

MARIPOSA COUNTY
BOARD OF SUPERVISORS

AGENDA
ACTION FORM

AGENDA DATE: 5/25/99
AGENDA ITEM NO.: _____

CLERK'S USE ONLY

Res. No.: 99-188 Ord. No.: _____

Vote - Ayes: 5 Noes: _____

Absent: _____ Abstained: _____

- Approved Denied
 Minute Order Attached No Action Necessary

The foregoing instrument is a correct copy of the original on file in this office

Date: _____

ATTEST: _____

MARGIE WILLIAMS, Clerk of the Board

By: _____

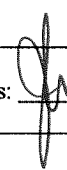
Deputy

ADMINISTRATIVE OFFICER'S RECOMMENDATION:

This item on agenda as:

- _____ Recommended
_____ Not Recommended
_____ / For Policy Determination
_____ Submitted With Comment
_____ Returned for Further Action

Comment: _____

C.A.O. Initials:  _____



**MARIPOSA/YOSEMITE AIRPORT
POLICY
FOR COMMERCIAL/BUSINESS USAGE**

1) PREAMBLE AND POLICY

The Mariposa County Board of Supervisors does hereby adopt the following Mariposa/Yosemite Airport Policy for Commercial/Business Usage for airport aeronautical and commercial/business operating standards at the Airport.

The Mariposa/Yosemite Airport Policy for Commercial/Business Usage is intended to be the threshold entry requirements for those wishing to provide commercial/business services to the public at the 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 Mariposa/Yosemite Airport Policy for Commercial/Business Usage was developed taking into consideration the aviation role of the Airport, facilities that currently exist at the airport, services being offered at the airport, the future development planned for the airport and the Airport Master Plan.

The uniform application of these standards containing levels of service that must be offered by the prospective service provider protects both the established aeronautical activity and the Airport patrons.

The Airport Authority has explicit authority to prohibit any commercial business activities at the Mariposa/Yosemite Airport which have not been authorized pursuant to Chapter 19.02; County Airport Rules and Regulations;

19.02.070 Commercial activity.

No person shall utilize the airport for any revenue-producing commercial activities without first obtaining a permit from the Mariposa-Yosemite Airport manager, approved by the Mariposa County Board of Supervisors, for such activities and paying the fees and charges established for such use. All revenue-producing commercial activities shall comply with policies in the Mariposa-Yosemite Airport policy for commercial/business usage as approved by the Mariposa County Board of Supervisors. The airport manager shall establish and maintain available for examination upon request, a schedule of fees and charges for the use of the airport and its facilities. Any aircraft owner who fails to pay any fee duly charged for aircraft owned or controlled by him/her shall have such aircraft subject to impounding until the fees are paid along with any impound fees or until the aircraft is sold for charges. (Ord. 510 Sec.1(part), 1979).

15. **Minimum Standards** means the standards which are established by the airport owner as the minimum requirements to be met as a condition for the permit to conduct an activity on the airport.
16. **NFPA** means the National Fire Protection Association.
17. **NOTAM** means a Notice to Airmen published by the FAA.
18. **Operator** means FBO as used in this document.
19. **Owner** means Mariposa County.
20. **Person** means any human being, individual, firm, company, partnership, association, or private or public or municipal corporation, the United States of America, the state, districts, and all political subdivisions and governmental agencies.
21. **Ramp Privilege** means the driving of a vehicle upon an aircraft parking ramp on the air side of the airport to deliver persons, cargo or equipment to an aircraft as a matter of convenience or necessity.
22. **Small Aircraft** is an aircraft of less than 12,500 pounds maximum certified take-off weight.

12. Any FBO must comply with all FAA regulations, rules, and certifications, and have all required licenses and/or permits.
13. The FBO must provide, by means of an office or a telephone, a point of contact for the public desiring to utilize FBO's services.

5) ACTION AND APPLICATION

1. **Minimum Application Information:** The Airport Authority will not accept or forward a request to lease land area or in any way permit the installation of a commercial activity until the proposed lessee, in writing, submits a proposal which sets forth the scope of operation he/she proposes which will include the minimum application information.
2. Applications for leases of ground and/or facilities at the airport for the purpose of conducting a revenue producing commercial activity at the airport shall be made to the Airport Authority. The Airport Authority will perform a preliminary review of the application. The Airport Authority's preliminary review guideline for review of all applications submitted will consider at a minimum all of the following:
 - a. **QUALIFICATION:** Does applicant, for any reason, not meet the qualifications, standards and requirements established by the minimum requirements for application and specific commercial activity?
 - b. **SAFETY HAZARD:** Will applicant's proposed operations or construction create a safety hazard at the airport?
 - c. **EXPENDITURE:** Will the granting of the application require the Airport Authority to spend airport funds, or to supply labor or materials in connection with the proposed operations? Will the operation result in a financial loss to the Airport Authority?
 - d. **AVAILABILITY:** Is there adequate or available space at the airport to accommodate the entire activity of the applicant at the time of application?
 - e. **COMPLIANCE WITH AIRPORT MASTER PLAN:** Does the proposed operation, airport development or construction comply with the master plan of the airport?
 - f. **CONGESTION:** Will the development or use of the area requested by the applicant result in depriving existing fixed base operators of portions of the area in which they are operating, or result in a congestion of aircraft or buildings, or result in undue interference with the operations of any present fixed base operator at the airport through problems in connection with aircraft traffic, service or preventing free access to the fixed base operator area?
 - g. **MISREPRESENTATION:** Has any party applying or interested in the business supplied any false material information or misrepresented any material fact in his/her application or supporting documents; or has he/she failed to make full disclosure on his/her application or supporting documents?
 - h. **HISTORY OF VIOLATIONS:** Has the party applying or interested in the business had a record of violating the rules and regulations of any other airport, FAA regulations or any other rules and regulations applicable to the Airport?

5. The Airport Authority will attempt to review and act upon applications within 90 days from receipt of the complete application. Applications may be denied for one or more of the following reasons:

- A. The applicant does not meet qualifications, standards and requirements established by these Minimum Standards.
- B. The applicant's proposed operations or construction will create a safety hazard on the Airport.
- C. The granting of the application will require the expenditure of local funds, labor or materials on the facilities described in or related to the application, or the operation will result in a financial loss to Airport.
- D. There is no appropriate or adequate available space or facility on the Airport to accommodate the entire activity of the applicant.
- E. The proposed operation, Airport development or construction does not comply with the approved Airport Master Plan.
- F. Any party applying, or interested in the business, has supplied false material information or has misrepresented any material fact in the application or in supporting documents, or has failed to make full disclosure on the application.
- G. Any party applying or having an interest in the business, has a record of violating the Civil Air Regulations, Federal Aviation Regulations, or any Rules and Regulations applicable to this or any other Airport.
- H. Any party applying or having an interest in the business, is not sufficiently credit worthy and responsible in the judgment of the Airport Authority to provide and maintain the business to which the application relates and to promptly pay amounts due under the FBO lease.
- I. The applicant does not have the financial resources necessary to conduct the proposed operation.
- J. The applicant has been found guilty of or has plead guilty or nolo contendere to any crime, or violated any local ordinance rule or regulation which adversely reflects on its ability to conduct the FBO operation applied for.

AIRCRAFT AIRFRAMES, ENGINE AND ACCESSORY MAINTENANCE AND REPAIR

Statement of Concept

An aircraft, airframe, engine and accessory maintenance and repair FBO provides one or a combination of airframe, engine and accessory overhauls and repair services on aircraft up to and may include business jet aircraft and helicopters.

Minimum Standards

- A. All persons operating aircraft engine, airframe and accessory maintenance facilities to the public for hire shall provide:
- (1) In case of airframe and/or engine repairs, sufficient hangar space to house any aircraft upon which such service is being performed, other than emergency service.
 - (2) Suitable inside and outside storage space for aircraft awaiting repair or maintenance.
 - (3) Adequate shop and storage space to house any equipment, tools and parts needed to perform the type of maintenance advertised.

9) FLIGHT TRAINING

Statement of Concept

A flight training FBO engages in instructing pilots in dual and solo flight training in fixed and/or rotary wing aircraft as required by the FAA.

Minimum Standards

- A. The FBO shall be able to arrange for use in flight training at least one properly certified aircraft.

1 AIRCRAFT FUELS AND OIL SERVICE

Statement of Concept

An aircraft fuels and oil service FBO provides aviation fuels, lubricants and other services supporting itinerant aircraft operations and operations of aircraft based on the airport other than those aviation fuels provided by the County.

Minimum Standards

- A. Except as otherwise provided in any agreement between the FBO and the Airport Authority, an FBO conducting aviation fuel and oil sales or service to the public on the Airport shall be required to provide the following services and equipment:
- (1) An adequate inventory of at least one brand of the generally accepted grades of aviation engine oil and lubricants.
 - (2) Properly trained line personnel on duty at least eight hours of every calendar day, seven days a week and on call by readily accessible means at other hours during the day or night or at such hours as specified. This may not all apply to a cardlock operation.
 - (3) In conducting refueling operations, every operator shall install and use adequate grounding facilities at fueling locations to eliminate the hazards of static electricity and shall provide approved types of fire extinguishers and other equipment commensurate with the hazard involved in refueling and servicing aircraft and such additional regulations that might be hereafter specified by any federal, state, county or city agency.
 - (4) All fuel must be stored per state regulations and dispensed through mobile or fixed pumping equipment with reliable metering devices and an approved filtration system.
 - (5) Provide for the adequate and sanitary handling and disposing, away from the airport all trash, waste and other materials, including but not limited to, used oil, solvents and other waste. The piling or storage of crates, boxes, barrels and other containers will not be permitted.
 - (7) Suitable space in a convenient location to service the types of aircraft using the airport.
 - (8) Auto parking for customers and employees.
 - (9) Adequate bonding wires will be installed, continuously inspected and maintained on all fueling equipment, to reduce the hazards of static electricity.

12) AVIONICS AND/OR INSTRUMENT REPAIR STATION

Statement of Concept

An avionics and/or instrument repair station FBO engages in the business of and provides a shop for the repair of aircraft avionics and/or instruments, and accessories for general aviation aircraft. This category may include the sale of new or used aircraft avionics, instruments and accessories.

Minimum Standards

- A. The FBO shall have available trained personnel in such numbers as are required to meet the Minimum Standards.

14) AIRCRAFT STORAGE

Statement of Concept

An aircraft storage FBO engages in the rental of conventional hangars or multiple T-hangars.

Minimum Standards

- A. The conventional hangar FBO shall have his/her facilities available for the tenant's aircraft removal and storage on a 24 hour basis.

16) SUBLEASING FROM ANOTHER COMMERCIAL OPERATOR

Prior to finalizing an agreement, the lessee and sublessee shall obtain the written approval of the Owner for the business proposed. The sublease shall define the type of business and service to be offered by the sublessee FBO.

The sublessee FBO shall meet all of the Minimum Standards established by the Owner for the categories of services to be furnished by the FBO. The Minimum Standards may be met in combination between lessee and sublessee. The sublease agreement shall specifically define those services to be provided by the lessee to the sublessee that will meet the standards.

18) MULTIPLE SERVICES

Statement of Concept

A multiple services FBO engages in any two or more of the aeronautical services for which Minimum Standards have been herein provided.

Minimum Standards

- A. The FBO shall comply with the aircraft requirements, including the equipment thereon for the aeronautical services to be performed.
- B. The FBO shall provide the facilities, equipment and services required to meet the Minimum Standards as herein provided for each aeronautical service the FBO is performing.
- C. The FBO shall obtain, as a minimum, that insurance coverage which is equal to the highest insurance requirements for the highest risk aeronautical service being performed by FBO.
- D. Multiple responsibilities may be assigned to meet the personnel requirements for aeronautical services being performed by the FBO.

EXHIBIT 2

Minimum Requirements for a Business Plan

1. All services that will be offered.
2. Amount of land desired to lease.
3. Building space that will be constructed or leased.
4. Number of aircraft that will be provided.
5. Equipment and special tooling to be provided.
6. Number of persons to be employed.
7. Short resume for each of the owners and financial backers.
8. Short resume of the manager of the business (if different from "7" above) including this person's experience and background in managing a business of this nature.
9. Periods (days and hours) of proposed operation.
10. Amounts and types of insurance coverage to be maintained.
11. Evidence of the projections for the first year and the succeeding 5 years.
12. Methods to be used to attract new business (advertising and incentives).
13. Amenities to be provided to attract business.
14. Plans for physical expansion, if business should warrant such expansion.
15. A plot plan showing the Airport, where the FBO would be located, the footprint of all proposed buildings, equipment and appurtenances the FBO will have on site.

MARIPOSA/YOSEMITE AIRPORT
SPECIAL EVENT/USE PERMIT APPLICATION

Type of Agreement: _____
Name of Business or Organization _____
Address of Business or Organization _____

Description of Activities: _____

(use additional sheet if necessary)

Owner of Business/Officer of Organization _____
Address of Owner: _____

Telephone: _____ Fax: _____

References: _____
Name: _____
Phone: _____

- Supporting Documents to be attached:
1. Copies of FAA issued certificate(s) appropriate if applicable to event.
 2. Insurance certificate(s) as required by Airport Authority.

Special Conditions: _____

Applicant Signature: _____ Date: _____