

**Minimum Standards  
For  
Commercial Aeronautical Activities**

**City of San Diego  
Airports Division**

*Date: December 2002*

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## INTRODUCTION

The requirements of standards imposed on those proposing to conduct an aeronautical activity on a public airport should relate to safety, security and the public interest. As building codes and sanitary codes are enacted for the protection of the local community, airport standards should be designed to protect airport patrons from irresponsible, unsafe, and inadequate services. Because the cost of meeting reasonable standards must be accepted as a normal business expense, no prudent operator will undertake the investment involved unless he foresees a volume of business that has not been fully developed. Thus, the use of reasonable standards, while safeguarding the public interest, has the additional affect of preserving the stability of an established business. Proper standards discourage the unqualified for both the protection of the public and the established operator. The fairness and reasonableness of the standards normally is judged against the background of general practices, which have found acceptance at airports of comparable size and situation.

These Minimum Standards are intended to provide the *minimum threshold* entry requirements for those wishing to provide commercial aeronautical services to the public on the airport. The prospective aeronautical service provider must agree to offer, whether specialized in services offered or providing a variety of aeronautical services, the minimum level of services in order to obtain an agreement, license, permit or lease to operate on the airport.

The sponsor of a federally obligated airport agrees to make the opportunity to engage in commercial aeronautical activities available to any person, firm, or corporation that meets reasonable minimum standards established by the city of San Diego, the airports sponsor. In exchange for this opportunity, a business operator agrees to comply with minimum standards developed by the City of San Diego (CITY). The minimum standards then, by virtue of the business operator's agreement, become mandatory. The Federal Aviation Administration (FAA) suggests that airport sponsors establish reasonable minimum standards that are relevant to the proposed aeronautical activity with the goal of protecting the level and quality of services offered to the public. The CITY has established minimum standards, and will apply them objectively and uniformly to all similarly situated on-airport commercial aeronautical activities and services.

## SECTION 1 PURPOSE OF MINIMUM STANDARDS

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### 1.1 Compliance with Federal Aviation Administration Advisory Circular 150/5190-5

The City of San Diego (CITY) owns and operates two general aviation airports; the CITY receives Federal airport development assistance and assumes contractual grant obligations including compliance with the Federal Aviation Administration Advisory Circular 150/5190-5 Exclusive Rights and Minimum Standards for Commercial Aeronautical Activities effective April 7, 2000 and AC 150/5190-5 Change 1 dated June 10, 2002. Montgomery Field and Brown Field are both owned and operated by the CITY this document will serve each of those airports.

The purpose of these Minimum Standards is to:

- Promote safety
- Promote the economic health of airport businesses
- Promote the orderly development of airport property
- Encourage high quality products, services and facilities to airport users

Minimum Standards are developed to provide the minimum threshold entry requirements for those persons desiring to provide commercial aeronautical services to the public at the Airport and provide reasonable opportunities without unjust discrimination. These Minimum Standards are established based upon the conditions at the individual airport, the existing and planned facilities at the airport, and the current and future aviation role of the airport. The prospective commercial aeronautical operator shall agree to offer the described minimum level of services in order to obtain an agreement, permit, or lease to operate on the Airport. In summary, the Airport Minimum Standards establish the minimum requirements to be met by individuals and companies for the privilege of providing commercial aeronautical services at the Airport. All operators are encouraged to exceed the “minimum” in terms of quality of facilities and/or services.

The CITY shall make any required determinations, interpretations, or judgments regarding what constitute an acceptable minimum standard, or regarding compliance with a standard. Aeronautical activities may be proposed that do not fall within the categories herein. In such cases,

appropriate minimum standards shall be developed on a case-by-case basis and incorporated into the operator's agreement.

These Minimum Standards shall apply to all new agreements and any extension of the term of existing agreements. These Minimum Standards are not retroactive and do not affect agreements properly executed prior to the adoption of these Minimum Standards. Additionally, if an airport desires to modify the terms of services within an existing agreement, the CITY shall as a condition of its approval, require compliance with these Minimum Standards. These Minimum Standards shall not modify an existing agreement, which is required to exceed these Minimum Standards, nor shall they prohibit the City from entering into an agreement that requires an entity to exceed these Minimum Standards.

## **1.2 Assurance Against Exclusive Rights**

### 1.2.1 Federal Aviation Administration Policy

The FAA policy on exclusive rights prohibits the creation or continuance of agreements at granting exclusive rights to a single commercial operator or service provider. The FAA concludes that the existence of an "exclusive right" aeronautical activity or a local monopoly at an airport restricts the public use of the airport through the absence of competitive enterprise.

The CITY is prohibited from granting an exclusive right to a single operator at either of the CITY airports, with a few exceptions. The Airport Master Plan development and improvement funding assistance could be jeopardized by either an intentional or unintentional exclusive rights violation.

### 1.2.2 CITY Options to the Exclusive Rights Rule

The FAA acknowledges several business situations and circumstances that meet the definition of an exclusive rights violation but are necessary to support the operation and public use function of the Airport. These exceptions are:

*a. Aeronautical Activities Conducted by Airport Sponsor*

The CITY has the option to provide some of the aeronautical activities that private enterprise cannot or will not provide to the public in order to sustain airport services. This exception is referred to as proprietary exclusive.

*b. Single Activity*

The absence of competition alone is not an exclusive rights violation. Due to airport activity, market demand, and other economic factors some commercial aeronautical services might only be provided by a single operator even though reasonable Minimum Standards and competitive opportunities exist.

*c. Space Limitation*

The CITY may prohibit a single FBO from expanding their facility to preserve the land needed for a competitive FBO to operate from the same airport. The CITY has the option of not providing an incumbent FBO any future development options or site preferences. Also, the CITY has the option to allow an incumbent FBO to compete with all other qualified bidders for CITY-owned land that becomes available for aeronautical activity.

*d. Restrictions Based on Safety*

The CITY may restrict or deny a commercial operator from conducting any type of aeronautical activity on the airport that threatens the safety of the public, tenants, users, or operator conducting such activity. The CITY will review the proposed activity and provide facts and reasoning for any proposed restriction or denial of aeronautical activity to the FAA, who will make the final decision on the matter.

*e. Restrictions on Self-Service*

The CITY allows aircraft owners who are based at CITY-owned airports to refuel, maintain, repair, store, secure, clean, and service their own aircraft provided the owner or their employees perform the service and provide the resources. All self-service activities must comply with local, State, and Federal regulations,

especially environmental and fire safety laws. The CITY is not obligated to lease facilities to aircraft owners in order to conduct self-service activities; however, the CITY may designate specific locations for fueling, maintenance, washing, and storing of aircraft to promote the safe and efficient operation of the airport. Moreover, the service must be conducted in accordance with reasonable rules or standards established by the CITY. Additionally, all tenants must comply with Municipal Code Section 68.0142 (12) Fueling Operations.

*f. Monopolies Beyond Airport Sponsor's Control*

Since the Federal Communications Commission (FCC) will issue only one UNICOM station license per airport, the FAA acknowledges that UNICOM is an exclusive franchise that exists to provide air-to-ground communications for the public benefit. This exclusive UNICOM franchise does not violate the FAA exclusive rights agreement.

**1.3 Promotion of Safe and High Quality Aviation Services**

The City of San Diego's airport system is an important component of the areas overall transportation network. The airports generate economic growth and livability throughout the region. In addition to the Federal Grant Assurance obligations, the CITY Airport's Division established Minimum Standards to foster safe, efficient, and high quality commercial aeronautical services for the Airport users and tenants.

## SECTION 2 DEFINITIONS AND APPLICABILITY

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### 2.1 **Definitions**

All definitions contained in this section apply to the City of San Diego Airports Division Minimum Standards, Rules and Regulations, Rates and Charges Policy, and Leasing Policies regarding CITY-owned Airports.

#### A. **Aircraft**

(1) ***Aircraft*** - any device used or designed for navigation or flight in the air including, but not limited to, an airplane, sailplane, glider, helicopter, gyrocopter, balloon, or blimp.

(2) ***Air Charter or Taxi*** - the commercial operation of providing air transportation of person(s) or property for hire by either on a charter basis or as an air taxi operator.

(3) ***Aircraft Fuel*** - all flammable liquids composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating an internal combustion, jet, or turbine engine.

(4) ***Aircraft Operation*** - an aircraft arrival at, or departure from, the airport.

(5) ***Aircraft Owner*** - a person or entity holding legal title to an aircraft, or any person having exclusive legal possession of an aircraft.

(6) ***Aircraft Parking and Storage Areas*** - those hangar and apron locations of the Airport designated by the Director or Airport Manager for the parking and storage of aircraft.

(7) ***Aircraft Rental*** - the commercial operation of renting or leasing aircraft to the public for compensation.

**(8) Aircraft Sales** - the sale of new or used aircraft through brokerage, ownership, franchise, distributorship, or licensed dealership.

**(9) Airport Reference Codes** – *FAA Advisory Circular 150/5300-13 Airport Design* defines the Airport Reference Code (ARC) as “a coding system used to relate airport design criteria to the operational and physical characteristics of the airplanes intended to use the airport.” The ARC is used to determine design dimensions for the various separation and safety standards, Runway Protection Zones and Object Free Zones dimensions, surface gradients, and threshold siting standards.

**(10) Based Aircraft** - an aircraft which the owner physically locates at the airport for an undetermined period, and whenever absent from the Airport, its owner intends to return the aircraft to the airport for long-term storage.

## **B. General**

**(1) Aeronautical Activity** - any activity or service conducted at the Airport that involves, makes possible, or is required for the operation of aircraft, or which contributes to or is required for the safety of such operations. These activities include, but are not limited to, air taxi and charter operations, aircraft fueling, aircraft storage, flight training, aircraft rental, aircraft sales, aircraft repair and maintenance, and any other activities, which because of their relationship to the operation of aircraft can appropriately be regarded as an “aeronautical activity.”

**(2) Airframe and Power Plant Maintenance** - the commercial operation of providing airframe and power plant services, which includes service, the repair, maintenance, inspection, constructing, and making of modifications and alterations to aircraft, aircraft engines, propellers and appliances including the removal of engines for major overhaul as defined in 14 CFR Part 43. This category of service also includes the sale of aircraft parts and accessories.

**(3) Airframe and Powerplant Mechanic (A&P)** – A person who holds an aircraft mechanic certificate with both airframe and powerplant ratings as authorized and described in 14 CFR Part 65.

**(4) Airport** - Montgomery Field or Brown Field Airports, and all of the CITY-owned or leased real or personal property, buildings, facilities and improvements within the boundaries of said Airport, as it presently exists or as it may exist when it is hereafter modified, expanded, or developed. "Airport" includes all of its facilities as shown on the most current Airport Layout Plan.

**(5) ALP** - the currently approved Airport Layout Plan depicting the physical layout of the airport and identifying the location and configuration of current runways, taxiways, buildings, roadways, utilities, nav aids, etc.

**(6) Commercial Aeronautical Activity** - the conduct of any aspect of a business, concession, operation, or agency providing goods or services to any person for compensation or hire, including exchange of services, whether or not such objectives are accomplished. An activity is considered a commercial activity regardless of whether the business is nonprofit, charitable, or tax-exempt. A commercial business activity that involves makes possible or is required for the operation of aircraft, or which contributes to or is required for the safety of aeronautical operations.

**(7) Commercial Operator (Operator)** - a person, firm, corporation, or other entity, which makes possible, or is required for the operation of aircraft, or which contributes to, or is required for the safe conduct and utility of aircraft operations, the purpose of such activity being to generate and/or secure earnings, income, compensation, and/or profit, whether or not such objectives are accomplished.

**(8) Exclusive Right** - a power, privilege, or other right excluding or debarring another from enjoying or exercising a like power, privilege, or right. An exclusive right can be conferred either by express agreement, contract, license, lease, and permit or by the imposition of unreasonable standards or requirements, or by any other means.

**(9) General Aviation** - all phases of aviation other than aircraft manufacturing, military aviation, and scheduled commercial air carrier operations.

**(10) Hazardous Material** - any substance, waste, or material which is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, or otherwise hazardous, and is or becomes regulated as a hazardous material by any governmental authority, agency, department, commission, board, agency or instrumentality of the United States, the State of California, the City of San Diego or any political subdivision thereof.

**(11) Minimum Standards** - the qualifications or criteria, which may be established by the Airport owner as the minimum requirements that shall be met by businesses engaged in commercial aeronautical activities for the right to conduct those activities.

### **C. Governmental**

**(1) CITY** - the City of San Diego

**(2) Director** - the duly appointed CITY Director or the Director's designee.

**(3) Airport Manager** – The designated individual or duly authorized individual appointed by the Director to administer and manage all operations of the Airport and Airport facilities, and to supervise all Airport projects.

**(4) FAA** - the Federal Aviation Administration as established in 1967 within the Department of Transportation of the United States government that has the responsibility of promoting safety in the air, by both regulation and education.

**(5) FAR** - the Federal Aviation Regulations as published by the FAA that governs the operation of aircraft, airways, and airmen, Compliance with the FARs is mandatory. In 1996, all references to the FARs were changed to "14 CFR" (Title 14 of the Code of Federal Regulations).

### **D. Fueling**

**(1) Fueling or Fuel Handling** - the transportation, sale, delivery, dispensing, storage, or draining of fuel or fuel waste products to or from aircraft, vehicles, or equipment.

**(2) Fuel Storage Area** - any portion of the Airport designated temporarily or permanently by the CITY as an area in which aviation or motor vehicle gasoline or any other type of fuel or fuel additive may be stored or loaded.

**(3) Self-Fueling** - the commercial operation of an unmanned stationary fuel tank and dispensing equipment for general use via a card reader. This includes the operations of anyone utilizing this type of equipment to provide fuel for sale or reuse.

#### **E. Lease and Agreements**

**(1) Lease** - the written contract between the CITY and an Operator (Lessee) specifying the terms and conditions under which an Operator may occupy and operate from certain Airport facilities and/or property.

**(2) Sublease** - A written agreement, approved by the CITY, stating the terms and conditions under which a third party Operator leases space from a Lessee for the purpose of providing aeronautical services at the Airport.

**(3) Agreement** - the written agreement between the CITY and an Operator specifying the terms and conditions under which the Operator may conduct commercial aviation activities. Such Agreement will recite the terms and conditions under which the activity will be conducted at the Airport including, but not limited to, term of the Agreement; rents, fees, and charges to be paid; and the right and obligations of the respective parties.

**(4) Permit** - administrative approval issued by the CITY to a person or company to conduct a commercial aeronautical activity, and provide such services, to based and transient aircraft, only from facilities and locations where such services are authorized.

**(5) Person** - an individual, corporation, firm, partnership, association, organization, and any other group acting as an entity, to conduct business on the Airport. Person includes a trustee, receiver, assignee or similar representative.

## **F. Services**

**(1) Avionics Sales and Maintenance** - the commercial operation of providing for the repair and service, or installation of aircraft radios, instruments and accessories. Such operation may include the sale of new or used aircraft radios, instruments and accessories.

**(2) Fixed Base Operator (FBO)** - a full service commercial operator who is authorized to engage in the primary activity of aircraft refueling and a minimum of three (3) of the following secondary activities: airframe and power plant maintenance, flight training, aircraft rental, aircraft charter or air taxi, avionics sales and service, and aircraft storage/hangars rentals.

**(3) Flight Training** - the commercial operation of instructing pilots in dual and solo flight, in fixed or rotary wing aircraft, and related ground school instruction as necessary to complete a FAA written pilot's examination and flight check ride for various categories of pilots certificates and ratings. Flight Training shall also include any portion of a flight between two or more airports or other destinations where the primary purpose is to increase or maintain pilot or crew member proficiency.

**(4) Flying Club** – a non-commercial and nonprofit entity organized for the purpose of providing its members with any number of aircraft for their personal use and enjoyment. Aircraft must be vested in the name of the flying club owners on a pro-rata share, and the club may not derive greater revenue from the use of the aircraft than the cost to operate, maintain, and replace the aircraft.

**(5) Preventive Aircraft Maintenance** - maintenance that is not considered a major aircraft alteration or repair and does not involve complex assembly operations as listed in 14 CFR Part 43, except for Item 22 in the Regulation. Item 22 involves the replacement of prefabricated fuel lines, and shall, for purposes of these regulations, be considered a major aircraft repair.

**(6) *Self-Service*** – aircraft refueling, repair, preventive maintenance, towing, adjustment, cleaning, and general services performed by an aircraft owner or his/her employees on his/her aircraft with resources supplied by the aircraft owner.

**(7) *Specialized Aviation Service Operation (SASO)*** - a commercial aeronautical business that is authorized to offer a single or limited service according to established Minimum Standards. Examples of a SASO include, but are not limited to the following commercial aeronautical activities: flight training, aircraft maintenance, air charter or taxi, aircraft sales, avionics maintenance, aircraft rental, and sales, and aircraft storage.

## **G. Infrastructure**

**(1) *Airport Operations Area or AOA*** - the area of the Airport used for aircraft landing, takeoff, or surface maneuvering including the areas around hangars, navigation equipment, and communication facilities.

**(2) *Roadway*** - any street or road whether improved or unimproved, within the boundaries of the Airport and designated for use by ground vehicles.

**(3) *Taxilane*** - the portion of the Airport apron area, or any other area, used for access between taxiways and aircraft parking or storage area.

**(4) *Taxiway*** - a defined path established for the taxiing of aircraft from one part of the Airport to another.

**(5) *UNICOM*** - a two-way communication system operated by a non-governmental entity that may provide airport advisory information.

**(7) *Vehicle Parking Area*** - any portion of the Airport designated and made available temporarily or permanently by CITY for the parking of vehicles.

## **2.2 Application of Minimum Standards**

### 2.2.1 General Operating Requirements

All persons conducting commercial aeronautical activities at the Airport shall, as a condition of conducting such activities, comply with all requirements set forth in these Minimum Standards and any amendments thereto. The Minimum Standards are the “minimum” requirements to do business on the Airport, and all persons are encouraged to exceed such minimum standards in conducting their activities. These Minimum Standards shall be deemed to be a part of each commercial airport operator’s lease, license, permit or agreement with CITY, unless any such provisions are waived or modified by CITY. The mere omission of any particular minimum standard from a commercial operator’s written lease, license, permit or agreement with the CITY shall not constitute a waiver or modification of such standard in the absence of clear and convincing evidence that the CITY intended to waive or modify such standard. Where it is differing of opinion that an operation is for "compensation or hire," the test applied is whether the operation is merely incidental to the person's primary business, or is in effect; an enterprise for profit, or is regulated by the FARs.

### 2.2.2 Existing Operators

The CITY will transition or “grandfather” the existing commercial operators into these Minimum Standards; however, any changes to an existing lease, agreement, or permit, including assignment, renewal, expiration, or ownership change (fifty-one percent or greater) will render these Minimum Standards a mandatory requirement for the existing operator.

### 2.2.3 Multiple Services

Whenever a commercial operator, subject to the terms and conditions of these Minimum Standards, conducts multiple activities pursuant to one lease, license, permit or agreement with the CITY, such commercial operator shall comply with the Minimum Standards established for each separate activity or SASO being conducted. If the Minimum Standards for one of the commercial operator's activities are inconsistent with the Minimum Standards for another of the commercial operator's activities, then the Minimum Standards which are most beneficial to the CITY, and/or which are most protective of the public's health, safety and welfare, shall apply, or as may be waived at the discretion of the Director. When one or more activity is conducted, the minimum requirements shall vary depending on the nature of each activity and/or combination of activities, but shall not necessarily be cumulative.

## 2.3 **Activities Not Covered by Minimum Standards**

Any activities for which there are no specific Minimum Standards established will be addressed by the Director or the Director's designee on a case-by-case basis and set forth in such commercial operator's written lease, license, permit or agreement with the CITY.

## 2.4 **Waivers or Modifications**

The CITY may waive or modify any portion of these Minimum Standards for the benefit of any governmental agency performing non-profit public services, fire protection, or emergency response operations. The CITY may waive or modify any portion of these Minimum Standards for any person when it is determined that such waiver or modification is in the best interest of the public and will not result in unjust discrimination against other commercial operators at the Airport.

Request for a waiver must state specifically the primary guiding document and the provision for which the waiver is being sought, describe the proposed variance or exemption, state the reason or rationale for the waiver and identify the duration of the proposed variance or

exemption. The CITY has the right to approve waivers when a specific clause, section or provision does not seem justified in a particular case because of special conditions and unique circumstances.

Any variance or exemption approved by the CITY shall apply only to the special condition or unique circumstances of the particular case under which the variance or exemption is granted and shall not serve to amend, modify, or alter the primary guiding document.

## **SECTION 3 AUTHORITY OF THE CITY OF SAN DIEGO AIRPORTS DIVISION**

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### **3.1 Airport Ownership**

The City of San Diego Airports Division owns and operates two airports; Montgomery Field Airport and Brown Field Airport.

The CITY also appoints a Director of the Airports Division. The Director is responsible for the performance, duties, functions, staff, and powers of the Airports Division.

The CITY's goals include developing aviation as an integral part of the regions transportation network; creating and implementing strategies to protect and improve the areas aviation system; encouraging aviation-related economic development; supporting aviation safety and education; and increasing general aviation in San Diego.

### **3.2 Administrative Responsibilities**

#### **3.2.1 Administrative Roles**

The CITY may perform acts, adopt, amend, or issue orders, rules and regulations, and make, promulgate or amend Minimum Standards as necessary to ensure that:

- a. Any person who uses airport property or facilities shall compensate the CITY at fair market value (fair market rent) for such use and privileges.
  
- b. No person receives a competitive advantage through free or less-than-fair market value (rent) utilization of CITY facilities where other comparable commercial operators are compensating the CITY at fair market value (rent) for same use, except for terms and conditions of existing agreements that originated at different times, that are yet updated or modified through expiration of term, amendment, assignment, extension or other adjustment provision.
  
- c. Airport public areas, roads, taxiways, runways, and aprons remain safe, available and open for public aeronautical use on a non discriminatory basis and in compliance with appropriate standards.

### 3.2.2 Commercial Activity Authorization

When the CITY determines that a person is engaged or proposes to engage in commercial activity at a CITY-owned airport, the CITY may grant that person permission to do so, may issue that person a permit with restrictions or conditions, may require the person to enter into an agreement with the CITY, or may deny such permission. The CITY will consider the following criteria in determining if a commercial aeronautical activity is authorized to conduct business:

- a. The terms and conditions of any pre-existing commercial operator(s) at the Airport providing comparable services.

- b. The impact of the new commercial activity on public safety and convenience. The CITY will impose conditions and restrictions necessary to ensure safety in the air and on the ground, and to preserve unobstructed traffic patterns and runway approaches.
- c. The amount of space available at the airport, the customary uses of the Airport, and the compatibility of the new commercial activity with present and planned development at the airport.
- d. The manner in which the new commercial activity complies with Federal, State, and local laws and regulations, including land use provisions.
- e. Whether the new commercial activity is conducted for profit or non-profit and its promotion of aviation, safety or education.

### **3.3 Minimum Standards Review, Revisions, and Amendments**

The CITY will conduct, at a minimum, an annual review of the Minimum Standards document to support the changes in the airport business and regulatory environment. The Director has the option to make revisions and amendments to the Minimum Standards after the annual review and any other time necessary to comply with FAA regulations and/or accomplish the CITY's goals.

### **3.4 Enforcement, Right To Enter and Inspection Authority**

#### **3.5.1 Enforcement**

The CITY has established fair, practical, and reasonable Minimum Standards for both of the CITY-owned airports, to include Montgomery Field Airport and Brown Field Airport. The Minimum Standards are susceptible to challenge if not enforced properly and uniformly. Any commercial business operator who is making an investment on a CITY-owned airport deserves the continuity of fair and uniform enforcement. It is the intent of the CITY to provide consistent,

uniform, and fair enforcement of these Minimum Standards to accomplish the CITY's goals and promote successful commercial business operations at all CITY-owned airports.

### 3.5.2 Right to Enter and Inspection Authority

The Director has the right to enter the CITY-owned airport property, leasehold, or business of any commercial operator to inspect the facilities during normal business hours or upon any event or emergency basis where such notice could be detrimental to the safety or health of the general public or could result in damage or injury to the Airport Operator, and to ensure the commercial operator is complying with the Minimum Standards. The CITY will make reasonable effort to not disrupt normal business during such inspections.

### 3.5.3 Conflicting Regulatory Measures and Agreements

If a provision in these Minimum Standards is found to be in conflict with any other governing document or regulatory measure, the provision that establishes the higher standard (the most stringent or restrictive) shall prevail. It is not the intent of these Minimum Standards to repeal, abrogate, annul, or in any way impair or interfere with any existing provision or any regulatory measure except those specifically repealed by these Minimum Standards.

## SECTION 4 BUSINESS OPERATIONS

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### 4.1 **Employee Conduct and Customer Service Emphasis**

The City of San Diego Airport Division works diligently to provide high quality services to the growing needs and requests from airport users. As such, the CITY requires its commercial operators, businesses, and tenants to do the same. Consequently, the goal of the CITY is straightforward: offer the tenants and users of the CITY-owned airports commercial operators that provide high quality customer service by meeting and exceeding customer needs through consistent, responsive, and professional service.

### 4.2 **Management Control and Supervision**

Each commercial operator is required to employ the necessary quantity staff of trained, on-duty management and supervisors to provide for the efficient, safe, and orderly compliance with its lease, agreement, or permit obligations. In addition, each operator is required to control the conduct and demeanor of its personnel and subtenants, as well as to conduct its business operations in a safe, orderly, efficient and proper manner so as not to unreasonably disturb, endanger or offend any customers, tenants, or competitive operators.

### 4.3 **Personnel Training and Certification**

All commercial operator personnel shall be fully qualified and trained or be in training with supervision, to provide a high quality standard of courteous, efficient, and safe service to the general public, customers, and airport users. Personnel shall meet all Federal, State, and local training and certification requirements applicable to their individual duties and company services.

#### **4.4 Corporate Identification Requirement**

##### 4.4.1. Personnel

All personnel employed by the operator to perform commercial aeronautical services on the Airport are required to be appropriately dressed and identifiable while on duty. The commercial operator's business name shall be included in the means of identification on each person.

##### 4.4.2. Buildings, Vehicles, and Equipment

Each building, vehicle, and piece of mobile or vehicular equipment used on the Airport in conjunction with the commercial activity shall bear the operator's identification in the form of a company logo, sign, emblem, or other means to designate the operator to whom the building, vehicle, or equipment is assigned. Identification shall be legible on a contrasting background and shall be displayed in a manner that is acceptable to the Director.

#### **4.5 Interference with Utilities**

No operator shall do or permit to be done anything that may interfere with the effectiveness or accessibility of the Airport or public utility system, drainage system, sewer system, fire protection system, sprinkler system, alarm system or fire hydrant. If an operator discovers such a situation, the operator is required to notify the local fire department or utility company and CITY immediately.

## **SECTION 5 MINIMUM STANDARDS FOR FIXED BASE OPERATORS**

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### **5.1 Primary Aeronautical Services**

A Fixed Base Operator is an entity engaged in the business of providing multiple services to aircraft and airport users. In addition to the primary aircraft fueling and aircraft line services (described in Section 5.7), a Fixed Base Operator at a CITY Airport shall provide a minimum of three (3) of the following secondary FBO services (described in Section 5.8): flight training, airframe and power plant maintenance, aircraft rental, air charter or taxi, avionics maintenance and sales, or aircraft storage. Only FBOs shall be permitted to provide fueling services and operate fueling facilities at CITY-owned Airports.

Each FBO may subcontract or use third party operators to provide any of the secondary services, with approved sublease agreements. However, the primary fueling and aircraft line services may not be subcontracted. Subcontractors and third party operators shall meet all Minimum Standards and operate from the primary FBO leasehold premises in areas approved by the Director.

Each FBO shall conduct its business and activities on and from the leased/assigned premises in a safe and professional manner consistent with the degree of care and skill exercised by experienced FBOs providing comparable products, services, and activities from similar airports in like markets.

### **5.2 Aircraft Design Group Serviceability**

Each FBO shall provide the personnel, equipment, and facilities required to service all types of aircraft normally frequenting the Airport. Montgomery Field Airport's typical aircraft fleet mix is classified as Airport Reference Code (ARC) B II, which includes aircraft less than seventy-nine (79) feet in wingspan and one hundred twenty-one (121) knot approach speed. Examples of aircraft in this class include: Beech 200 King Air, Cessna Caravan or Beech 90 King Air. Brown Field FBOs are currently not required to meet this requirement.

### **5.3 Leasehold Size**

#### 5.3.1 Buildings and FBO leaseholds

Each Montgomery Field Airport FBO shall lease from the CITY a minimum of five (5) acres of contiguous total land area, and each Brown Field Airport FBO shall lease from the City a minimum of five (5) acres of total land area. Each FBO shall lease or construct, on the leasehold property, a public use terminal building with a minimum of two thousand (2,000) square feet of floor space for customer lobby, office, pilot's lounge, flight planning and weather briefing area, and public rest rooms.

#### 5.3.2 Vehicle Parking

Each FBO shall provide a minimum of four parking spaces per 1,000 square foot, which is consistent with the Parking Standards of the City of San Diego Planning Code.

#### 5.3.3 Aircraft Parking

Each FBO shall lease airport property for its aircraft operating area (ramp), independent of any building area, vehicle parking area, and fuel storage area. This aircraft operating area shall provide transient aircraft parking and tie-downs for a minimum of five (5) aircraft as considered design aircraft in the Airports current Master Plan. This paved ramp area shall be adequate to support all the activities of the FBO and all approved subtenants and shall be constructed to engineering standards for the market aircraft.

### **5.4 Hours of Operation**

Each FBO is required to be open for business and provide aircraft fueling and line services a minimum of seven (7) days per week 10 hours per day with certain exceptions as approved by the Director. Business hours and holiday schedules must be provided to the CITY in advance. Each FBO shall be on a twenty-four (24) hour on-call basis to provide after-hours service within

two (1) hours of a customer request. As such, each FBO shall provide a public communications link for the after-hours on-call fueling services. If multiple FBOs are providing fuel service on the Airport, a mutually agreeable rotating schedule can be developed to meet the after-hours on-call fueling requirement. Public self fueling may be utilized in place of 24-hour on-call for the specific type of fuel required.

## **5.5 Staffing and Employee Qualifications**

### **5.5.1 Staffing**

Each FBO shall employ and have on duty during the required hours of operation a sufficient staff to meet the Minimum Standards for each aeronautical service provided. However, multiple responsibilities may be assigned to employees where feasible. Each FBO shall have at least two (2) employees on duty at all times during hours of operation, and provide the CITY, and keep current, a written statement of names, addresses, and contacts for all personnel responsible for the operation and management of the FBO. In addition, the CITY shall be provided a point-of-contact with phone numbers for emergency situations.

### **5.5.2 Employee Qualifications**

All FBO fuel handling personnel shall be trained in the safe and proper handling, dispensing, and storage of aviation fuels. The FBO shall develop and maintain Standard Operating Procedures (SOP) for refueling and ground handling operations and shall ensure compliance with standards set forth in FAA Advisory Circular 00-34, Aircraft Ground Handling and Servicing. The SOP shall address bonding and fire protection, public protection, control of access to the fuel storage area, and marking and labeling of fuel storage tanks and fuel dispensing equipment, and shall be submitted to the CITY no later than thirty (30) days prior to the FBO commencing fueling activities.

Additionally, each FBO shall comply with the National Fire Protection Association's codes and standards, FAA Advisory Circular 150/5230-4, Aircraft Fuel Storage, Handling, and Dispensing on Airports, Airport Rules and Regulations, and all other applicable laws related to

aircraft fuel handling, dispensing and storage. Each FBO shall obtain all applicable fueling certifications and permits, and receive periodic refresher training as required. The CITY and/or the FAA may periodically conduct inspections of the FBO activities and facilities to ensure compliance with laws, regulations, and Minimum Standards.

## **5.6 Insurance Requirements**

Each FBO shall maintain the types and amounts of insurance as specified in the lease or agreement to adequately cover the respective categories of aeronautical services provided and to meet all City of San Diego insurance requirements. Each FBO shall at all times maintain the following applicable types of insurance reflecting minimum coverages of \$5,000,000.00 per occurrence: commercial general liability, personal injury, contractual liability, automotive liability, aircraft liability, hangarkeeper's liability, products-completed operations liability, and environmental clean-up liability insurance.

Each FBO shall maintain at all times fire and extended property coverage for all improvements and fixtures on FBO premises in an amount not less than the full replacement cost of same improvements and fixtures. In addition, each FBO shall maintain at all times the amount of workman's compensation insurance as required by State law. All insurance standards are minimums only and actual requirements may be adjusted by the CITY according to the scope of services provided by a FBO.

Each FBO shall provide the CITY with a proof of insurance certificate annually. All insurance policies shall contain indemnification and hold harmless language that covers the CITY and its employees, as additional insured with respect to liability arising from activities performed by or on behalf of the FBO.

## **5.7 Primary FBO Services**

### **A. Fueling**

- (1) Each FBO must provide the sale and into-plane delivery of common and recognized brands of aviation fuels, lubricants and other aviation petroleum products. In addition, each FBO shall provide, store, and dispense 100LL octane avgas and Jet A fuel. All equipment used for the storage and/or dispensing of petroleum products must meet Federal, State, and local codes, rules and regulations. The location of the fuel storage facility shall be in conformance with the Airport's Master Plan and approved by the CITY.
- (2) Each FBO shall provide a stationary fuel storage system with safety features and filtration systems to ensure fuel quality. Each FBO shall ensure that all fuel is delivered clean, bright, pure and free of microscopic organisms, water, or other contaminants. Ensuring the quality of the fuel is the sole responsibility of the FBO.
- (3) The 100LL and Jet A fuel storage tanks shall each be a minimum of eight thousand (8,000) gallon capacity, and the FBO shall also provide mobile or stationary dispensing equipment and one (1) or more personnel to serve the Airport's fuel demand. Filter-equipped fuel dispensers with separate dispensing pumps and meter systems for each grade of fuel shall be provided. All metering devices must be inspected, checked and certified annually by appropriate local and State agencies. Fuel storage tanks shall meet all regulatory requirements.
- (4) Each FBO shall, at its own expense, maintain the fuel storage facility, all improvements thereon, and all appurtenances thereto, in a presentable condition consistent with good business practices and in accordance with the appropriate rules, regulations and requirements at the time of construction and any mandated upgrades.

- (5) Each FBO shall provide two operating and fully functional refueling trucks. Each refueling vehicle shall be equipped with metering devices that meet all applicable Regulatory measures. One refueling vehicle dispensing Jet A fuel shall have over the wing and single point servicing capability.
- (6) Each FBO shall have a fuel storage system designed in accordance with all EPA regulations including proper fuel spill prevention features and containment capabilities. In addition, each FBO shall provide a current copy of their fuel spill prevention, countermeasures, and control plan to the Director thirty (30) days prior to commencing operations. Fuel inventories will be monitored in accordance with current EPA standards and inventory details will be provided to the Director when requested including total of gallons delivered by type and date.
- (7) After receiving prior written permission from the CITY, an FBO may provide self-fueling (card-reader or card-lock) equipment, in addition to the required fuel equipment set forth in Sections 5.7.A.1-3. Self-fueling equipment must be in compliance with Office of the State Fire Marshal regulations and cannot be substituted for the required full-service fueling equipment set forth in Sections 5.7.A.1-3.
- (8) Each FBO shall conduct the lawful, sanitary, and timely handling and disposal of all solid waste, regulated waste, and other materials including, but not limited to, sump fuel, used oil, solvents, and other regulated waste. The piling and storage of crates, boxes, barrels, containers, refuse, and surplus property is not permitted upon the FBO premises.
- (9) Each FBO shall provide an adequate supply of properly located, type, size and operable fire extinguishers and other safety equipment. All fire extinguisher certifications must be current. Fire extinguishers shall be maintained within all hangars, on apron areas, at fuel storage facilities, and on all ground handling and refueling vehicles as required by appropriate fire codes for the type of operations conducted.

**B. Aircraft Line Services**

Each FBO shall provide necessary equipment, supplies, and trained personnel for aircraft ramp assistance, towing, parking, and tie downs, within the leased area. Equipment shall be sufficient to facilitate the handling of aircraft within the target market of the FBO.

**C. Pilot Services and Concessions**

As part of the primary services requirement, each FBO shall provide the following services and concessions inside their main building:

- (1) Customer service counter stocked with basic pilots supplies
- (2) Public lounge and waiting area
- (3) Flight planning work area with Flight Service Station and weather service communication links
- (4) Public telephones
- (5) Snack food and beverage machines
- (6) Local ground transportation contacts

**5.8 Secondary FBO Services**

**A. Flight Training**

A flight training services operator provides aircraft dual and solo flight instruction and related ground school instruction as is necessary to complete a written pilot's examination and flight check ride for various class of pilot certificates and ratings. A flight training services operator shall:

- (1) Operate the service from a minimum of two hundred and fifty (250) square feet of classroom and office space within or adjacent to the FBO leasehold and have immediate access to customer lounge, public telephones, and restrooms.
- (2) Employ and make available at least one (1) or more FAA certified flight instructors as necessary to meet the flight training demand and schedule requirements.
- (3) Own or lease one (1) or more airworthy aircraft necessary to meet the flight training demand and schedule requirements. One (1) aircraft must be a minimum four (4) place aircraft equipped for instrument flight instruction.
- (4) Flight training operations shall include adequate mock-ups, pictures, slides, filmstrips, movies, videotapes, or other training aides necessary to provide proper and effective ground school instruction.

#### **B. Airframe and Power Plant Maintenance**

An Airframe and Power Plant maintenance services operator provides major and/or minor airframe, engine and accessory overhaul repair services on single and multi-engine piston driven propeller aircraft. (Turbine and jet aircraft maintenance services are optional.) An airframe and power plant maintenance operator shall:

- (1) Operate the service from a minimum two thousand five hundred (2,500) square feet of ventilated shop space within the FBO leasehold and have immediate access to customer lounge, public telephones, and restrooms. Have an additional one thousand five hundred (1,500) square feet for parts and equipment storage.

- (2) Employ and have on-duty a minimum of one (1) FAA certified technician who possesses an airframe, power plant, or aircraft inspector rating, or the maintenance facility shall be certified under and maintain all the requirements as specified in 14 CFR Part 145.
- (3) Keep premises open and services available a minimum of eight (8) hours daily, five (5) days a week. A technician shall also be available twenty-four (24) hours, seven (7) days on-call for emergencies. If more than one (1) maintenance facility is located on the Airport, this responsibility may be rotated on a mutually agreeable rotating on-call schedule.
- (4) Provide equipment, supplies and parts required for aircraft airframe, power plant, inspection, tire, battery, oxygen, and other routine aircraft maintenance functions appropriate for the type of aircraft serviced.

**C. Aircraft Charter or Air Taxi and Aircraft Management Operations**

An aircraft charter or taxi service operator provides air transportation of persons or property to the general public for hire, either on a scheduled or unscheduled basis, or as defined by the 14 CFR Part 125 or 135 as applicable. An Aircraft Management Operator is a commercial operator engaged in the business of providing aircraft flight dispatch, flight crews, or aircraft maintenance coordination to the public. An aircraft charter or air taxi services operator and aircraft management operator shall:

- (1) Operate the service from not less than the minimum required in the applicable regulatory standards as written by the FAA. This office space can be within the FBO leasehold and shall have immediate access to customer lounge, public telephones, and restrooms.
- (2) Employ and make available at least one (1) person who holds a current FAA commercial pilot certificate and current Class I or II medical certificate and ratings appropriate for each aircraft listed on the operator's certificate. In

addition, all flight personnel shall be properly rated for the aircraft operated. The operator shall have dispatch capability within six (6) hours of a customer request. Operator shall be open and services available five days per week eight hours per day.

- (3) Own or lease or manage at least one (1) certified and continuously airworthy instrument qualified multi-engine aircraft.
- (4) Have and display in the public office, a current FAR Part 135 Air Taxi Certificate or provisional FAR Part 135 Certificate, in addition to, the aircraft identification page from the operating specifications manual of each aircraft listed on the certificate.
- (5) If applicable to rotorcraft operation the operator providing external-loading capabilities will comply with the requirements contained within 14 CFR Part 133.

#### **D. Aircraft Rental**

An aircraft leasing or rental services operator provides general aviation aircraft for leasing or rental to the public. An aircraft rental services operator shall:

- (1) Operate the service in a minimum of two hundred fifty (250) square feet of office space within the FBO leasehold and have immediate access to customer lounge, public telephones, and restrooms.
- (2) Employ and have on duty at least one (1) person having a current commercial pilot certificate with appropriate ratings, including instructor rating.
- (3) Keep premises open and services available a minimum of eight (8) hours daily, six (6) days a week.
- (4) Have available for rental or use in flight training, either owned or leased and under exclusive control of operator, a minimum of two (2) owned or leased,

certified, and airworthy aircraft. One (1) of which must be a minimum four (4) place aircraft, and one of which must be equipped for instrument flight conditions.

#### **E. Avionics Maintenance and Sales**

An avionics maintenance service operator provides the maintenance, repair, and installation of aircraft avionics, radios, instruments, and accessories as described in 14 CFR Part 43. This service shall include the sale of new or used aircraft avionics, radios, instruments, and accessories. The operator shall:

- (1) Operate the service in a minimum of one thousand five hundred (1500) square feet of space for operations, bench testing and administration within the FBO leasehold and have immediate access to customer lounge, public telephones, and restrooms. Have an additional one thousand five hundred (1,500) square feet of hangar space to work on aircraft.
- (2) Employ and have on duty at least one (1) trained and FAA certified technician.
- (3) Keep premises open and services available a minimum of eight (8) hours daily, five (5) days a week.
- (4) Hold the appropriate FAA repair station certificates for the types of equipment the operator plans to service and/or install.

#### **F. Aircraft Storage and Hangars**

An aircraft storage and hangar service operator leases and rents hangars, multiple T-hangars, tie downs, and/or shade hangars to aircraft owners or operators solely for aircraft storage purposes. The storage of automobiles, boats, recreational vehicles, and other non-aviation related equipment in aircraft hangars is strictly prohibited unless these items are in addition to the storage of an airworthy aircraft and such items do not create a hazard or nuisance to the hangar facility. An aircraft storage and hangar service operator shall:

- (1) Lease or sublease the necessary amount of land to accommodate the proper quantity and size of hangars for the quantity and type of stored aircraft per FAA established guideline, which is two thousand five hundred (2,500) square feet per jet aircraft, two thousand (2,000) square feet for turbo-prop and twin-engine aircraft, and one thousand (1,000) square feet for single-engine aircraft and helicopters.
- (2) Make hangar operator contact name and phone numbers, hangar availability, and rental rates known to prospective customers via posted informational sign inside each FBO terminal. A separate leased space is not required for this service.
- (3) Ensure that each hangar is occupied by at least one aircraft, and provide a listing of all aircraft stored within the operator's hangar facilities with the CITY.
- (4) Ensure that hangar tenants only perform preventive aircraft maintenance within the hangar property on their own aircraft. Painting, welding, and any type of hazardous material storage shall not be permitted within the hangar property unless authorized specifically by the Director. The piling and storage of crates, boxes, barrels, containers, refuse, and surplus property shall not be permitted.

## **SECTION 6 MINIMUM STANDARDS FOR SPECIALIZED AVIATION SERVICE OPERATIONS (SASO)**

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### **6.1 General Requirements**

#### 6.1.1 Compliance

The City of San Diego Airports Division has developed reasonable, relevant, and applicable Minimum Standards for Specialized Aviation Service Operations (SASOs), which are companies providing a single or limited aeronautical commercial services. SASOs providing the same or similar services shall equally comply with all applicable Minimum Standards. However, the CITY will not require, without adequate justification, that a SASO meet all the criteria for a full-service FBO. SASOs shall not be permitted to provide fueling services for either personal or public use.

#### 6.1.2 Leased Space Requirement

Each SASO shall lease the required amount of space from the CITY or an existing airport tenant as specified in each SASO Minimum Standards section.

#### 6.1.3 Responsible Personnel

Each SASO shall provide the CITY, and keep current, a written statement of names, addresses, and contacts of all personnel responsible for the operation and management of the SASO. Each SASO will provide the CITY with a point-of-contact and phone numbers for emergency purposes

#### 6.1.4 Insurance Requirements

Each SASO shall maintain at all times the types and amounts of insurance as specified in the lease or agreement to adequately cover the respective categories of aeronautical services provided and to meet all State of California insurance requirements. Each SASO shall maintain at all times the applicable following types of insurance reflecting minimum coverages of \$1,000,000.00 per occurrence: commercial general liability, personal injury, contractual liability, automotive liability, aircraft liability, hangarkeeper's liability, products-completed operations liability, and environmental clean-up liability insurance.

Each SASO shall maintain at all times fire and extended property coverage for all improvements and fixtures on SASO premises in an amount not less than the full replacement cost of same improvements and fixtures. In addition, each SASO shall maintain at all times the amount of Workers' Compensation insurance as required by California State law. All insurance standards are minimums only and actual requirements may be adjusted by the CITY according to the scope of services provided by the SASO.

Each SASO shall provide the CITY with a proof of insurance certificate annually. All insurance policies shall contain indemnification and hold harmless language that covers the CITY and its employees, as additional insured with respect to liability arising from activities performed by or on behalf of the SASO.

## **6.2 Flight Training**

SASOs providing fixed-wing aircraft dual and solo flight instruction necessary to complete a written FAA pilot's examination and related ground school instruction as is necessary to complete a written pilot's examination and flight check ride for various categories of pilot's licenses and ratings will need to meet the following minimum requirements:

- (1) Operate the service from a minimum of two hundred fifty (250) square feet of classroom and office space on the Airport and have immediate access to customer lounge, public telephones, and restrooms.
- (2) Employ and make available at least two (2) or more FAA certified flight instructors necessary to meet the flight training demand and schedule requirements.
- (3) Own or lease two (2) or more airworthy aircraft necessary to meet the flight training demand and schedule requirements. One (1) aircraft must be a minimum four (4) place aircraft equipped for instrument flight instruction.
- (4) Flight training operations shall include adequate mock-ups, pictures, slides, filmstrips, movies, videotapes, or other training aides necessary to provide proper and effective ground school instruction. All materials shall meet FAA requirements for the training offered.
- (5) Operator must lease or sublease space to comply with the City of San Diego parking requirements.

## **6.3 Airframe and Power Plant Maintenance**

SASOs providing aircraft airframe and power plant maintenance, which includes major and/or minor airframe maintenance, engine and/or accessory overhaul and/or repair services on single or multi-engine piston driven propeller aircraft, shall meet the following Minimum Standards:

- (1) Operate the service from a minimum of two thousand five hundred (2,500) square feet of ventilated hangar and shop space on the Airport and have immediate access to customer lounge, public telephones, and restrooms.
- (2) Employ and have on-duty a minimum of one (1) FAA certified technician who possesses an airframe, power plant, or aircraft inspector rating, or the maintenance facility must be certified under 14 CFR Part 145.
- (3) Keep premises open and services available a minimum of eight (8) hours daily, five (5) days a week. A technician shall also be available on-call twenty-four (24) hours, seven (7) days for emergency purposes only. If more than one (1) maintenance facility is located on airport the on-call responsibility may be rotated on a mutually agreeable schedule.
- (4) Provide equipment, supplies and parts required for aircraft airframe, power plant, inspection, tire, battery, oxygen, and other routine aircraft maintenance functions.
- (5) Operator must lease or sublease space to comply with the vehicle parking requirements of the City of San Diego.

#### **6.4 Air Charter or Taxi**

SASOs providing aircraft charter or taxi service, which is the air transportation of persons or property to the general public for hire, either on a scheduled or unscheduled basis, or as defined by the 14 CFR Part 125 and Part135 or entities operating as an Aircraft Management Operation shall meet the following minimum standards. An Aircraft Management Operator is a commercial operator engaged in the business of providing aircraft flight dispatch, flight crews, or aircraft maintenance coordination to the public. An aircraft charter or air taxi services operator and aircraft management operator shall:

- (1) Operate the service from a minimum of two hundred (200) square feet of office space on the Airport and have immediate access to customer lounge, public telephones, and restrooms. Arrange for or lease hangar storage space or ramp Tiedown for aircraft.
- (2) Employ and make available at least one (1) person who holds a current FAA commercial pilot certificate, current Class I or II medical certificate and ratings appropriate for the aircraft listed on the operator's certificate. In addition, all flight personnel shall be properly rated for the aircraft operated. The operator shall have dispatch capability within six (6) hours of a customer request. Employee one (1) person with experience and ability to provide charter quotes, schedule and dispatch support and customer service.
- (3) Own or lease or manage at least one (1) certified and continuously airworthy instrument qualified multi-engine aircraft.
- (4) Have and display in the public office, a current FAR Part 135 Certificate or provisional FAR Part 135 Certificate, in addition to, the aircraft identification page from the operating specifications manual of each aircraft listed on the certificate.
- (5) Operator must lease or sublease space to comply with the vehicle parking requirements of the City of San Diego.

## **6.5 Aircraft Rental**

SASOs providing aircraft rental services to the general public shall:

- (1) Operate the service in a minimum five hundred (500) square feet of office space on the Airport and have immediate access to customer lounge, public telephones, and restrooms. Arrange for or lease ramp or hangar space for aircraft.

- (2) Employ and have on duty at least two (2) person having a current commercial pilot certificate with appropriate ratings, including instructor rating.
- (3) Keep premises open and services available a minimum of eight (8) hours daily, six (6) days a week.
- (6) Have available for rental, a minimum of two (2) owned or leased, certified, and airworthy aircraft. One (1) must be a minimum four (4) place aircraft and one (1) must be instrument flight equipped.
- (7) Operator must lease or sublease space to comply with the vehicle parking requirements of the City of San Diego.

## **6.6 Avionics Maintenance and Sales**

SASOs providing avionics services, which include the maintenance, repair, and installation of aircraft avionics, radios, instruments, and accessories as described in 14 CFR Part 43, and includes the sale of such equipment. This service shall include the sale of new or used aircraft avionics, radios, instruments, and accessories. The operator shall:

- (1) Operate the service in a minimum of two thousand (2,000) square feet of office and shop space on the Airport and have immediate access to customer lounge, public telephones, and restrooms.
- (2) Employ and have on duty at least one (1) trained and FAA certified technician and one (1) administrative or customer service person.
- (3) Keep premises open and services available a minimum of eight (8) hours daily, five (5) days a week.
- (4) Hold the appropriate FAA repair station certificates for the types of equipment the operator plans to service and/or install.
- (5) Operator must lease or sublease space to comply with the vehicle parking requirements of the City of San Diego.

## **6.7 Aircraft Storage and Hangars**

SASOs engaged in the business of renting and leasing hangars, multiple T-hangars, and/or shade hangars to aircraft owners or operators solely for aircraft storage purposes shall:

- (1) Lease or sublease a sufficient amount of airport land to accommodate the proper quantity and size of hangars for the quantity of stored aircraft per FAA established guidelines, which is two thousand five hundred (2,500) square feet for jet aircraft, two thousand (2,000) square feet for turbo-prop and twin-engine aircraft, and one thousand (1,000) square feet for single-engine aircraft and helicopters.
- (2) Make hangar operator's contact name and phone numbers, hangar availability, and rental rates known to prospective customers via posted informational sign inside the Airport terminal.
- (3) Register the based aircraft stored within the operator's hangar facilities with the Director.
- (4) Operator must lease or sublease space to comply with the vehicle parking requirements of the City of San Diego.

## **6.8 Aircraft Sales**

SASOs providing new and/or used aircraft sales and aircraft brokerage services shall:

- (1) Operate the service in a minimum of five hundred (500) square feet of office space on the Airport and have immediate access to customer lounge, public telephones, and restrooms. Operator must lease or sublease a minimum of Tie down area to accommodate at least two (2) of the largest of the aircraft authorized for sale. If the operator leases hangar space for the storage of sale aircraft this provision is waived.

- (2) Operator must lease or sublease space to comply with the vehicle parking requirements of the City of San Diego.
- (3) Employ and have on duty at least one (1) qualified aircraft salesperson and access to a demonstration pilot that has a current commercial pilot certificate with appropriate aircraft type ratings.
- (4) Keep premises open and services available a minimum of eight (8) hours daily, five (5) days a week.

### **6.9 Aircraft Restoration and Refurbishing**

SASOs providing the restoration and refurbishing of aircraft structures, propellers, accessories, interiors, exteriors, and components shall:

- (1) Operate the service in a minimum of two thousand five hundred (2,500) square feet of space of hangar and office area on the Airport.
- (2) Employ and have on duty at least two (2) qualified personnel that have current required certificate, licenses, and ratings.
- (3) Keep premises open and services available a minimum of eight (8) hours daily, five (5) days a week.
- (4) Operator must lease or sublease space to comply with the vehicle parking requirements of the City of San Diego.

## **6.10 Specialized Flying Services**

SASOs providing specialized commercial flying services such non-stop sightseeing tours, aerial photography or surveying, power line or pipeline patrol, firefighting or fire patrol, air ambulance, airborne mineral exploration, and other air transportation operations specifically excluded from FAR Part 135 shall:

- (1)** Operate the service from a minimum of one hundred and fifty (150) square feet of office space on the Airport and hangar or ramp area sufficient to store aircraft.
- (2)** Employ and make available at least one (1) person who holds a current FAA commercial pilot certificate and medical certificate with ratings appropriate for the operator's aircraft.
- (3)** Provide contact information, communication device and have services available within four (4) hours of request eight (8) hours daily, five (5) days a week.
- (4)** Own or lease at least one (1) airworthy aircraft appropriate for the type of service offered.

## SECTION 7 SELF-FUELING

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### 7.1 **Authorization Requirements**

Self-fueling is the fueling of an aircraft by the pilot using pumps and equipment installed for that purpose. A self fueling facility is for public use by approved cardholders. The fueling facility may or may not be attended by the FBO that owns and operates the equipment.

The City of San Diego Airports Division has the option to grant authorization for self-fueling operations to FBOs, if airport activity, market demand, and safety criteria, justify such an operation. All self-fueling operators shall be an existing FBO on a CITY-owned airport and apply to and receive approval from the CITY before commencing operations.

### 7.2 **Fuel Products and Hours of Operation**

Any CITY authorized self-fueling owner/operator shall be an FBO, as defined in Section 5. In addition, any self-fueling owner/operator shall provide, at a minimum, 100LL aviation gasoline. The products and equipment must meet all applicable Federal, State, and local regulations and requirements regarding safety, testing, filtering, inventory management, and quality assurance as described in Section 5.7.

### 7.3 **Fuel Storage and Dispensing Equipment**

The fuel storage areas are the locations on the Airport designated temporarily or permanently by the CITY as the only areas in which aviation fuels may be stored.

The fuel storage and dispensing equipment shall meet all applicable Federal, State, and local regulations and requirements, including National Fire Protection Association (NFPA) document 407 and FAA Advisory Circular 150/5230-4.

#### **7.4 Environmental Compliance**

Each FBO providing the self-fueling operation shall be knowledgeable of and comply with all Federal, State, and local environmental laws, ordinances, rules and regulations. Operator shall provide the CITY a current fuel spill prevention, countermeasures, and control plan that contains methods and procedures to prevent, control, and clean up a fuel spill on airport property.

#### **7.5 Reporting Requirements**

Each FBO authorized to install and maintain a self fueling system shall provide quarterly fuel inventory reconciliation reports to the CITY listing the total amounts of fuel dispensed to all aircraft.

## SECTION 8 FLYING CLUBS

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### 8.1 Purpose

Flying clubs are non-profit entities organized for the purpose of providing its members with any number of aircraft for their personal use and enjoyment. Aircraft must be vested in the name of the club or owners on a pro-rata share and the club may not derive greater revenue from the use of the aircraft than the cost to operate, maintain and replace the aircraft.

### 8.2 Requirements

The CITY has the right to require a flying club to furnish documents such as insurance policies, Club by-laws, meeting minutes and notifications, and a current list of members to ensure that the Club remains a non-commercial and non-profit organization.

**SECTION 9 EXHIBITS**

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