



Minimum Standards

For Commercial Activities

PART I

INTRODUCTION, PURPOSE & DEFINITIONS

INTRODUCTION: The Auburn-Lewiston Airport is obligated to make the airport available for public use under reasonable conditions and without unjust discrimination. Inherent in that obligation is the responsibility to develop standards that promote safety in all airport activities, protect airport users from unlicensed and unauthorized products and services, maintain and enhance the availability of adequate services for all airport users, promote the orderly development of airport land, and ensure efficiency of operations.

PURPOSE: These minimum standards shall be used by the Auburn-Lewiston Airport staff and Board of Commissioners to evaluate applications to conduct commercial aeronautical activities at the Airport.

DEFINITIONS:

Aeronautical Activity: Any activity conducted on airport property that makes the operation of an aircraft possible or that contributes to, or is required for the safe operation of aircraft. The following activities are considered to be aeronautical activities:

- Aerial application
- Aerial surveying
- Aerial photography
- Aircraft paint or upholstery
- Aircraft rental
- Aircraft sales
- Aircraft storage
- Air carrier operations (passenger and cargo)
- Air taxi and charter operations
- Aviation fuel and oil sales
- Avionics or instrument sales and repair
- Banner towing
- Engine or propeller sales and repair
- Flying clubs
- General and corporate aviation
- Sky-diving
- Pilot training
- Repair and maintenance of aircraft
- Sale of aircraft parts
- Sightseeing
 - Any other activities that, because of their direct relationship to the operation of aircraft, can appropriately be regarded as an aeronautical activity.

Agreement or Lease: A contract executed between the airport and an entity granting a concession that transfers rights or interest in property, or otherwise authorizes the conduct of certain activities. An agreement or lease must be in writing, executed by both parties, and enforceable by law.

Air Charter: An entity that provides on-demand, non-scheduled passenger service in aircraft having no more than 30 passenger seats, and which operate under the appropriate Federal Aviation Regulations (FARs).

Aircraft: Any contrivance now known or hereafter invented, used, or designed for navigation of, or flight in the air. Excluded from this definition are ultra-lights, gliders, hot air balloons, and para-gliders.

Aircraft Maintenance: The repair, maintenance, adjustment, or inspection of aircraft. Major repairs include major alterations to the airframe, power-plant, and propeller, as defined in Part 43 of the FARs. Minor repairs include normal and routine annual inspections with attendant maintenance, repair, calibration, adjustment or repair of aircraft and associated accessories.

Airport Sponsor: A local municipal or state government body or entity obligated to the federal government to comply with the assurances contained in grant agreements or property conveyance instruments. A sponsor may be an entity that exists only to operate the airport, such as an airport authority established by local law. For this document, the terms airport sponsor and airport owner are used interchangeably.

Aviation-Related Activity: Any activity conducted on airport property that provides service or support to aircraft passengers or air cargo, such as:

- Auto parking lots
- Car rentals
- Concessions
- Ground transportation
- Restaurants
- Any other service or support activities that can appropriately be called aviation related.

Commercial Aeronautical Activity: Any aeronautical activity that involves, makes possible, or relates to the operation of Aircraft, the purpose of such activity being to secure income, earnings, compensation or profit, whether or not such objective is accomplished.

Commercial Non-Aeronautical Activity: Any activity not directly related to the operation of Aircraft, (e.g., restaurant, rental cars, ground transportation, or other concessions), the purpose of such activity being to secure income, earnings, compensation or profit, whether or not such objective is accomplished.

Commercial Self-Service Fueling: A fueling concept that enables a pilot to fuel an aircraft from a commercial fuel pump installed for that purpose. This fueling facility is not attended.

Entity: Any person(s), firm, partnership, limited-liability company, corporation, unincorporated proprietorship, association, or group.

Equipment: All personal property and machinery together with the necessary supplies, tools, and apparatus necessary for the proper conduct of the activity being performed.

FAA: Federal Aviation Administration.

FAR: Federal Aviation Regulation.

Fixed Base Operator (FBO): Commercial business providing multiple aeronautical services which may include aircraft fueling, storage, tie-down and parking, base-line services and associated pilot and passenger facilities (lobby, restrooms, flight planning room, etc.).

Grant Agreement: Any agreement made between an airport sponsor and the FAA, acting on behalf of the United States, for the grant of federal funding or a conveyance of land, either of which the airport sponsor agrees to use for airport purposes.

Grant Assurance: A provision contained in a federal grant agreement to which the recipient has voluntarily agreed, in consideration for the assistance provided.

Improvements: All buildings, structures, and facilities. Improvements may include pavement, fencing, signs, and landscaping that are constructed, installed, or placed on, under, or above any airport owned area.

Independent Operations (IO): Individual operators performing single-service aeronautical activities (such as aircraft washing, flight instruction, and maintenance) on the airport without a written agreement with the airport. An Independent Operator engaged in commercial activities on the airport without permission from the Airport is considered a Through-The-Fence (TTF) Operator.

Lease: A contract between the airport owner and an entity granting a concession that transfers rights or interests in property, or otherwise authorizes the conduct of certain activities. The lease must be in writing, executed by both parties, and enforceable by law.

Minimum Standards: The criteria established by an airport owner as the minimum requirements that must be met by businesses, in order to engage in providing on-airport aeronautical activities or services.

Oil: as defined in the federal regulations includes petroleum oils such as gasoline, diesel and heating oil as well as non-petroleum oils such as animal or vegetable oils, synthetic oils, and mineral oils.

Operator: The term applies to both commercial and non-commercial operations. The purveyor of any activity.

Self-Fueling: Self-fueling means the fueling of an aircraft by the owner of the aircraft with his or her own employees and using his or her own equipment. Self-fueling cannot be contracted out to another party. Self-fueling implies using fuel obtained by the aircraft owner from the source permitted by the Airport. As with many self-service activities that can be conducted by the aircraft owner or operator by his or her own employees using his or her own equipment, self-fueling, differs from using a self-service fueling pump made available by the airport, an FBO, or an aeronautical service provider. The use of a self-service fueling pump is a commercial activity and is not considered self-fueling.

SPCC: used in federal regulations under the Clean Water Act, stands for "Spill Prevention Control and Countermeasure Plan." An Oil SPCC plan is a plan prepared in accordance with good engineering practices to prevent and clean up spills from oil storage tanks where a discharge could reach a navigable water body, either directly or indirectly. Applies to all operators located on Airport property.

SWPP: Storm Water Pollution Protection (plan). A plan required under the Federal Clean Water Act that considers all possible contamination that may enter nearby rivers and streams as runoff from rain and snow events. Applies to all operators located on Airport property regardless of type or activity.

Sublease: A lease agreement entered into by a lessee with another entity that transfers rights or interests in property or facilities, and that is enforceable by law.

Tenant: A person or entity who occupies or leases property on the Airport, or who conducts business operations of any kind upon the Airport premises, through a written agreement with the Airport.

Through-the-Fence (TTF) Access: The accessing airport property from property which is contiguous to the airport without establishing tenancy with the airport through a lease agreement.

PART II

MINIMUM STANDARDS FOR COMMERCIAL AERONAUTICAL ACTIVITIES

In addition to meeting the requirements of Part III, every person conducting commercial aeronautical activities shall meet the additional requirements as hereinafter set out. No lessee or agreement holder shall engage in any business or activity other than those for which they have received approval from the Board. By definition, all activities conducted herein are considered commercial and must therefore present at an appropriate time a business license.

The fact that an applicant has received a lease or agreement to conduct a specific activity on the Airport conveys no exclusive rights. The opportunity to carry on business at the Airport is a privilege conveyed by the Board and which may be granted concurrently to any other party. Furthermore, it is the Board's policy to grant the opportunity and privilege to carry on business at the Airport to all qualified persons who meet the requirements set forth herein. It is the intent of this policy to promote fair competition at the Auburn-Lewiston Airport, but not to expose those who have undertaken to provide commodities and services to unfair or irresponsible competition. This policy sets minimum standards to be met by those who propose to conduct a commercial aeronautical activity. These standards, by expressing minimum levels of service offered and insurance coverage obtained, relate primarily to the public interest. Uniformly applied, appropriate requirements discourage substandard enterprises, thereby protecting both established aeronautical activities and Airport patrons. It is not the policy of the Auburn-Lewiston Airport to impose an unreasonable requirement or standard not relevant to the proposed activity. The Board reserves the right to waive any of the standards listed under this part, with the evaluation and recommendation of the Airport Director—if in the opinion of the Board—existing conditions justify such a waiver.

Aeronautical service providers of more than one aeronautical activity must meet the more restrictive standard, if the standard is different from one activity to another. Also, aeronautical service providers cannot satisfy a standard by sharing the same asset used by a different provider, unless they are co-located in the same facility. See the Appendix for the minimum standards applicable to each aeronautical activity.

PART III

APPLICATIONS FOR LEASES AND PERMITS

Requests for new leases or for the assignment of existing leases of ground and/or facilities on the Airport or for permission to conduct any commercial, business or aeronautical activity on the Airport shall be made to the Airport Director. The Airport Director will present the application to the Airport Board for review and approval consideration as soon as he deems the application complete. A complete application contains all information and materials necessary or requested to prove that the applicant will qualify under and will comply with the Minimum Standards. The application shall be signed and submitted by an owner of the business, a partner (if a partnership), or a corporate officer/director. The airport director will not accept applications for through-the-fence activities but may grant one-time access on a case by case basis.

Minimum Application Information: The Airport Director will not accept or take action on an application or in any way permit the installation of a commercial activity until the proposed lessee submits a complete application which sets forth the scope of the proposed operation, including the following:

- Contact Information: Name, address, phone number, and email address of the applicant.
- Proposed Use: A detailed explanation of the proposed land use, facility use and/or activity.
- Personnel Qualifications: The names and the qualifications of the personnel to be involved in conducting such activity
- Applicant Qualifications: Explanation of how the applicant meets all of the qualifications and requirements established by these Minimum Standards, as well as the Airport's and FAA's Rules and Regulations.
- Safety Hazard: Does the applicant's proposed operations or construction create a safety hazard on the Airport?
- Cost to the Airport: How will this financially impact the airport? What additional costs and what additional revenue?
- Availability: Is there adequate available space on the Airport to accommodate the entire activity of the applicant at the time of application?
- Compliance with Master Plan: Will the proposed operation, airport development, or construction be consistent with the Master Plan and Airport Layout Plan?
- Congestion: Would the development or use unduly interfere with the operations of any present user by interfering with aircraft traffic or preventing free access to any other facility?
- Ecological Considerations: Does the proposed uses comply with Environmental Protection Agency, Department of Environmental Quality, Regional Health District, and Local Zoning requirements.

Supporting Documents: If requested by the Airport Director or Airport Board, the applicant will submit the following supporting documents to the Airport Director, together with such other documents and information, as may be requested:

- Financial statements, including current/actual balance sheet and income statement, and projected/pro-forma balance sheet and income statement, with the use/activity-sought included.
- Credit report authorization.
- An economic-feasibility study.
- Authorization for release of information from such persons as the Airport Director shall deem necessary, to determine the applicant's qualifications to perform as set forth in the application. The applicant shall also provide a release for any information, which may be required under federal or state law or regulation.
- The Airport Board may require the applicant to post a performance bond.

Review of Application: The Airport Board of Directors after receiving the evaluation and recommendation of the Airport Director, shall determine whether or not the applicant meets the standards and qualifications as herein set out, and whether or not such application should be granted in whole or part, and if so, upon what terms and conditions.

Lease or Agreement: Upon the approval of an application, the Board, will prepare a suitable lease or agreement which sets the terms and conditions of the land and/or the facility use. The lease will incorporate the minimum standards as they exist at the time of the lease's execution. Any permissions issued for commercial aeronautical activities shall be conditional upon or contain the minimum conditions and assurances. The Board may require such additional terms, conditions and assurances, as is deemed necessary in any particular instance. Those standards and or conditions may include:

- The lessee/operator is in compliance with and will remain in compliance with the Minimum Standards required for each activity.
- Any structure or facility to be constructed or placed upon the Airport shall conform to all federal, state and local safety regulations, current building codes, Airport policies, and fire regulations. Any construction once commenced will be diligently pursued to completion. Completion and occupancy of the structure must occur within 24 months after the execution of the lease. Failure to achieve either substantial progress or completion shall constitute cause for the Auburn-Lewiston Airport to cancel the lease, or to extend the completion dates for construction.
- All new construction, external modifications to an existing building, and underground excavation will be coordinated with the Airport Director, and approved by all appropriate federal, state and city agencies.
- The Board reserves the right to amend these Minimum Standards. Any lease or agreement may be terminated or cancelled in the event of failure to comply with Minimum Standards after notice thereof has been given. Any lessee who is aggrieved by such amendments may apply to the Board for a variance.
- Adequate assurance of performance of the lease by the lessee will be provided to the Auburn-Lewiston Airport. Such assurance may be in the form of a security

agreement, cash bond, or in such other manner or form as the Board deems adequate, in its sole discretion.

- Proper insurance and hold-harmless clauses in such amounts and under such conditions, as the Board deems proper shall be incorporated in said lease.
- There shall be no assignment, transfer or sales of the lease without prior written consent of the Board, which shall not be unreasonably withheld.

PART IV

IMPLEMENTATION, AMENDMENT, REVIEW AND EFFECTIVE DATE

Implementation: These minimum standards shall not supersede existing contracts and/or leases, and in the event of a contradiction between the two, the lease terms and conditions shall prevail.

Where new standards differ markedly from existing conditions, those conditions shall be deemed pre-existing and allowable until such time as contractual circumstances allow change.

Commercial aeronautical service and related commercial non-aeronautical activities shall only be conducted from the terminal building or other facilities designated and approved by the Airport.

Amendment: The Board, with careful consideration and the recommendation of the Airport Director, may amend these Minimum Standards at any time it deems appropriate for the equitable and improved use of the airport by commercial entities and in the best interests of Airport users. These standards will not be modified for the sole purpose of accommodating new business.

Review: The Board shall undertake a full review of these Standards five (5) years from the effective date.

Effective Date: These Minimum Standards shall be in full force and effect from the date of their adoption by the Board by resolution duly enacted and signed.

Adopted on

Aug 9, 2018

Auburn Lewiston Board of Directors



Bettyann Sheats, Chair

Appendix

Commercial Aeronautical Activity	Aircraft Maintenance and Repair	Aircraft Rental	Flight Instruction
Standards	<i>Airframe, power plant, and accessory maintenance and repair.</i>	<i>Renting or leasing of aircraft and/or ultralight vehicles.</i>	<i>Instructing pilots in ground school, dual and solo flight, fixed or rotary wing.</i>
Leases, Licenses/Permits Required	Land lease, sublease, or rented space. Comply with all necessary licenses & permits.	Land lease, sublease, or rented space. Comply with all necessary licenses & permits.	Land lease, sublease, or rented space. Comply with all necessary licenses & permits.
Size, Type, and Amount of Facilities Required	1 permanent restroom; shop space and outside aircraft storage consistent with type of proposed operation.	1 rest room, permanent office. Hangar and/or outside storage.	1 permanent restroom, classroom/office space as appropriate.
Automobile Parking Required	Adequate Customer and employee parking	Adequate Customer and employee parking.	Adequate Customer and employee parking.
Personnel: Number, Training, & Certifications	At least 1 FAA certified A&P mechanic.	Adequate for safe operation	At least 1 FAA CFI
Equipment Needed	As required for FAA certification.	At least 1 aircraft available for rent.	At least 1 aircraft suitable for flight instruction.
Type and Amount of Inventory Needed	As required for FAA certification.	Not Specified	As required.
Environmental, Safety, and Security	As required by regulation.	As required by regulation.	As required by regulation.
Contact Methods/Public Accessibility	After hours contact number posted on building.	Posted after hours contact number on building and at airport director's office.	Maintained current in Airport Directors office
Days and Hours of Operation	Posted on building.	Posted on building.	Not Specified
Insurance Requirements			
General Liability:	Minimum \$1,000,000 combined single limit (CSL)		
Premises Liability	Yes	Yes	Yes
Products & Completed Operations	Yes	No	Yes
Hangarkeepers:	Limit as appropriate for operation		
Ground Only	Yes	No, unless non-owned aircraft are under operator's control.	Yes, if instructing in owner's aircraft.
In-Flight	Required if test flights are conducted.	No, unless non-owned aircraft are under operator's control.	Yes, if instructing in owner's aircraft.
Aircraft Liability:	Minimum \$1M CSL subject to \$100K/seat passenger liability		
	No, unless operator conducts flight operations.	Yes	Yes

Commercial Aeronautical Activity	Aircraft Storage/ Hangar Rentals	Full Service Fuel & Oil Sales	Self-Service Fuel Sales
Standards	<i>Short/ long term rental of aircraft storage hangar or outside aircraft storage.</i>	<i>Sales of fuels, lubricants, & other services supporting itinerant & local aircraft operations.</i>	<i>Provides fuels supporting itinerant & locally based aircraft operations.</i>
Leases, Licenses/Permits Required	Land lease, sublease, or sublet/rented space;	Leasehold to provide aircraft storage, customer parking, building with aircraft storage, office, lounge, rest room, public telephone, etc. Comply with required licenses & permits.	Leasehold of appropriate size for buildings with sufficient floor space for lounge, rest room, properly heated. Comply with all necessary licenses & permits.
Size, Type, and Amount of Facilities Required	Suitable storage space.	Permanent restroom & facilities; flight planning area; pilot lounge & waiting area.	Flight planning area, pilot lounge & waiting area.
Automobile Parking Required	Adequate Customer and employee parking	Adequate Customer and employee parking.	Adequate Customer and employee parking
Personnel: Number, Training, & Certifications	Not Specified	At least one trained line service technician. (i.e.: NATA Safety 1 st Program Certificated)	24/7 response capability with contact names and phone numbers posted on site.
Equipment Needed	Appropriate for year-round grounds maintenance	Fixed fuel system & filters meeting all Federal, state, airport requirements; equipment for ancillary services including aircraft towing (as appropriate), tire inflating, aircraft windscreen washing, & battery charging.	Fixed fuel storage system w/safety fixtures & filters meeting all federal, state & airport requirements.
Type and Amount of Inventory Needed	As applicable to operation	As applicable to operation.	Not Specified.
Environmental, Safety, and Security	Approved SPCC plan.	As required by regulation.	Approved SPCC plan.
Contact Methods/Public Accessibility	Posted contact number on site and at airport director's office.	Posted after hours contact number on building and at airport director's office; 24-hour callout capability.	24/7 response capability contact names and phone numbers posted on site.
Days and Hours of Operation	Not Specified	Posted on building; Available 7 days/week, 24 hours/day including government holidays, etc.	Available 7 days/week, 24 hours/day including government holidays, etc.
Insurance Requirements			
General Liability: Minimum \$1,000,000 combined single limit (CSL)			
Premises Liability	Yes	Yes	Yes
Products & Completed Operations	No	Yes	Yes
Hangarkeepers: Limits appropriate for operation			
Ground Only	Yes	Yes	No
In-Flight	No	No	No
Aircraft Liability: Minimum \$1M CSL subject to \$100K/seat passenger liability			
	No	No	No

Commercial Aeronautical Activity	Air Taxi/Charter	Specialty Commercial Flying	Engine, Propeller, Avionics, Aircraft Paint, and/or Upholstery
Standards	<i>Air transportation of persons and/or cargo to the general public for hire on unscheduled basis under Part 135.</i>	<i>Sky Diving, sightseeing, aerial application, banner towing, power/pipeline patrol, firefighting, or other activities excluded from Part 135.</i>	<i>Sales of new or used avionics, propellers, instruments, and GA aircraft accessories; May include repair and service of the same.</i>
Leases, Licenses/Permits Required	Comply with all necessary licenses & permits.	Land lease, sublease, or sublet/rented space as appropriate.	Land lease, sublease, or rented space. Comply with all necessary licenses & permits.
Size, Type, and Amount of Facilities Required	Building with sufficient floor space for office, customer lounge, rest room, etc.	As appropriate to the concept of operations.	1 permanent rest-room; shop space and outside aircraft storage consistent with type of proposed operation.
Automobile Parking Required	Adequate Customer and employee parking	Adequate Customer and employee parking	Adequate Customer and employee parking
Personnel: Number, Training, & Certifications	Properly certified and qualified operating crew.	Properly certified and qualified operating crew.	At least 1 FAA certified A&P mechanic.
Equipment Needed Suitable, properly certified aircraft.	Suitable, properly certified aircraft.	Suitable, properly certified aircraft.	As required for FAA certification.
Type and Amount of Inventory Needed	Not Specified.	Not Specified.	As required.
Environmental, Safety, and Security	As required by regulations.	In accordance with regulations.	In accordance with regulations.
Contact Methods/Public Accessibility	Posted after hours contact number on building.	Posted after hours contact number on building.	Posted after hours contact number on building.
Days and Hours of Operation	Posted on building.	Posted on building.	Posted on building.
Insurance Requirements			
General Liability:	Minimum \$1,000,000 combined single limit (CSL)		
Premises Liability	Yes	Yes	Yes
Products & Completed Operations	N/A	No	Yes
Hangarkeepers:	Limits appropriate for operation		
Ground Only	No	N/A	Yes
In-Flight	Yes	N/A	Required if test flights are conducted.
Aircraft Liability	Minimum \$1M CSL subject to \$100K/seat passenger liability		
	Yes	Yes	No, unless operator conducts flight operations

Commercial Aeronautical Activity	Flying Clubs		
	<i>A flying club or aero club is a not for profit, member run organization that provides its members with access to aircraft.</i>		
Standards			
Leases, Licenses/Permits Required	None		
Size, Type, and Amount of Facilities Required	Not Specified.		
Automobile Parking Required	Adequate Customer and employee parking		
Personnel: Number, Training, & Certifications	Not Specified.		
Equipment Needed	One airworthy aircraft.		
Type and Amount of Inventory Needed	Not Specified.		
Environmental, Safety, and Security	In accordance with regulations		
Land lease, sublease, or sublet/rented space	Adequate and proper for operation		
Contact Methods/Public Accessibility	Not Specified.		
Days and Hours of Operation	Not Specified.		
Insurance Requirements			
General Liability	Minimum \$1,000,000 combined single limit (CSL)		
Premises Liability	Yes		
Products & Completed Operations Insurance	No		
Hangarkeepers	Limits appropriate for operation		
Ground Only	Not Specified		
In-Flight	Not Specified		
Aircraft Liability:	Minimum \$1M CSL subject to \$100K/seat passenger liability		
	Yes		