

SPECIAL EVENTS PROCEDURE

AND

MINIMUM STANDARDS FOR AERONAUTICAL ACTIVITIES

AT THE

NOBLE COUNTY REGIONAL AIRPORT

I10

CALDWELL, OHIO

DATED SEPTEMBER 22, 2020

Purpose

The purpose of these Special Events Procedures and Minimum Standards for Aeronautical Activities at the Noble County Airport is to establish uniform minimum standards and uniform minimum procedures to govern public and private tenants, special events, and aeronautical activities at the Noble County Airport.

Policy

To afford any entity or individual, whether public or private, fair and reasonable opportunity, without discrimination, the opportunity to use or lease available Airport Facilities for the purpose of promoting or engaging in general and commercial aviation operations subject to these Minimum Standards and Special Events Procedures. The Minimum Standards are established based on FAA Advisory Circulars (AC 150-5190-7 dated August 28, 2006 and 150/519006 dated January 4, 2007) All users of the Airport are encouraged to exceed these Minimum Standards, but none will be permitted to fall below these Minimum Standards.

SECTION 1- IMPLEMENTATION AND APPLICATION

- A. These Minimum Standards shall apply to all users of the Airport and be incorporated into all leases, use agreements, permits and the like by reference.
- B. Any person or entity wishing to use any Airport including but not limited to buildings, hangars, land and the like whether short term or long term, shall make an application in writing, to the Authority and shall be furnished a copy of these Special Event Procedures and Minimum Standards.
- C. The application for the use of any Airport facility shall set forth, in detail, the following:
 1. The name and address of the applicant;
 2. The proposed use, facility and/or activity sought including location and size;
 3. The requested facility, if any, including location and size;
 4. The names and qualifications of the personnel to be involved in conducting such activity;
 5. The proposed duration, in hours, days, months, or years, of the proposed use, including set up and tear down;
 6. The financial responsibility of the applicant and operator to carry out the activity sought;
 7. The technical ability of the applicant and operator to carry out the activity sought;
 8. The tools, equipment, services, and inventory , if any, proposed;
 9. The estimate of costs for any development and improvements including estimates for increases to existing utilities;
 10. The proposed schedule for construction, if any, and;
 11. An agreement to provide proof of insurance for such use upon execution of an agreement and/or within 5 business days of application approval for events, including an additional insured endorsement naming the Noble County Airport Authority and the Noble County Board of Commissioners.

SECTION II – DEFINITIONS

- A. **Aeronautical Activity:** Any activity that involves, makes possible, or is required for the operation of aircraft or that contributes to or is required for the safety of such operations. Activities within this definition, commonly conducted on airports, include but are not limited to the following: general and corporate aviation, air taxi and charter operations, scheduled and non-scheduled air carrier operations, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, aerial advertising and surveying, aircraft sales and services, aircraft storage, sale of aviation petroleum products, repair and maintenance of aircraft, sale of aircraft parts, parachute or ultralight activities, and any other activities that, because of their direct relationship to the operation of aircraft, can appropriately be regarded as aeronautical activities. Activities, such as model aircraft and model rocket operations, are not aeronautical activities.
- B. **Airport:** Shall mean the Noble County Airport
- C. **Airport Facility:** Shall mean any portion of the Airport, including but not limited to parking areas, terminals, hangars, tie downs, rest rooms, picnic areas, fueling areas, runways, taxiways, roadways, access areas and maintenance areas as set forth in the most current Airport Layout Plan.
- D. **Airport Manager:** Shall mean any individual or entity appointed by the Authority to oversee the day-to-day functions of the Airport including, but not limited to those functions set forth herein as to be executed by the Authority and ensuring that user of the Airport follow these Minimum Standards.
- E. **Authority:** Shall mean the Noble County Airport Authority including but not limited to its Board of Trustees and members thereof. Any and all rights, responsibilities and duties of the Authority may, at its sole discretion, be designated to an Airport Manager who will carry out such rights, responsibilities and duties as if set forth herein.
- F. **Airport Sponsor:** The Noble County Airport Authority is legally, financially, and otherwise able to assume and carry out the certifications, representations, warranties, assurances, covenants and other obligations required of sponsors, which are contained in the AIP grant agreement and property conveyances.
- G. **Construction Material:** Shall mean all permanent surfaces, excluding glass, which are or will be used on building facades, roofs, and surrounding and decoration.
- H. **Flammable:** Shall Mean any substance, whether fluid, gas or solid, susceptible to igniting readily or exploding.

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- I. Fractional Aircraft Ownership: Fractional ownership programs are subject to an FAA oversight program similar to that provided to air carriers, with the exception of en route inspections. The FAA has for a long time and under certain circumstances, interpreted and aircraft owner's right to self-service to include operators. The same is true of 14CFR Part 91 Subpart K Fractional ownership companies are subject to operational control responsibilities, maintenance requirements, and safety requirements not unlike 14CFR Part 135 operators.
- J. Master Plan or Airport Layout Plan: Shall mean the approved scaled dimensional layout of the entire Airport, indicating current and proposed usage for each identifiable segment as approved by both the Noble County Airport Authority and the Federal Aviation Administration (FAA), which may be modified from time to time.
- K. Minimum Standards: Shall mean the minimum qualifications and requirements establishments herein for Aeronautical Activity at the Airport.
- L. Operator: Shall mean Private Fixed Based Operator, Private Non-Based Operator, Commercial Fixed Base Operator or Commercial Non-Based Operator, as defined herein:
 - 1. *Private Fixed Base Operator*: A person engaged in Aeronautical Activities on the Airport, while using the Airport as their base of operations, including maintaining aircraft, when the purpose of said Aeronautical Activity is not to secure earnings, income, compensation or profit.
 - 2. *Private Non-Based Operator*: A person engaged in Aeronautical Activities on the Airport, but whose base of operations is not on the Airport, when the purpose of said Aeronautical Activity is not to secure earnings, income, compensation or profit.
 - 3. *Commercial Fixed Base Operator*: A person engaged in Aeronautical Activities on the Airport, while using the Airport as their base of operations, including maintaining aircraft, when the purpose of said Aeronautical Activity is to secure earnings, income, compensation or profit.
 - 4. *Commercial Non-Based Operator*: A person engaged in Aeronautical Activities on the Airport, but whose base of operations is not on the Airport, when the purpose of said Aeronautical Activity is to secure earnings, income, compensation or profit.
- M. Person: Shall mean any individual, firm, partnership, corporation, company, association, LLC, joint-stock association or governmental entity, including trustees, receivers, assignees or representatives.
- N. Public Facilities: Shall mean Ladies and Men's rest rooms, lobby and waiting area equipped with seating, drinking water, and telephone. These facilities are to be open to and for the benefit of the public using the Airport during hours of operation.
- O. Self-Fueling: Self-Fueling means the fueling or servicing of an aircraft (ie changing the oil, washing) by the owner of the aircraft with his or her own employees and using his or her own equipment. Self-fueling and other self-services cannot be contracted out to another party. Title

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14 CFR Part 43 permits the holder of a pilot certificate to perform specific types of preventative maintenance on any aircraft owned or operated by the pilot.

- P. Special Events: Shall mean any Aeronautical Activity or Non-Aeronautical Activity designed to bring the public to the Airport to attend, is promoted or advertised as an open invitation to gather at the Airport for Non-Fixed Base Operators with expectations of utilizing the Airport facilities including but not limited to buildings. For example Hanger Parties, Fundraisers, Games or Contests, etc. (Individual invitations to accompany an Operator, meet other Operators or visit the Airport facilities in small groups or for casual Operator functions such as a few planes flying or vehicles driving in to meet for a meal are not considered Special Events.)
- Q. Storefront Trim: Shall mean mullions, doors, sills and window frames.
- R. Sign: Shall mean any device, light, letter, work, model, banner, pennant, insignia, trade flag, or representation that is designed to be seen from the outside of a building: it advertises, goods, services, products or facilities available.

SECTION III: RULES OF OPERATION

- A. All Aeronautical Activities on the Airport shall be conducted pursuant to the Federal Aviation Administration, the Ohio Department of Transportation – Office of Aviation, the Ohio Revised Code, the Federal Communications Commission and the Authority.
- B. All flight operations will be conducted per standard traffic procedures as outlined in the current Aeronautical Manual and Federal Aviation Regulations.
- C. All flight operations will be planned so as to avoid flight over populated areas whenever possible, particularly low levels and high noise levels, without compromising flight safety.
- D. Special events or demonstrations are only to be conducted with prior approval of all applicable regulatory bodies, including but not limited to the Federal Aviation Administration and Authority.
- E. All persons operating aircraft at the Airport shall hold at least a valid student pilot certificate unless otherwise authorized by the Authority in writing.
- F. Aircraft shall taxi at a safe and reasonable speed for existing conditions.
- G. Aircraft that are unattended shall be properly secured and locked.
- H. Aircraft owner/pilot preventative maintenance and cleaning to be performed in an area designated by the Authority and shall be confined to that maintenance to which he or she is qualified and permitted to do as specified in Appendix D to Federal Aviation Regulation 43.

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- I. All aircraft maintenance other than owner/pilot maintenance shall be completed by a qualified and licensed person or facility who shall enter into maintenance lease agreement with the Authority prior to conducting such maintenance lease agreement with the Authority prior to conducting such maintenance.
- J. No Aircraft operating from the Airport shall be operated for hire or to secure earnings, income, compensation or profit unless and until the owner/pilot of such aircraft enters into a lease agreement for such Aeronautical Activity with the Authority.
- K. All aircraft based at the Airport shall be covered by liability insurance with the minimum coverage to be determined by the Airport Authority on an annual basis. Proof of insurance shall be submitted to the Authority before or upon execution of a lease as requested. The Authority and the Board of County Commissioners of Noble County shall be named as additional insured.
- L. All fuel products dispensed into aircraft at the Airport shall be approved fuel for the specific aircraft.
- M. Self-fueling will be permitted only when in compliance with the following requirements:
 - 1. Self-fueling is accomplished only in the designated area and only when a minimum of 100 feet from the buildings or other hazards.
 - 2. The aircraft and fuel container and or fuel truck must be properly grounded.
 - 3. All fuel containers shall comply with standards for the type of fuel being dispensed.
 - 4. Smoking during refueling is prohibited.
 - 5. Spills of fuel or oil must be immediately reported to the Authority, Environmental Protection Agency and Noble County Local Emergency Planning Committee.
 - 6. Aircraft owner is liable for damages to the property and the environment resulting from self-fueling operations. Aircraft owner must furnish proof of adequate liability insurance covering fueling operation other than that provided by the Authority, to the Airport Manager.
 - 7. An adequate and charged fire extinguisher and spill kit must be present on the fueling truck or in the fueling area.
 - 8. All fueling activities shall be conducted at least 100 feet away from any open flame.
- N. Only those people engaged in the fuel handling, maintenance or operation of the aircraft should be within 100 feet of the aircraft during refueling.
- O. The Authority shall not be responsible for any loss or damage due to theft, vandalism or otherwise of any aircraft, vehicle, or equipment parked at the Airport or any personal articles stowed therein.
- P. Prior to conducting any parachuting, sailplane or ultralight activities at the Airport written approval of the Authority must be obtained.

- Q. If any provision of the rules is designated or otherwise declared invalid or inappropriate, the remaining provisions shall continue to be of full force and effect.

SECTION IV – GENERAL STANDARDS FOR ALL BASED OPERATIONS

- A. Operator shall show evidence to the Authority of financial responsibility.
- B. Operator shall enter into a lease agreement with the Authority and meet all anticipated aeronautical activities prior to conducting such activities including but not limited to hanger space rental.
- C. Operator shall comply with Rules of Operation.
- D. Operators shall not in any manner assign or transfer any interest, in whole or in part, any of the leased property without the prior written consent of the Authority, whether such interest is a lease from the Authority or a sublease from a third party.
- E. Any and all site grading erection, construction repairs or remodeling leased premises shall be done only with the prior written consent of the Authority.
- F. Operator shall provide to the Authority proof of insurance coverage with the Authority and the Noble County Board of Commissioners as additional insured. Such coverage shall meet or exceed the limits as outlined in Section III (K).
- G. Operators who erect new structures shall maintain fire and extended coverage insurance on said structure during the term of the lease. Insurance coverage shall not be less than eighty percent (80%) of the fair insurance value thereof, or the coinsurance basis. All proceeds paid by any claim shall be used to repair or remodel structures to the same condition or similar condition to other structures on the grounds.
- H. Operators who erect new structures shall be required to maintain such structures during the term of the Lease in a manner satisfactory to the Authority, including but not limited to routine maintenance and major repairs.

SECTION V- NOTICE AND HEARING

Upon the filing of an application to conduct Aeronautical Activities or Special Events at the Airport with the Special Events Committee of the Authority, such shall be considered at the next scheduled meeting of the Authority, such shall be considered at the next scheduled meeting of the Authority. If no meeting is scheduled within thirty (30) days from the filing of such application, a meeting shall be called for consideration of the application and notice thereof given to the applicant.

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Upon consideration of the application and recommendation by the Special Events Committee, the Authority shall determine whether the applicant meets the standards and qualifications as herein established. The Authority shall also determine whether such application should be granted in whole or in part. If the application is approved in part, the Authority shall make the determination, at that meeting, the exact terms conditions of the partial approval.

SECTION VI – LEASES OR CONTRACT

Upon approval of any application, the Authority shall cause to be prepared if the Authority deems necessary a suitable lease or contract agreement setting forth the terms and conditions under which the Aeronautical Activity shall be conducted. In every instance the lease or contract shall be conditional upon the terms outlined by the Applicant and the Special Events Committee and further approved and accepted by the Authority.

These standards are hereby approved and accepted this 22nd day of September, 2020, by the Nobel County Airport Authority in accordance with a resolution passed by the Airport Authority on this date.

I, Edward Crock, President of the Noble County Airport Authority Board, hereby certify that the foregoing is a true copy of the Special Events Procedures and Minimum Standards for Aeronautical Activities at the Noble County Airport adopted by the Noble County Airport Authority Board on September 22, 2020.



Edward Crock, President