

Boulder City Municipal Airport

RULES AND MINIMUM STANDARDS

REQUIREMENTS FOR
AIRPORT AERONAUTICAL SERVICES

April 11, 2006

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1. Preface

1.1 Introduction

Boulder City Municipal Airport is a general aviation facility serving Boulder City, Nevada, and the surrounding communities. Pilots and passengers use the airport for personal, business, corporate, and recreational flying activities. Other aeronautical services such as charter flights, parachuting, flight training, and medically related air transport are also available.

The airport, aside from offering the community aviation related business, and economic services and benefits, is a symbol of pride to Boulder City. The airport is committed to moving forward in the 21st Century with effectively managed growth for maximal benefit.

The City Council, representing the residents of Boulder City, Nevada, supports the airport and its activities to ensure its viability so that it will continue to safely, efficiently, and adequately serve the air transportation needs of all who use and rely on its services.

1.2 Vision Statement

“Boulder City Airport will be the general aviation gateway for recreational opportunities in Lake Mead, Southern Nevada and the Desert Southwest”.

1.3 Mission Statement

“Boulder City Airport seeks to provide first-rate full service general aviation facilities welcoming businesses and pilots in the Lake Mead recreational area consistent with the City’s measured growth policy”.

2. General Provisions

2.1 Preamble and Policy

The City of Boulder City, being the Owner and in a position of responsibility for the administration of Boulder City Municipal Airport does hereby establish the following Rules and Regulations for the operation of the airport and a policy for the Minimum Standards that are required of businesses providing services at the airport.

The Minimum Standards are intended to be the threshold entry requirements for those wishing to provide aeronautical services to the public and to insure that those who have undertaken to provide commodities and services as approved are not exposed to unfair or irresponsible competition. These Minimum Standards were developed taking into consideration the aviation role of the Boulder City Municipal Airport, facilities that currently exist at the Airport, services being offered at the Airport, future development planned for the Airport and promotion of fair competition at Boulder City Municipal Airport. The uniform application of these Minimum Standards, containing the minimum

levels of service that must be offered by the prospective service provider, relates primarily to the public interest and discourages substandard entrepreneurs, thereby protecting both the established aeronautical activity and the Boulder City Municipal Airport patrons. All aeronautical activities and all business and other activities at the Airport will be conducted and conform with these regulations and standards. All pertinent rules, regulations, orders, rulings and ordinances of Clark County Nevada, and the FAA as appropriate, which are made a part of these regulations and standards by reference will be complied with. If there is any conflict between these regulations and standards and any law, rule, regulations, order or ordinance of any governmental agency cited in this Section exercising the same or similar jurisdiction, the latter will prevail.

2.2 Definitions

Aeronautical Activity - Any activity 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, pilot training, aircraft rental, sightseeing, aerial photography, aerial advertising, aerial surveying, air carrier operations, skydiving, ultra-light operations, aircraft sales and services, sale of aviation petroleum products, repair and maintenance of aircraft, or sale of aircraft parts and aircraft storage.

Aeronautical Service - That which involves, makes possible or is required for the operation of aircraft, or which contributes to or is required for the safety of aircraft operations commonly conducted on the airport by an entity whom is approved from the airport owner to provide such service.

AGL - An altitude expressed in feet measured Above Ground Level.

AIM - Aeronautical Information Manual that is a publication containing Basic Flight Information and Air Traffic Control (ATC) Procedures designed primarily as a pilot's instructional manual for use in the National Airspace System of the United States.

Aircraft - A device that is used or is intended to be used for flight.

Airport - The Boulder City Municipal Airport, and all of the property, buildings, facilities and improvements within the exterior boundaries of such airport as it now exists on the Airport Layout or Exhibit A or as it may hereinafter be extended, enlarged or modified.

Airport Committee - The Boulder City Airport Advisory Committee.

Airport Coordinator - The City Council's employee, or an independent contractor assigned by the Airport Manager to handle, assist, control and/or manage the day-to-day operations of the airport.

Airport Manager - The City of Boulder City Community Development Director or his/her designate, subject to the authority of the City Manager.

Airport Management – The Airport Manager and staff.

Airport Sponsor - The City of Boulder City, Nevada, by and through its City Council, Manager, and Staff.

Authority - The City of Boulder City, Nevada

Authorized Vehicle - A vehicle operated by hangar owners, tenants, businesses, airport management, airport repair contractors, airport utility services, and/or those having a specific and necessary purpose for that vehicle to be on the airport.

Aviation Business - Any ongoing, recurring, or repetitive activity operated by an individual, independent contractor, entity, or enterprise for profit, relating to or supporting the aviation industry, including but not limited to mechanics, repairmen, repair stations, parts installers, parts manufacturers, FBOs, Limited in Scope FBOs, and flight schools.

AWOS - Automated Weather Observation Station

CFR - The Code of Federal Regulations.

Commercial Operator - Any ongoing, recurring or repetitive aviation business for profit.

Designated Aircraft Maintenance Area - Inside hangars or as designated by the Airport Management.

Designated Vehicle Parking Area - Any area designated by the Airport Management.

FAA -The Federal Aviation Administration.

FAR - Federal Aviation Regulation.

FBO – Fixed Base Operator. An aviation business at the Boulder City Airport authorized by written agreement with the Sponsor to provide aeronautical services at the airport under strict compliance with such agreement and pursuant to these regulations and standards.

Flying Club - A nonprofit organization established to promote flying, develop skills in aeronautics, including pilotage, navigation, and awareness and appreciation of aviation requirements and techniques. See the Airport Rules and Regulations for requirements.

Fuel - Jet-A or Av-Gas (100LL) or as defined in an operator’s lease agreement.

Fueling Operations - The dispensing of aviation fuel.

Fuel Vendor - An entity engaged in selling and dispensing aviation fuel to aircraft.

Large Aircraft - An aircraft of more than 12,500 pounds maximum certified takeoff weight or turboprop and turbojet aircraft.

Lease - A signed and approved agreement between the City and an entity.

Manager - The Airport Manager or his/her designee.

Minimum Standards - The standards established by the City Council as the minimum requirements to be met as a condition for the right to conduct commercial aeronautical activity on the airport.

MSL - An altitude expressed in feet measured from Mean Sea Level.

NOTAM - A Notice to Airmen published by the FAA.

Non-Aviation Business - All entities and enterprises excluded from the definition of Aviation Business above.

Small Aircraft - An aircraft of 12,500 pounds or less maximum certified take off weight.

Ultralight - A vehicle that satisfies all criteria and requirements of the Federal Aviation Regulations, Part 103, including subsequent amendments.

UNICOM - The universal communications channel

2.3 Airport Management

The Airport Management is authorized to take all reasonable actions necessary to protect and safeguard the public and all airport users. The Airport Management shall oversee all airport operations consistent with these regulations and standards, those of the FAA, and the laws of the State of Nevada, along with all local and city ordinances. The Airport Management is the Sponsor's representative at the airport and shall report to the City Manager. The Airport Management shall have the responsibility to fairly and equally enforce these regulations and standards.

1. The Airport Manager will administer the airport's primary UNICOM frequency either directly or through a lease agreement with one of the commercial businesses, in accordance with applicable FCC regulations.
2. Complaints pertaining to any unsafe condition, inappropriate activity, or unprofessional service at the airport, not resolved with the individual or entity responsible for the situation, may be registered with a signed letter to the Airport Manager. Verbal complaints and/or anonymous allegations cannot be

accepted.

3. Commercial operators and FBOs shall prominently display the name, telephone number and address or business card of the Airport Manager in their offices.
4. The Airport Manager will maintain and provide on request a list of tariffs and fees required for commercial operations.
5. The Airport Manager shall be represented by the Airport Coordinator at the airport.

2.4 Airport Advisory Committee

1. Committee. The Boulder City Airport Committee shall be composed of seven (7) members.
 - a. The seven (7) members of the committee shall be appointed by the City Council. The appointed members shall hold no other public office. Members shall be able to verify that they are residents of Boulder City. All committee members should be active participants on the airport with recognized aviation experience or expertise, hold a pilot's license, a medical certificate and a current Flight review, or be recommended by members of the Committee.
 - b. The Airport Management shall be the staff advisor to the committee. (Ord.500)
2. Term of Office. The term of each appointed member shall be three (3) years.
 - a. Terms of office will be staggered so that normally no more than 3 vacancies will be appointed per year.
 - b. At the first meeting of each calendar year, the Airport Committee shall elect a Chairman and Vice-Chairman from its appointed members for a term of one year, with eligibility for re-election.
 - c. The Chairman of the Airport Committee shall serve as the representative to the Sponsor and Airport Management.
3. Vacancies and removals. Vacancies of appointed members occurring other than through the expiration of terms shall be filled for the remainder of the un-expired term by appointment of the Sponsor. The Sponsor shall have the right to remove any member of the committee for misconduct or nonperformance of duty. Non-performance of duty shall include, but not be limited to, repeated failure to attend Airport Advisory Committee meetings.
4. Compensation. The Airport Advisory Committee shall serve without

compensation.

5. Power and Duties. The powers and duties of the committee shall be as provided in Chapter 278 of the Nevada Revised Statutes:
 - a. The committee shall schedule at least one regular meeting in each month unless there are no pending agenda items.
 - b. It shall adopt rules for the transactions of its business and shall keep a record of its resolutions, transactions, findings and determinations; documentation shall become a public record in reasonable time. (Ord. 478)
 - c. The committee shall study the problems and determine the needs of the airport and then make recommendations to the Sponsor.
 - d. The committee shall recommend adoption of an Airport Master Plan, which designates specific uses on the airport. The committee shall periodically review said plan and recommend modifications to the Sponsor.
 - e. The committee shall assist in the dissemination of news and information regarding the airport.
 - f. The committee shall consider, investigate, make findings, report and recommend on any special matter or question within the scope of its work, and when/as requested by the Sponsor or Management.
 - g. The committee shall make recommendations concerning the proper operation and welfare of the airport and report these to the Sponsor and/or Management.
 - h. The committee may be asked to review the proposed annual budget for the airport and provide the Sponsor with recommendations for short term or long-range capital improvements.
 - i. The committee may be asked to review all applications to establish a business or provide services at the airport and provide recommendations to the Sponsor.
 - j. The committee may recommend to the Sponsor and Airport Management to contract with city planners, engineers, architects, and other consultants for such services as it may require.
 - k. The committee shall be required to adhere to, and abide by all normal legal standards including but not limited to the Boulder City Charter, and the Nevada Revised Statutes.

- I. Establish and periodically review the tariffs and fees required for commercial operations

2.5 Special Events

Special events such as air shows, air races, fly-ins, non-standard parachuting, balloon operations or other similar events requiring exclusive use of all or a portion of the airport, shall be held only after formal approval for same has been granted by the Sponsor and the FAA following recommendations by the Airport Committee and/or Airport Management and coordination through the city Parks and Recreation Dept. Approval shall specify the areas of the airport authorized for such special use, dates, times, altitudes, and such other terms and conditions as the Sponsor may require. During an approved special event, the event organizers shall be responsible for the safety and control of all visitors, pedestrians, sightseers, and non-crewmembers attending that special event.

2.6 Public Use

The Airport shall be open for public use at all hours, subject to restrictions due to weather, the physical conditions of the airport operational area, and special events, as may be determined by the Sponsor.

2.7 Common Use Areas

Common use areas include all runways, taxiways, ramps, airport lighting, all apparatus or equipment for disseminating weather and wind information for radio or other electrical communication, and any other structure, equipment or mechanism having a similar purpose for guiding or controlling flight or the operation of aircraft. All taxiways through leased areas shall be considered common use areas available for use by all flying or ground operations, and shall be kept clear and available for aircraft traffic. The Sponsor's fuel farm is also a common use area and shall only be utilized for the fueling of aircraft. Except in an emergency, no one shall use any common use area for the parking, storage, repair, servicing of any vehicle or aircraft, or for any other purpose other than the flying and operation of aircraft without the prior authorization of the Airport Management. (Attached to these Regulations is a map designating common use areas, leased areas, and rights-of-way through leased areas.) Common use designations may be changed from time to time by decision of the Sponsor.

2.8 Ground Vehicle Operations

Normal traffic laws of the State of Nevada shall apply to the streets, roads, taxiways, taxi lanes, and vehicular parking areas at the airport, unless otherwise provided by city ordinances or regulation. Except for emergency vehicles, no person shall drive any vehicle on the airport, except on established streets, taxiways, taxi lanes, roads, and/or vehicular parking areas. Drivers of unauthorized vehicles shall be subject to arrest and

vehicles towed, if necessary, at the owner's expense. The speed limit for vehicles operating on all areas of the airport will be 10 miles per hour.

All vehicle drivers will only park their vehicles in designated parking areas, inside their hangars or their leased areas, or (for those renting a tie-down area) next to the tie-down space in a manner that does not create a hazard to other airport users. No vehicles shall be parked on the taxiways or common use areas, with the exception of temporary vehicle parking areas as designated by Airport Management. Storage of boats, trailers, and/or other similar towed or motorized vehicles may only be stored within an aircraft hangar if stored concurrently with an aircraft within the hangar building. If no aircraft is present, then no other non-aviation related vehicles or materials shall be stored within the hangar. Should this rule be found in violation of the Federal Aviation Administration Grant Assurances signed for the various grants received by the airport for airport improvement projects or published Federal Aviation Administration Advisory Circulars, it shall then be void and the storage of such vehicles and equipment at the airport will be prohibited.

Tie-down renters may park their vehicle on the ramp while loading or unloading the aircraft. The vehicle must not be parked so as to interfere with aircraft movement on taxiways and other tie-downs.

Busses will not use the aircraft tie down ramp as a loading and unloading area, except as permitted by prior arrangement with Airport Management. Should it become necessary to load or unload passengers from an aircraft onto busses, all busses will be escorted to the aircraft, and then escorted from the aircraft until they are off the airport.

2.9 Pedestrians

All visitors, pedestrians, and sightseers shall remain behind the fenced operational areas unless arriving or departing in an aircraft. A crewmember and/or representative of the aircraft operator shall escort all visitors, passengers and/or non-crewmembers while inside the fenced operational area.

2.10 Exterior Advertising and Signs

No exterior signs or other outdoor advertising shall be placed or constructed upon the airport or any building or structure or improvement thereon without having first obtained approval from the Airport Management, and shall comply with FAR Part 77.

2.11 Environmental

All entities operating on this airport must comply with all federal, state and local environmental requirements.

2.12 Fire Regulations

The following fire regulations shall apply, except where applicable fire or building codes differ, in which case the latter shall prevail.

1. Fueling shall be done in such a manner and with such equipment that adequate connection for grounding of electricity shall be continuously maintained.
2. No aircraft shall be fueled or drained while its engine(s) is running, or while in a hangar, except for normal aircraft maintenance, and/or hot refueling which is acceptable provided all appropriate training has been accomplished for the persons conducting the hot refueling operation. A record of their training and qualifications must be retained by the hot refueling operator, and shall be made available to all federal, state and local authorities, and Airport Management upon demand.
3. The cleaning of engines or other parts of aircraft shall not be performed in any hangar, except with a nonflammable substance. If flammable liquids are employed for this purpose, the operation shall be performed out of doors in the open air, or in an area for which there is adequate ventilation, a fire extinguisher, and is designed and designated for such purposes.
4. All hangar and shop floors shall be kept clean and free from oil, gas, and other flammable substances. No volatile, flammable solvent shall be used for cleaning floors. Rags soiled with flammable substances shall not be kept or stored in any building for any length of time or to such a degree so as to create a fire hazard. All appropriate fire codes and regulations prescribed by the State of Nevada and Boulder City shall be adhered to.
5. No person shall smoke or ignite any matches, flares, lighters or other object that produces an open flame within 100 feet of an aircraft being fueled, any fueling truck or fueling facility. All fuel truck or fuel facility operators shall ensure that (i) proper and legal signs are installed to warn of the flammable fuel dangers, and (ii) that all distances between the fuel truck or facility and open flames are enforced.
6. All persons using the airport area or facilities shall exercise the utmost care to guard against fire, accident, and injury to persons or property.
7. Fuel services shall be administered either by trained and authorized personnel using the proper safety equipment or by the aircraft operator in the designated area with proper standard safety precautions.

2.13 Acceptance of Regulations and Standards by Users

The use of the Airport or any of its facilities in any manner will constitute an acceptance by the user of these regulations and standards and will create an obligation on the part of the user to abide by these regulations and standards.

2.14 Rules and Minimum Standards to be made Readily Available

It is the responsibility of the Airport Management to make available a copy of these rules and standards to all airport users. All FBOs licensed and authorized to do business on the Airport will keep a current copy of the Rules and Minimum Standards, and make it available to the public in their place of business. It is the responsibility of all Airport Users to become familiar with these rules.

3. Aircraft Operation and Aircraft Traffic

3.1 General. Every person using the airport shall comply with these regulations and standards, and all pertinent rules, regulations, orders, rulings of the FAA, and other applicable state, federal, local and city governmental agencies.

1. Every aircraft operator is responsible for the operation of his or her aircraft, and shall use safe operating procedures at all time. All aircraft shall be operated using the rules and recommendations contained in the A.I.M. with safety as the utmost concern. Aircraft shall not be operated carelessly, negligently, or in disregard of the rights and safety of others.
2. The attached traffic pattern chart is hereby included as part of these regulations and standards. Every person operating an aircraft is encouraged to follow this FAA designated traffic pattern, consistent with safety. Straight-in approaches are permitted on runways 33 and 27L.
3. Aircraft operating on the airport shall follow the appropriate taxi lane, taxiway, and runway guidance markings and lighting system. This includes the established arrival and departure routes for rotorcraft operations.
4. If the Airport Management believes the physical condition of the airport is unsafe for use, he/she may issue a NOTAM to close the airport, or any portion thereof, for a reasonable period of time so that the existing unsafe condition(s) may be corrected. The Airport Management shall make a reasonable effort to notify airport users of any closure, unsafe condition, or NOTAM.
5. In the event of any accident, crash, or aircraft becoming damaged and/or disabled on or affecting any aircraft movement area, the emergency response authorities and Airport Management shall be immediately notified by the pilot, or any knowledgeable person. If an accident or crash is of such nature that an emergency response team is needed, e.g., fire department or police, those agencies shall immediately become the controlling authority over the accident area. If the FAA and/or the NTSB become involved after the emergency nature of the accident has been resolved, they then become the controlling authority. Subject to governmental investigations and inspection of the wreckage, the responsible party for that damaged aircraft shall remove the damaged aircraft

as soon as the governing authority grants permission and then place or store said aircraft as designated by the Airport Management. (Ref. FAR 830.10)

3.2 Parked Aircraft. The following regulations apply to all aircraft parked at the airport:

1. No person shall park, store, tie-down, or leave any aircraft on any area of the airport other than the clearly marked and officially designated aircraft parking areas, or as designated by airport management.
2. The responsible party (i) shall properly secure their aircraft while parked or stored, (ii) are solely responsible for parking and tying down their aircraft, including any special security measures, (iii) and shall be responsible for securing aircraft in a manner necessary to avoid damage to other aircraft, buildings, or property in the event of winds or other unusual or severe weather. It is the Sponsor's obligation, unless otherwise provided for by lease agreement, to maintain the aircraft-parking ramp, including tie-down ropes, or chains. All users of ropes and/or chains do so at their own risk knowing that there is no warranty of merchantability or fitness for a particular purpose regarding those items.
3. A specific tie-down space shall be assigned to each aircraft pursuant to a short or long-term agreement. No person shall take or use any aircraft anchoring or tie-down facility without specific approval from that facility's owner. Transient parking shall be clearly marked.
4. All major repairs to aircraft or engines, as defined by FAR 43, shall be made in the areas or spaces designated for that purpose. Any area used for these purposes shall not be part of the common use areas, except as permitted by prior arrangement with Airport Management.

3.3 Ultralight Operations. Ultralight operations should be conducted in accordance with the normal aircraft traffic patterns, unless extenuating circumstances or precautionary safety measures dictate the use of other less dangerous patterns, (i.e.. wind direction or velocity). Ultralight traffic should exercise caution when operating close to all other fixed and rotary wing aircraft.

3.4 Rotary Wing Aircraft. Except for emergencies, all rotorcraft operations should be conducted at 500' AGL or below from the center ramp area on the airport to the south of the airport. Rotorcraft should arrive and depart in the flight path between the heliport area and the southern water reclamation ponds as described in the airport traffic pattern attached herewith. When a departing rotorcraft is south of the reclamation ponds, it should then proceed south/east around the power transfer station, or south and west to Hwy 95/93, thence free to resume its own navigation.

3.5 Unmanned Aircraft Operating Standards. Unmanned Airplane operations are prohibited on the Airport except when operated IAW Special Events, Section 2.5.

3.6 Traffic Rules. All aircraft within the airport's traffic pattern area should follow the recommended and established traffic pattern so as to preclude operations over the city, and to ensure safe and coordinated flight operations.

Aircraft Type	Pattern Altitude
Single-engine and light multi-engine	800' AGL
Heavy multi-engine	1,000' AGL
Rotary Wing	500' AGL and below until well south of the airport traffic pattern

4 Airport Operators and Leases

4.1 Minimum Standards for All FBOs. The following shall apply to all prospective aeronautical service providers wishing to operate a FBO at the Boulder City Municipal Airport:

1. Leases will be for a term to be mutually agreed upon between the parties with due consideration for the financial investment and the need to amortize improvements to the leasehold.
2. An applicant will have such business background and will have demonstrated his or her business capability to the satisfaction of, and in such manner as to meet with the approval of the City Council.
3. The FBO will lease from the Sponsor and the lease may include land a building or a portion therein of sufficient size to accommodate all activities and operations proposed by the FBO. The minimum areas in each instance will be subject to the approval of the Sponsor.
4. The FBO will have its premises open and services available as advertised.
5. The applicant has or will furnish suitable insurance to indemnify the city in the amount of \$2,000,000.00 which will protect and hold the City harmless from any liability in connection with the conduct of the activity proposed. The business shall maintain said insurance with insurance underwriters authorized to do

business in the State of Nevada The applicant shall furnish the Sponsor with a Certificate(s) of Insurance from the insurance carrier showing such insurance to be in full force and effective through the term of the agreement. The Sponsor shall be named as additional insured, and shall be notified by the applicant and/or insurance company if an insurance policy (i) should lapse, (ii) become non-renewable, or (iii) undergo a change in coverage. A lesser amount of liability insurance may be authorized by the Sponsor if the applicant does not qualify for the required \$2,000,000.00 coverage, or such insurance is not available at any price from any carrier. A letter from the insurance underwriter stating the reasons the entity cannot obtain the required \$2,000,000 policy must accompany the issued insurance policy. If the Sponsor originally accepts a lesser amount of insurance, the applicant agrees to purchase the normally required amount of \$2,000,000 of premises and public liability insurance if it becomes available at a later date. Affordability of the insurance premium is not an issue of appeal to the Sponsor.

6. The applicant will be required to sign a hold harmless agreement with the Sponsor.

4.2 Application and Qualifications. Demonstration of intent to conduct a business operation at the Airport will be by application to the Authority. The written application will contain at the minimum:

1. The proposed nature of the business. A business plan may be used to express the proposed nature of the business. (See a business plan outline at APPENDIX 2.)
2. The signatures of all parties whose names are being submitted as owning an interest in the business or will appear on leases or other documents as a partner, director or corporate officer and those who will be managing the business.
3. The current business financial statement if applicable.
4. A listing of assets owned, or being purchased, or leased which will be used in the business on the Airport.
5. Only for capital improvements, an agreement to provide a performance bond or suitable guarantee of adequate funds to the City Council.
6. A written authorization for the FAA, any aviation or aeronautics commissions, administrators, and departments of all authorities in which the applicant has engaged in aviation business to release information in their files relating to the applicant or its operation. The applicant will execute such forms, releases, or discharges as may be required by those agencies.

7. Preliminary plans, specifications and dates for any improvements that the applicant intends to make on the Airport as part of the activity for which approval is sought. The applicant must comply with appropriate Review Procedures and the Authority requirements.
8. Proof (copy or insurance company and letter of intent) of liability coverage for the business operation.
9. Such other information as the Sponsor may require.

4.3 Action on Application. All applications will be reviewed and acted upon by the Authority within 90 days from the receipt of the application. Applications may be denied for one or more of the following reasons:

1. The applicant does not meet qualifications, standards and requirements established by these Minimum Standards.
2. The applicant's proposed operations or construction will create a safety hazard on the Airport.
3. The granting of the application will require the expenditure of Sponsor funds, labor or materials on the facilities described in or related to the application, or the operation will result in a financial loss to the Authority.
4. The proposed operation, Airport development or construction does not conform to the approved Airport Layout Plan.
5. There is no appropriate, adequate or available land, space or building on the airport to accommodate the proposed activity of the applicant unless the applicant proposes to construct such facilities. An aviation related business may use a space which has been made available by an approved lease amendment or lease renegotiation with the Sponsor.
6. Any entity involved in the business, has supplied false information, or has misrepresented any material fact in the application or in supporting documents, or has failed to make full disclosure on the application.
7. Any entity applying, or having an interest in the business, has a record of violating the Rules, or the Rules and Regulations of any other Airport, Civil Air Regulations, Federal Aviation Regulations, or any other Rules and Regulations applicable to this or any other Airport.
8. Any party applying, or having an interest in the business, has defaulted in the performance of any lease or other agreement with the Authority or any lease or other agreement at any other airport.

9. The applicant does not have the finances necessary to conduct the proposed operation for a minimum period of six months.
10. The applicant has committed any crime, or violated any local ordinance rule or regulation, which adversely reflects on its ability to conduct the FBO operation applied for.
11. The applicant, upon a due diligence finding by the Sponsor, has a history of failed aeronautical activities / business, inadequate financial resources, or inadequate experience/expertise to conduct the proposed activity

4.4 Temporary Business Requirements

1. Aviation businesses wishing to operate from the Boulder City Airport on a short term and temporary basis will be considered pending the approval of the Airport Management and:
 - a. Provide proof of appropriate insurance coverage for the activity proposed
 - b. Sign a hold harmless agreement with the Sponsor
 - c. Obtain the appropriate Business License
 - d. Pay the appropriate airport tariff/landing fees
2. Airport Management will consider in the approval process:
 - a. The service to be provided will benefit the local aviation community
 - b. The airport infrastructure's ability to support the proposed activity
 - c. The business's proposed time frame for operations

4.5 Non-FBO Service Providers. It is recognized that every healthy and vibrant airport environment includes operators that provide a single service aeronautical activity that may not fit the requirements of an FBO. It is the intent of these Minimum Standards to establish guidelines that are to be followed by Airport Management to determine the proper requirements for such entities. Such operations may include, but are not limited to, aircraft washing/detail service, maintenance, flight instruction etc. Airport Management will use the following guidelines to determine requirements:

1. Activities that occur on a casual and non-repetitive basis may not require regulation. Repetitive activities are considered to occur more than three times per month
2. Operation is normally limited to an independent operator with no other employees

Airport Management has the responsibility to apply fair and consistent standards when determining requirements. The applicable requirements should be tailored to the activity proposed. Applicants can appeal the Airport Management's judgment to the Airport Advisory Committee within 30 days. Airport Management may require applicants to provide the following:

3. Appropriate business license for the proposed activity
4. Provide proof of the appropriate insurance coverage for the proposed activity
5. Sign a hold harmless agreement with the Sponsor
6. The applicable airport/landing fee.

In addition, the Airport Manager will facilitate any reasonable "Unscheduled Repairs" that must be performed in a designated area of the airport outside private hangars upon advanced notification. "Unscheduled Repairs" are limited to:

7. Warranted maintenance work that requires repair or additional attention by the warranting company, or
8. Service required to correct a malfunction that prevents the aircraft from being flown to another airport for maintenance.

4.6 Aircraft Sales

Statement of Concept

1. **New Aircraft Sales:** An aircraft sales FBO engaged in the sale of new aircraft through franchises or licensed dealerships (if required by local, county or state authority) or a distributorship (either on a retail or wholesale basis) of an aircraft manufacturer or used aircraft and may provide such repair, services, and parts as necessary to meet any guarantee or warranty on aircraft sold.
2. **Used Aircraft Sales:** Many companies engage in the purchasing and selling of used aircraft. This is accomplished through various methods including matching potential purchasers with an aircraft (brokering), assisting a customer in the purchase or sale of an aircraft, or purchasing used aircraft and marketing them to potential purchasers. Often these FBOs also provide such repair, services, and parts as necessary to support the operation of aircraft sold.

Minimum Standards

The FBO will have available a responsible person in charge to supervise the operations

in the leased area with the authorization to represent and act for and on behalf of the FBO.

Non FBOs may only advertise and display for sale their own aircraft. They may not broker or sell aircraft on behalf of a third party.

4.7 Aircraft Airframe, Engine and Accessory Maintenance and Repair

Statement of Concept

An aircraft airframe, engine and accessory maintenance and repair FBO provides one or a combination of airframe, engine and accessory overhauls and repair services. This category will also include the sale of aircraft parts and accessories.

Minimum Standards

1. The FBO will provide sufficient equipment, supplies, manuals and availability of parts equivalent to that required for certification by the FAA.
2. The FBO shall have a representative available during the appropriate business hours, trained personnel in such numbers as are required to meet the Minimum Standards set forth in the category of services offered in an efficient manner. There shall be never less than one person currently certificated by the FAA with ratings appropriate to the work being performed.

4.8 Aircraft Lease and Rental

Statement of Concept

An aircraft lease or rental FBO engages in the rental or lease of aircraft to the public.

Minimum Standards

The FBO will have available for rental, either owned or under written lease to FBO, a minimum of one (1) certified and currently airworthy aircraft.

Flying Clubs are permitted to rent aircraft if they operate in conformance with 4.18.

4.9 Flight Training

Statement of Concept

A flight training FBO engages in instructing pilots in dual and solo flight training, in fixed and/or rotary wing aircraft, and provides such related ground school instruction as is necessary preparatory to taking a written examination and flight check ride for the category or categories of pilots' licenses and ratings involved.

Minimum Standards

1. The FBO will have available for use at least one (1) certified, currently airworthy

aircraft which must be equipped for the type of flight instruction being offered.

2. The FBO will have at least one flight instructor who has been properly certificated by the FAA to provide the type of training offered.
3. The FBO will maintain a facility that provides sufficient space for Ground School instruction and flight briefing/debriefing.

4.10 Commercial Skydiving

Statement of Concept

A Skydiving FBO engages in the transportation of persons for skydiving, instruction in skydiving, and rental and sales of skydiving equipment.

Minimum Standard

1. The FBO will have available for skydiving, either owned or under written lease to the FBO, at least one properly certificated aircraft.
2. The FBO operation will meet or exceed the Basic Safety Requirements (BSR) of the United States Parachute Association (USPA), FAR Part 105, and related FAA Advisory Circulars. The jump plane pilot must hold an FAA commercial pilot certificate and be appropriately rated for the aircraft being operated.
3. Skydiving clubs are permitted if they operate in accordance with 4.18. Other entities are not permitted to offer skydiving services except as a "Special Event".

4.11 Aircraft Fuels and Oil Service

Statement of Concept

An aircraft fuels and oil service FBO can provide aviation fuels, lubricants and other services supporting itinerant aircraft operations and operations of aircraft based on the airport.

Minimum Standards

No aircraft will be fueled while in a hangar. A fuel flowage fee will be paid to the Authority for all fuels dispensed into an aircraft while parked at Boulder City Municipal Airport per the approved Fee Schedule. Except as otherwise provided in any agreement between the FBO and the Authority, an FBO conducting aviation fuel and oil sales or service to the public on the Airport will be required to provide the following services and equipment:

1. Appropriate grades of aviation fuel.
2. An adequate inventory of generally accepted grades of aviation engine oil and lubricants.

3. Fuel dispensing equipment, meeting all applicable Federal, State, and Authority requirements for each type of fuel dispensed.
4. The safe storage and handling of fuel in conformance with all Federal, State, County requirements and fire codes pertaining to safe storage and handling of fuel.
5. The lawful and sanitary handling and timely disposal, away from the Airport, of all solid waste, regulated waste, and other materials including, but not limited to, used oil, solvents, and other regulated waste. The piling and storage of crates, boxes, barrels, and other containers will not be permitted within the leased premises.
6. Adequate grounding wires installed, frequently inspected and maintained on all fueling equipment, to reduce the hazards of static electricity.
7. An adequate supply of properly located fire extinguishers and other precautions and/or equipment required by applicable fire codes.
8. Unless provided by the airport owner, the FBO will have a fixed fuel storage system that will contain safety fixtures and filtration systems to ensure adequate quality. The system will be required to have at least 10,000 gallons of storage for each type of fuel the FBO is required to provide. The storage system must include adequate fuel spill prevention features and containment capabilities, together with an approved fuel Spill Prevention Countermeasures and Control Plan (SPCC), as applicable.

Non licensed entities are not permitted to offer fuels or oil service, unless authorized by the Airport Owner.

4.12 Avionics, Instruments or Propeller Repair Station

Statement of Concept

An avionics, instrument, or propeller repair station FBO engages in the business of and provides a shop for the repair of aircraft avionics, propellers, instruments, and/or accessories for general aviation aircraft. This category may include the sale of new or used aircraft avionics, propellers, instruments, and accessories. The FBO will hold the appropriate repair station certificates issued by the FAA for the types of equipment he plans to service and/or install.

Minimum Standards

The FBO will have available during the appropriate business hours trained personnel in such numbers as are required to meet the Minimum Standards set forth in this category in an efficient manner but never less than one person who is an FAA rated radio, instrument or propeller repairman.

4.13 Aircraft Charter and Air Taxi

Statement of Concept

An unscheduled, or scheduled air charter or air taxi FBO engages in the business of providing air transportation (persons or property) to the general public for hire, on an unscheduled or scheduled basis under Code of Federal Regulations CFR 14 Part 135 of the Federal Aviation Regulations.

Minimum Standards

1. The FBO will provide, either owned or under written lease, a certified and airworthy aircraft to perform services offered under FAR Part 135.
2. The FBO will have available during the appropriate business hours trained personnel in such numbers as are required to meet the Minimum Standards set forth in this category in an efficient manner but never less than one person who is an FAA certified commercial pilot and otherwise appropriately rated to permit the flight activity offered by FBO.

4.14 Aircraft Storage

Statement of Concept

An aircraft storage FBO is a business which offers storage of aircraft to the public. Storage may be in conventional hangars, T-hangars, or elsewhere on airport property. The FBO exercises a considerable degree of control over the stored aircraft and has a duty of care to the customer. A person who is simply renting hangar space in a private hangar where the renter is responsible for and controls his or her own aircraft is not considered to be operating as an aircraft storage FBO.

Minimum Standards

1. The conventional hangar FBO will have its facilities available for the tenant's aircraft removal and storage on a continuous basis.
2. The FBO will demonstrate that it can provide sufficient personnel trained to meet all requirements for the storage of aircraft with appropriate equipment.
3. Storage of aircraft in an unserviceable condition outside of a hangar will have all surfaces (i.e., tail cone, nose cone, engine cowling, inspection ports, etc.) secured on the aircraft. Tires will be inflated and of serviceable condition so it can be moved if necessary. The Airport Manager will designate a specific location on the airport for aircraft undergoing maintenance that cannot be hangared.
4. Aircraft owner maintenance will be permitted under FAR Part 43, Appendix A, paragraph c.

5. Unserviceable and wrecked aircraft will not be stored in an open area for a period to exceed ninety (90) calendar days. The owner will remove the unserviceable or wrecked aircraft or the Airport Manager will have the right to have the aircraft removed from the airport at the owners expense as permitted under FAA Order 5190.6A, 4, b, (3).

4.15 Specialized Commercial Flying Services

Statement of Concept

A specialized commercial flying services FBO engages in air transportation for hire to provide the use of aircraft for the following activities:

1. Nonstop sightseeing flights that begin and end at the same airport.
2. Banner towing and aerial advertising.
3. Aerial photography or survey.
4. Power line or pipe line patrol.
5. Fire fighting.
6. Any other operations specifically excluded from FAR Part 135 of the Federal Aviation Regulations.

Minimum Standards

1. The Sponsor will set the minimum insurance requirements as they pertain to the particular type of operation to be performed. These minimum requirements will be applicable to all operations of a similar nature.
2. The FBO will have available, trained personnel in such numbers as may be required to meet the Minimum Standards herein set forth in an efficient manner.

4.16 Multiple Services FBO

Statement of Concept

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

Minimum Standards

1. The FBO will comply with the aircraft requirements, including the equipment thereon for each aeronautical service to be performed except that multiple uses can be made of all aircraft owned or under lease by FBO.

2. The FBO will provide the facilities, equipment and services required to meet the Minimum Standards as herein provided for all aeronautical service the FBO is performing.
3. The FBO will obtain, as a minimum, insurance coverage that is equal to insurance requirements of all aeronautical services being performed by FBO.
4. The FBO will have on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the Minimum Standards for each aeronautical service the FBO is performing as herein provided. Multiple responsibilities may be assigned to meet the personnel requirements for each aeronautical service being performed by the FBO.

4.17 Full Scope FBO

A "Full Scope" FBO is a Multiple Services FBO providing, at a minimum, the following:

1. Aircraft Maintenance as defined in 4.7
2. Aircraft Lease and Rental as defined in 4.8
3. Flight Training, as defined in 4.9
4. Aircraft Fuel service, as defined in 4.11

A Full Scope FBO may, in addition, provide additional aeronautical services as long as it meets the minimum requirements as defined above.

4.18 Limited in Scope FBO

A "Limited in Scope" FBO is an FBO which does not qualify as a "Full Scope" FBO.

4.19 Flying/Skydive Clubs. Clubs are nonprofit entities organized for the express purpose of providing its members with any number of aircraft for their personal use and enjoyment only. Flying Club aircraft must be vested in the name of the club or owners on a pro-rata share. The sponsor has the right to require a club to furnish documents such as insurance policies, and maintain a current list of members as necessary to ensure that the club is a nonprofit organization rather than an FBO masquerading as a flying club or sky diving club. A reasonable airport use fee may be imposed. Because Clubs are not commercial FBOs, their By-Laws or regulations should not attempt to deviate from the Airport Rules and Regulations.

1. The Airport Manager may designate a reasonable time period and specific area for skydiving activities.
2. Skydiving Clubs will hold a general liability insurance policy that names the airport owner as an additional ensured party with the amount to be reasonable

and not unjustly discriminatory.

4.20 FBOs Subleasing From Another Commercial FBO. Prior to finalizing an agreement, the lessee and sublessee will obtain the written approval of the Airport Authority for the business proposed. Said sublease will define the type of business and service to be offered by the sublessee FBO.

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

4.21 Waiver of Provisions. The Sponsor may, at its discretion, waive all or any portion of these rules and regulations for the benefit of any government, governmental agency, or public service entity performing non-profit public services, or performing air search and rescue operations, or performing fire prevention or fire fighting operations, but only to the extent permitted by the rules of the FAA, the laws of the State of Nevada, and local and city ordinances.

4.22 Acts of God. Nothing contained in these regulations and standards shall be construed as requiring the Sponsor to maintain, repair, restore or replace any business, private, or personal structure, improvement, or facility which is substantially damaged or destroyed due to an act of god or other condition or circumstances beyond the control of the Sponsor. This statement is not meant to alleviate the Sponsor's obligation to maintain and repair the airport and its runways, taxiways, taxi lanes, and basic infrastructure.

However, should acts of god occur to the extent that an approved commercial business is not able to conduct business as usual, all rents and fees due the Sponsor shall be temporarily suspended for a reasonable period of time to allow the commercial entity to reopen for business.

5. Penalties

5.1 Enforcement. The Airport Manager will enforce these Minimum Standards and Rules for the Airport Authority. The manager has the right to refuse any aircraft from departing the airport until all payments due are paid in full. The Airport Manager will notify the appropriate law enforcement for any illegal activities and the FAA as necessary.

5.2. Written notice of Violation. Unless provided for elsewhere within this document, in addition to any penalties otherwise provided by federal, state, or city ordinance, or law or the CFRs, the Airport Management will issue any person violating these rules and standards a written warning notice of such violation(s). The written warning and notice of violation(s) shall contain a description of each event or

occurrence, which specific regulation or standard was broken, and if applicable, a fair and appropriate amount of time for the violator to cease and desist the violations and to rectify any possible damage. If a severe or emergency situation exists, or if there is a safety hazard created by such violation, the Airport Management may take immediate action to resolve the emergency and/or safety hazard created by such violation. The Sponsor may hear and decide appeals from any entity accused of violations or having received written warning notices of violations.

6 Appendix 1

6.1 Business Plan requirements

1. A detailed description of all services that will be offered.
2. Amount of area required for proposed activities desired to lease.
3. Building space that will be required for activities.
4. Number of aircraft that will be provided.
5. Equipment and special tooling to be provided.
6. Number of persons to be employed.
7. Short resume for each of the owners and financial backers.
8. Short resume of the manager of the business (if different from "7" above) including this person's experience and background in managing a business of this nature.
9. Periods (days and hours) of proposed operation.
10. Amounts and types of insurance coverage to be maintained.
11. Evidence of the projections for the first year and the succeeding 4 years.
12. Methods to be used to attract new business (advertising and incentives).
13. Amenities to be provided to attract business.
14. Plans for physical expansion, if business should warrant such expansion.