for water, sewer, power, telephone service, gas and all other utilities and services supplied to his operation at the Airport; all wages or salaries due; and all rentals, fees and payments due to the City.
(11) Inspection and Maintenance:

(1) To the extent necessary to protect its rights and interests, or to investigate compliance with the terms of these Regulations and Standards, the Airport Manager, the City or agent of the City shall have the right to inspect at reasonable times all Airport premises together with all structures or improvements, and all aircraft, equipment and all licenses and registrations.

(2) Each FBO shall be responsible for the removal of snow and ice from its leased area in which it is authorized to operate, and shall keep such leased area free and clear of all weeds, rocks, debris and other material which is unsightly or could cause damage to aircraft, buildings, persons, or automobiles.

(3) No person shall throw, dump or deposit any waste, refuse or garbage on the Airport. All waste refuse or garbage shall be placed and kept in closed garbage cans or containers and all operating areas shall be kept in a safe, neat, clean and orderly manner at all times and in such a manner as to minimize any hazards.

(4) Nothing contained in these Regulations and Standards shall be construed as requiring the City to maintain, repair, restore or replace any Airport structure, improvement or facility which is substantially damaged or destroyed.

(12) Assigned Areas: No person authorized to operate on or conduct business activities at the Airport shall conduct any of its business or activities, or park any aircraft on any areas except those specified in the leased or written agreement. An aeronautical activity operator shall not use any common use areas except as authorized by these rules, their written agreement or as approved in advance by the City.

(13) Complaints: All complaints against any FBO for violation of these Regulations and Standards shall be filed with the Airport Manager and made in writing, signed by the party submitting the complaint and specifying dates, times and witnesses, if any.

(14) Termination: The City shall have the right, at its discretion, to terminate any lease or other agreement authorizing the FBO to conduct any services or business on the Airport and to revoke any FBO license, authority or permit to do business upon the Airport for any cause or reason provided in these rules, or by law, in addition thereto, upon the happening of any one or more of the following:
For Cause

(a) Filing of petition, voluntarily or involuntarily, or the adjudication of bankruptcy.

(b) The making by the FBO of any general assignment for the benefit of creditors.

(c) The abandonment or discontinuance of any licensed operation at the Airport by the FBO or the failure to conduct such operation on a full time basis without prior approval of the City.

(d) The failure to promptly pay, when due, all rents, charges, fees and other payments which are payable to the City by the FBO.

(e) The failure of the FBO to remedy any default or breach or violation by it or its personnel in keeping, observing, performing, and complying with these Regulations and Standards and the terms and conditions in any lease or agreement entered into pursuant hereto on the part of the FBO to be performed, kept or preserved, not involving the payments to be paid to the City, within thirty (30) days from the date written notice from the Airport management has been mailed or delivered to the place of business of the FBO at the Airport.

(f) The FBO, or any partner, officer, director, employee or agent thereof, commits any of the following:

1. Violates any of these Regulations and Standards; or

2. Engages in unsafe or abnormal or reckless practices in the operation of an aircraft or motor vehicle on or in the vicinity of the Airport, which creates a hazard to the safety of other Airport users, other aircraft, or the general public, or endangers property, or which could result in causing personal injuries or death to a person or damage to property; or

3. Operates the business of the FBO in such a fashion as to create a safety hazard on the Airport for other Airport users, aircraft or property on the Airport or the general public.
(g) It becomes known to the City that the FBO or someone on their behalf and with their knowledge, supplied false information or misrepresented any material fact, or failed to make full disclosure in the application, the supporting documents or in statements to or before the City.

(2) **Without Cause**

(a) In the event the City decides to close the Airport in its entirety or to close the Airport to all traffic which it is not legally bound to serve.

(b) In the event of termination, the FBO shall forthwith peaceably vacate the Airport and surrender possession of the premises and cease all business operations on the Airport. Should the operator fail to make such surrender, the City shall have right to once, and without further notice to the FBO, to enter and take full possession of the space occupied by the FBO on the Airport by force or otherwise, and with or without legal process to expel, oust and remove any and all parties and any and all goods and chattels not belonging to the City that may be found within or upon the same at the expense of the operator and without being liable to prosecution or to any claim for damages therefore. Upon such termination, all rights, powers and privileges of the FBO hereunder shall cease and the FBO shall immediately vacate any space occupied by it under the agreement or any lease or leases and shall make no claim of any kind whatsoever against the City, its agents or representative by reason of such termination or any act incident thereto.

(c) In the event of termination for cause, all structures and other improvements made to the Airport by the FBO shall be and become the property of the City and shall remain on the Airport after the FBO ceases operations and vacates the premises. In the event of termination without cause, all operators shall be given a reasonable period of time within which to remove all structures and improvements erected by them on Airport property but, if such removal is not completed within such period, any structures or improvements remaining on the Airport after such period has elapsed, shall be and remain the property of the City.

(15) **Right to Enforce Regulations and Standards:** In addition to all other rights and remedies provided in these Regulations and Standards, the City shall have any and all other rights and remedies at law or in
equity, including the equitable remedy of injunction, to enforce these Regulations and Standards, to obtain compliance therewith and to impose the penalties herein provided.

SECTION 10. FLYING CLUBS

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

(a) A club shall be a nonprofit entity (corporation, association or partnership) organized for the express purpose of providing its members with aircraft for their personal use and enjoyment only. The ownership of aircraft must be vested in the name of the flying club or owned ratably by all of its members. The property rights of the members of the club shall be equal and no part of the net earnings of the club inure to the benefit or any member in any form (salaries, bonuses, etc.). A club may not derive greater revenue from the use of its aircraft than the amount necessary for the operations, maintenance, replacement, and improvement of its aircraft and equipment. The club must receive formal recognition as a flying club from the Airport Manager by submission of a written request for approval.

(b) Flying clubs may not offer or conduct charter, air taxi, or rental of aircraft operations to other than the club's own members. They may not conduct aircraft flight instructions except for members, and only members of the flying club may operate the aircraft. Any qualified mechanic who is a member and part owner of the aircraft owned and operated by a flying club shall be permitted to do maintenance work on an aircraft owned by the club.

(c) A flying club, with its initial application, shall furnish the City a copy of its charter and by-laws, articles of association, partnership agreement or other documentation supporting its existence; a roster, or list of members, including names of officers and directors, to be revised on a semiannual basis, each January and July of each year; evidence of insurance in the form of a certificate of insurance in the following minimum amounts: $1,000,000 single limit per accident for bodily injury or death to one or more persons and/or property damage, and be place with an insurance company licensed to do business in the State of Maryland and must be rated A- or better by the A.M. Best Company; with a hold harmless clause in favor of the City, its officers and employees (ten days prior notice of cancellation shall be filed with the City); number and type of aircraft, evidence that aircraft ownership is vested in the club; and operating rules of the club, if applicable. The
books and other records of the club shall be available for review at any reasonable time by the City.

(d) A flying club must abide by and comply with all Federal, State and Local laws, ordinances, and these Rules and Regulations and Minimum Operating Standards.

(e) Flying clubs are prohibited from leasing or selling any goods or services whatsoever to any person or firm other than a member of such club at the Airport except that said flying club may sell or exchange its capital equipment.

(f) A flying club which violates any of the foregoing, or permits one or more members to do so, after official notification and verification of the violation by the City, may be required to terminate operations for a period to be determined by the City.

SECTION 11. INDEPENDENT FLIGHT INSTRUCTORS

Individuals desiring to perform as independent flight instructors and conduct flight training on a limited, part-time basis, and who have obtained appropriate certification from the Federal Aviation Administration (FAA), must comply with the applicable provisions of these Regulations and Standards. However, they shall be exempt from regular Fixed Base Operator requirements upon satisfactory fulfillment of the conditions contained below:

(a) Independent flight instructors with their initial application, shall furnish to the City:

(1) A copy of the applicable FAA certification documents;

(2) Evidence of insurance in the form of a certificate of insurance in the following minimum amount of $1,000,000 single limit per accident for bodily injury or death to one or more persons and/or property damage and be placed with an insurance company licensed to do business in the State of Maryland and must be rated A- or better by the A.M. Best Company with hold harmless clause in favor of the City, its officers and employees;

(3) A current address and telephone number.

(b) Independent flight instructors must abide by and comply with all applicable federal, state and local laws, ordinances, regulations, and these Regulations and Standards.
(c) Independent flight instructors are prohibited from selling or leasing any material goods or services in direct competition with the existing FBOs on the Airport other than those services directly related to the conduct of individual flight training.

(d) Independent flight instructors who violate any of the foregoing will be required to terminate all flight training operations on the Airport to which this section applies.

SECTION 12. PERSONAL AIRCRAFT SALES AND LEASES

Nothing contained herein shall prohibit any individual or business from selling and/or leasing personally or business owned aircraft at their discretion providing that all other applicable Rules, Regulations and Minimum Operating Standards contained in this document are complied with.

SECTION 13. WAIVER OF CHAPTER III PROVISIONS

The City may, at its discretion, waive all or any portion of Chapter III of these Regulations and Standards for the benefit of any government, governmental agency, or public service entity performing non-profit public services to the aircraft industry, or performing air search and rescue operations, but only to the extent permitted by the rules of the FAA and the laws of the State of Maryland.

SECTION 14. ACTS OF GOD

Nothing contained in these Regulations and Standards shall be construed as requiring the City to maintain, repair, restore or replace any structure, improvement or facility which is substantially damaged or destroyed due to an act of God or other condition or circumstances beyond the control of the City.
CHAPTER IV

PENALTIES

SECTION 1. GENERAL

Unless provided for elsewhere within this document, in addition to any penalties otherwise provided by City ordinance, law or the Federal Aviation Regulations, and all other rules and regulations of the FAA, any person violating these Regulations and Standards may be promptly removed or ejected, either temporarily or permanently, from the Airport by the City and/or Airport Manager. The City may hear and decide appeals from the persons so removed in accordance with this Chapter. The City shall, in writing, within 14 days of any such removal or ejection, render to the person removed or ejected under this section, a letter to the person’s last known mailing address delineating the specific violation of these Regulations and Standards which necessitated such removal. The City may hear appeals submitted by any person or persons so removed or ejected, within 10 days of their receipt of such letter from the City. Violations of these Regulations and Standards shall be a misdemeanor punishable by a fine not to exceed $400 per day and/or imprisonment not to exceed ninety (90) days.
CHAPTER V

GOVERNMENT AGREEMENTS

SECTION 1. WAR OR NATIONAL EMERGENCY

During time of war or national emergency, the City shall have the right to lease the Airport, or the landing area, or any part thereof to the United States Government for military use, and any license or authority granted under these rules and any lease and agreement executed pursuant hereto shall be subject to such government lease and the provisions of the government lease shall control insofar as they are inconsistent with the said operators agreement, lease or authority.

SECTION 2. LEASES SUBORDINATE TO GOVERNMENT LEASE

Any license, authority, lease or agreement entered into pursuant to these regulations shall be subject and subordinate to the provisions of any existing or future agreement between the City and the United States, relative to the operation or the maintenance of the Airport, the execution of which has been or may be required as a conditioned precedent to the expenditure of Federal funds for the development of the Airport.

SECTION 3. DISADVANTAGED BUSINESS ENTERPRISE

It is the policy of The City of Frederick, Maryland, to utilize Disadvantaged Business Enterprises in all aspects of contracting. This commitment can be demonstrated by the efforts taken in the development of a DBE Plan and in correspondence within this organization stating such position. The plan will be made available upon request.

The City’s goals for leasing operations at the Airport are:

\[ DBE = 10\% \]
CHAPTER VI

AIRPORT MASTER PLAN

SECTION 1. FBO APPROVAL NOT REQUIRED

The City may, without the consent or approval of any FBO or other person licensed to do business or use part of the Airport, make changes in the Master Plan of the Airport and in its planning and policies in connection with the development of the Airport. However, it is the City's intent to inform FBO's and other businesses, tenants, and users of proposed improvements to the Airport and/or changes to the Airport Master Plan at the Frederick Municipal Airport and to request and consider any and all comments.
CHAPTER VII

RESERVATION OF RIGHTS TO INDIVIDUAL USERS

SECTION 1. EXPLANATION OF RIGHTS AND DUTIES IMPOSED

Notwithstanding anything to the contrary contained herein, the following rights, privileges, and duties are hereby conferred and imposed upon individual users of the Airport facilities including but not limited to individual pilots, aircraft owners, tie-down and T-hangar renters.

(a) All individual users as defined herein shall meet and maintain all standards for licensing, maintenance, and repair of aircraft established by the Federal Aviation Regulations (FARs), Safety Bulletins, Advisory Circulars and all other Federal and State Regulations and Standards for licensing, maintenance, and repair of aircraft.

(b) It shall be the duty of all individual users of the Airport to fully inform themselves of and to keep current on all pertinent Federal, State and City Regulations and Standards and to completely and promptly comply therewith.

(c) Nothing contained herein shall restrict or limit the right of aircraft owners and/or pilots to perform preventive maintenance on their own aircraft which is allowed by the regulations. However, all such repairs and maintenance shall be authorized and conducted strictly in accordance with Federal and State regulations, circulars, airworthiness directives and requirements, and such maintenance and repairs shall be conducted within the area designated for owner maintenance or T-hangars leased by individual users of the Airport.

(d) All individual users shall comply with the Frederick Municipal Airport Regulations and Standards regarding common use areas (Chapter I, Section 9 herein) and will not allow any maintenance or repair activities or any part thereof to be conducted in said common areas and will comply with all safety and fire regulations in effect at the time and as set forth herein in Chapter II, Section 4 thereof.

(e) Nothing herein shall be construed as restricting the full use and enjoyment of the Frederick Municipal Airport by all individual aircraft owners, pilots, renters of tie-downs and T-hangars and all other individuals having a right to be users of the Airport.

APPROVED FEBRUARY 4, 1993

[Signature]

PAUL P. GORDON, MAYOR