

**MINIMUM STANDARDS AND
REQUIREMENTS FOR
AERONAUTICAL SERVICES AND ACTIVITIES**

CLINTON REGIONAL AIRPORT

CLINTON, OKLAHOMA

DECEMBER 7, 2021

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**MINIMUM STANDARDS AND REQUIREMENTS FOR
COMMERCIAL AERONAUTICAL SERVICES AND
ACTIVITIES AT *CLINTON REGIONAL AIRPORT*
CLINTON, OKLAHOMA**

I INTRODUCTION

The Clinton Airport Authority (CAA), a public trust of the City of Clinton, Oklahoma is responsible for the administration of the *Clinton Regional Airport* (Airport) in order to foster, encourage and insure the economic growth and orderly development of general aviation and related aeronautical activities at the Airport. The CAA has been given substantial authority regarding the operation of the Airport, subject to the provisions of Federal Aviation Administration (FAA) Grant Assurances and other relevant regulations.

However, pursuant to the provisions of the Trust Indenture which created the Clinton Airport Authority, the City Council of the City of Clinton is the appropriate authority to approve certain actions regarding the Airport. The CAA is authorized to establish certain standards and requirements for Commercial General Aviation Operators and Airport tenants at the airport; as herein provided:

The following sections set forth the Minimum Standards and Requirements for a person or persons, partnership, company, trust or corporation based upon and engaging in one of more commercial aeronautical services and activities operations at the airport. The Minimum Standards and Requirements are not intended to be all-inclusive, as the commercial operator of a commercial venture or tenant based on the Airport will be subject additionally to the applicable federal, state and local laws, codes ordinances and other similar regulatory measures pertaining to all such aviation-related activities.

A written agreement, properly executed by the CAA and the Commercial Operator of a commercial venture or tenant, is a prerequisite to tenancy on the Airport. Both the written agreement and tenancy on the Airport are prerequisites to the commencement herein of any of the commercial aeronautical services and activities operations herein contained and specified. The contract provisions, however, will be compatible with the standards herein contained and will not change or modify the Minimum Standards and Requirements themselves.

These Minimum Standards and Requirements may be included as part of all leases between the CAA and any commercial operator of a commercial venture or tenant desiring to be based on the Airport and engage in any commercial aeronautical services or activities. These Minimum Standards and requirements may be revised, as conditions require. Verify with the CAA that you have a complete and current document.

The right shall be reserved by the CAA to modify or add to these Minimum Standards and Requirements so that any leases, contracts or agreements entered into with applicants shall be terminated or canceled in the event of failure to comply with any modification or amendments to these Minimum Standards and Requirements after notices thereof shall have been given.

It is acknowledged that the Airport has other land leases for non-aeronautical purposes; presently only an agricultural lease and gun club lease. Those leases are specifically excluded from this document but are governed by a similar document for non-aeronautical uses of Airport property.

II STATEMENT OF POLICY

A fair and reasonable opportunity, without discrimination, shall be afforded to all applicants to qualify, and compete for the right to provide selected aeronautical services and/or lease property, subject to the Minimum Standards and Requirements as established by the CAA and set forth for Commercial Aeronautical Services and Activities at the airport

In all cases where the words "standards" or "requirements" appear, it shall be understood that they are modified by the word "minimum". All commercial operators or tenants based on the Airport will be encouraged to exceed the "minimum"; none will be allowed to operate under conditions below the "minimum".

Contingent upon its qualification, its meeting the established Minimum Standards and Requirements, the execution of a written agreement with the CAA, and payment of the prescribed rentals, fees and charges, the Commercial Operator of a venture or a Tenant shall have the right and privilege of engaging in and conducting the activity or activities selected by it on the Airport as specified by the agreement. The granting of such right and privilege, however, shall not be construed in any manner as affording the Commercial Operator or Tenant any exclusive right of use of the premises and facilities of the Airport, other than those premises which may be leased exclusively to it, and then only to the extent provided in a written agreement.

The CAA reserves and retains the right for the use of the Airport by others who may desire to use the same, pursuant to applicable federal, state and local laws, ordinances, codes, Minimum Standards and Requirements and other regulatory measures pertaining to such use. The CAA further reserves the right to designate the specific Airport areas in which the individual, or a combination of, aeronautical services may be conducted. Such designation shall consider the nature and extent of the operation and the lands and improvements available for such purposes, consistent with the orderly and safe operation of the Airport.

III DEFINITIONS

CAA: Shall mean the Clinton Airport Authority, a public trust of the City of Clinton, Oklahoma.

Aeronautical Activity: Shall mean any activity which involves, makes possible or is required for the operations of aircraft whether or not conducted on or off Airport property which involves, makes possible or is required for the safety of such operations and shall include (but not by way of limitation) all activities commonly conducted on airports, such as charter

operations, pilot training, aircraft rental and sightseeing, aerial photography, crop dusting, flying clubs, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products whether or not conducted in conjunction with other included activities, repair and maintenance of aircraft, sale of aircraft parts, sales and maintenance of aircraft accessories, radio communications and navigation equipment and any other activity which because of its direct relationship to the operation of the aircraft, can appropriately be regarded as an aeronautical activity.

Airport: Shall mean the Clinton Regional Airport, owned by the City of Clinton, Oklahoma; operated and managed by the Clinton Airport Authority (CAA).

Airport Layout Plan: Means the currently approved scaled dimensional layout of the entire airport properties indicating current and proposed usage for each identifiable segment as approved by the City Council and amended from time to time.

Airport Manager: Shall mean the manager of the airport of the City of Clinton, Oklahoma. This person may be a city employee, or a fixed base operator (fbo) contracted to perform designated management responsibilities.

Clinton Airport Authority: Shall mean the Trustees of the public trust created by the City of Clinton by a Trust Indenture

City Council: Shall mean the duly elected City Council members of Clinton, Oklahoma.

City Manager: Shall be the person appointed by the City Council who has day-to-day supervisory responsibilities over the Airport Manager.

Minimum Standards and Requirements: The qualifications established herein, as amended from time to time by the CAA, setting forth the minimum standards and requirements to be met as a condition for the right to conduct an aeronautical activity on the airport

Person: Shall mean any person, persons, firm, general or limited partnership, corporation, trust or association making application for, leasing or using any land or facility at the airport

Rules and Regulations: Rules and regulations as may be promulgated from time to time by the Airport Manager to protect the public health, safety, interest and welfare on the Airport.

IV APPLICATIONS AND QUALIFICATIONS REQUIREMENTS

- A. Any person wishing to acquire the use of land or establish or use any facility on the Airport for any aeronautical activity shall be furnished a copy of these Standards and Procedures, as amended from time to time, and shall thereupon make application in writing, filed with the CAA setting forth in detail the following:

1. The name and address of the applicant
2. The proposed land use, facility and/or activity sought
3. The names and the qualifications of the personnel to be involved in conducting such activity.
4. The financial responsibility and ability of the applicant and operator to carry out the activity sought.
5. The tools, equipment, services and inventory, if any, proposed to be utilized in connection with such activity.
6. The requested or proposed date for commencement of the activity and the term of conducting the same.
7. The estimated cost of any structure or facility to be constructed, the proposed specifications for same, and the means or method of financing such construction or acquisition of facilities.
8. The specific types and amounts of insurance proposed in accordance with minimum requirements for the activity.

B. The CAA will not accept an *original request* to lease land area unless the proposed Lessee puts forth in writing a proposal, which sets forth the scope of operation (s)he proposes, including the following:

1. The services (s)he will offer.
2. The amount of land (s)he desires to lease.
3. The building space (s)he will construct or lease.
4. The number of aircraft (s)he will provide.
5. The number of persons (s)he will employ.
6. The hours of proposed operation.
7. The amount any types of insurance coverage (s)he will maintain.
8. Evidence of her/his financial capability to perform and provide the above services and facilities.

V. NOTICE AND HEARING

Upon the filing of such an application with the Airport Manager, it will be forwarded by review by the City Manager. Based upon his review and consideration of the application, the City Manager shall determine whether the applicant meets the standards and qualifications as herein set out, and whether or not such application should be granted in whole or in part, and if so, upon what terms and conditions.

All other persons then conducting aeronautical activities on said Airport who in the opinion of the Airport Manager would be directly affected by the granting of the application in question, may also be notified of the filing of such so they will have an opportunity to share any comments with the City Manager before a final recommendation is reached.

VI. ACTION ON LEASE OR CONTRACT BY CITY COUNCIL

Upon receipt of written recommendation of the City Manager, the City Council shall include said matter upon the agenda of the next regular meeting of the City Council and, at such meeting or at a subsequent meeting to which it may be passed, shall approve, modify or reject such lease or contract.

VII. LEASE OR CONTRACT

- A. Upon the approval of any such application as submitted or modified, the City shall cause to be prepared a suitable lease or contract agreement, setting forth the terms and conditions of the land and/or facility use, which lease, or contract shall in every instance be conditioned upon or contain language assuring:
1. That the Minimum Standards and Rules and Regulations be incorporated into said Lease or Contract by reference.
 2. That there be original and continued compliance with the Minimum Standards and Rules and Regulations required for each particular aeronautical activity approved.
 3. That any structure or facility to be constructed or placed upon said Airport shall be constructed in a manner to conform to all safety regulations of the State of Oklahoma and the City of Clinton, and shall be in compliance with the requirements of current building codes and fire regulations of the City of Clinton, and that any construction once commenced will be diligently prosecuted to completion.
 4. That the right shall be reserved in the CAA to modify or add to the Minimum Standards and Requirements for Commercial Aeronautical Services and Activities at the Airport, and the Rules and Regulations for Aviation and that any lease, contract or agreement entered into with applicant shall be terminated or canceled in the event of failure to comply with any modification or amendments to the Minimum Standards and Requirements for Commercial Aeronautical Services and Activities at the Airport, and the Rules and Regulations for Aviation after notice thereof shall have been given.
- B. No Airport Tenant shall engage in any business or activity on the Airport other than that specifically authorized under her/his particular category or categories.
- C. Any Airport Tenant desiring to extend her/his operation into more than one category or to discontinue operations in a category, shall first apply in writing to the CAA for permission to do so, setting forth in detail the reasons and conditions for the request. The CAA shall then grant or deny the request on such terms and conditions as the Board of Trustees deems to be prudent and proper under the circumstances.
- D. Lessees will, at all times during the continuance of the term of the lease and any renewal or extension thereof: conduct, operate and maintain for the benefit of the flying public, the services provided for and described therein, and provide all parts and services as

defined and set forth, and will make all such services available to the public and that it will devote its best efforts for the accomplishment of such purposes and that it will at all time charge fair, reasonable and not unjustly discriminatory prices to patrons and customers for all merchandise or materials and services furnished or rendered. Notwithstanding anything contained in a lease that may be or appear to the contrary, it is expressly understood and agreed that the rights granted thereunder are nonexclusive and the Lessor reserves the right to grant similar privileges to another operator or operators upon formal application by that operator, and upon demonstration of compliance with paragraphs IV and VIII herein.

- E. With the exception of current tenants in Space 8 – Phil Schmidt and Space 10 – Beaver Creek Aviation, LLC, all leases for airport construction shall contain a reversionary clause stating that any private construction of a facility on Airport property shall revert ownership back to the Airport upon the termination or conclusion of the lease. The prevailing leases for Spaces 8 & 10 shall not be subject to the reversionary clause until their present leases lapse. Otherwise, upon reversion, the immediate previous owner shall have first right of refusal to enter into a new rental agreement with the Airport for said facility.

VIII. STANDARD REQUIREMENTS FOR ALL AERONAUTICAL ACTIVITIES

Every applicant for permission to conduct aeronautical activities at the Airport shall satisfy the CAA that he or she meets the following requirements:

- A. That such applicant has a history of management and personnel ability in conducting the same or similar or comparable type of service or activity in good workman like manner.
- B. That such applicant has the financial responsibility and ability to provide facilities and services proposed.
- C. That the applicant has or can reasonably secure necessary certificates from the FAA or other authority where the same are required for the activity proposed.
- D. That the applicant has or can furnish suitable indemnity insurance or bond to protect and hold the CAA harmless from any liability in connection with the conduct of the activity proposed. In considering every application for establishing aeronautical activities, the CAA shall give due consideration to whether such proposed activity would be detrimental to the public interest.
- E. All construction required of such operators should be in accordance with design and construction standards required or established by the City for the facility or activity involved. Title to any and all buildings and appurtenances, which may be built on Airport property, shall revert to the CAA, when and if the subject Lessee vacates the lease for any reason. All operators shall be required to furnish the CAA payment and performance bonds commensurate with any construction required under the standards herein fixed or under any contract or lease by and between such operator and the City.
- F. The rates or charges for any and all activities and services of such operators shall be determined by the operators, subject to the requirement that all such rates or charges shall be reasonable and be equally and fairly applied to all users of the services.

- G. All operators at the Airport shall be financially sound and progressive business enterprises, with adequately manned and equipped facilities, including ample office facilities, and who shall observe normal or specifically required business hours.
- H. All operators shall, at their own expense, pay all taxes and assessments against any buildings or other structures placed on the premises by them, as well as all taxes and assessments against the personal property used by them in their operations.
- I. All operators shall abide by and comply with all state, county and city laws and ordinances, the Rules and Regulations of the Airport, and the rules and regulations of the State and the Federal Aviation Administration.
- J. In the event the CAA constructs the physical plant facilities (hangars, etc.) for use by any operator under the provisions of any lease or other contract, such lease or contract with such operators shall be on such terms and conditions as to guarantee a full return of the investment within a set number of years to be determined by the CAA.
- K. All operators shall provide and pay for all utility costs (natural gas, electric, water, sewer and garbage, telephone, internet etc.) charges used or incurred anywhere in or about the leased premises and shall pay the charges made therefor by the suppliers thereof promptly when due.

IX. STANDARD REQUIREMENTS FOR ALL SPECIFIC ACTIVITES

In addition to meeting the requirements of Paragraph VIII, every person conducting the following specific activities shall meet the additional requirements as hereinafter set out:

A. SELF FUELING PRIVILEGES:

No aviation fuels will be brought on the Airport for use or for sale. The CAA, in its proprietary capacity, extracts a fuel flowage fee from General Aviation aircraft operators using the Airport in lieu of landing fees.

At its sole discretion, the CAA may authorize limited exceptions under specific conditions, *i.e.* the Airport's fueling facilities are inoperable, or a specific type of fuel is not provided by the Airport.

Persons given prior written authorization by the Airport to fuel their privately owned aircraft shall be required to obtain an oil company contract to make bulk purchases of aviation fuels and oil, a copy of which must be provided to and approved by the Airport Manager. Such contract shall provide for direct payment of fuel flowage fees to the CAA by the oil company upon bulk deliveries to the individual.

B. AIRCRAFT CHARTER AND TAXI SERVICE:

Persons conducting an aircraft charter and/or air taxi service shall be required to provide:

- 1. Suitable, properly certified aircraft with properly certificated and qualified operating crew.
- 2. Shall provide passenger liability insurance of at least (e.g. \$1,000,000 per

passenger seat and property damage liability of at least \$1,000,000);

3. Shall comply with all requirements of FAR, part 135 pertaining to air taxi and commercial operation of small aircraft;
4. Shall provide as a separate item, at their expense, liability insurance relative to their obligations with minimum liability to protect the operator and to protect and hold harmless the CAA and all liability in connection with their activities.

C. AIRCRAFT ENGINE, AIRFRAME, AND ACCESSORY SALES AND MAINTENANCE:

All persons operating aircraft engine, airframe and accessory maintenance facilities to the public for hire shall provide:

1. In case of airframe or engine repairs, sufficient hangar space to house any aircraft upon which such service is being performed;
2. Suitable inside or outside storage space for aircraft awaiting repair or maintenance or delivery after repairs or alterations if less than seven days duration;
3. Adequate shop space to house the equipment and machines, tools, jacks, lifts and testing equipment (if applicable), to perform maintenance as required by FAA regulations;

D. AIRCRAFT RENTAL AND SALES:

Persons conducting aircraft rental and sales activity shall provide:

1. Suitable office space for consummating sales and/or rentals, and the keeping of the proper records in connection therewith;
2. Hangar storage space for at least one aircraft to be used for sales or rentals;
3. For rental, airworthy aircraft suitably maintained and certified;
4. For sales activity of a new aircraft, a sales or distributorship franchise from a recognized aircraft manufacturer of new aircraft and at least one demonstrator model of such aircraft, or satisfactory arrangements with other operators licensed by the Airport for such service and repair;
5. There shall be available, a properly certificated pilot capable of demonstrating new aircraft;
6. Proper check lists and operating manuals of all aircraft rented and adequate parts catalog and service manual on new aircraft sold.

E. FLIGHT TRAINING:

1. All 141 certified schools conducting flight-training activities shall provide:
 - a. At least one properly certificated flight instructor for single-engine land airplanes;
 - b. At least one dual equipped single engine land aircraft, properly equipped and maintained for flight instruction, and such additional

types of aircraft as may be required to give flight instruction of the kind advertised;

- c. Adequate office and classroom space for students with proper restroom and seating facilities;
 - d. Adequate mock-ups, pictures, slides, filmstrips or other visual aids necessary to provide proper ground school instructions;
 - e. Properly certified ground school instructor, providing regularly scheduled ground school instructions sufficient to enable students to pass the FAA written examination for private pilot and commercial ratings;
 - f. Continuing ability to meet certification requirements for the FAA of the flight training proposed and shall comply with all requirements of approved pilot schools, and FAR Part 141;
 - g. Adequate public liability and property damage insurance sufficient to protect the operator and the CAA from legal liabilities involved;
 - h. Adequate facilities for storing, parking, servicing and repairing all its aircraft or satisfactory arrangements with other operators licensed or otherwise permitted by Airport for such services.
2. All individuals desiring to conduct flight training shall comply with either 'a' or 'b' below:
- a. Part-time instructors may work in conjunction with any of the full-time flight schools and be subjected to all of the standards pertaining to full-time flight schools, or;
 - b. May work individually provided the following guidelines are followed:
 - i. Must hold current FAA certified flight instructor certificate;
 - ii. Must comply with FAR Part 61;

Both categories of flight training will ensure that all aircraft engaged in a flight training program will continue to meet all FAA maintenance requirements for commercial operations.

F. CROP DUSTING AND SPRAYING:

Persons seeking to conduct crop dusting or spraying of agricultural chemicals shall be required to satisfy the CAA that:

1. Suitable arrangements have been provided for the safe storage and containment of noxious chemical materials; no poisonous or inflammable materials shall be kept or stored in close proximity to other facility installations at the Airport;
2. The operator shall have available properly certificated crew/aircrafts suitably equipped for the agricultural operation undertaken;
3. The operator shall make suitable arrangements for servicing, repairing, storing and parking its aircraft with adequate safeguards against spillage on runways and taxiways or pollution or disbursement of chemicals by wind to other operational areas on the Airport;

4. Operator shall provide adequate public liability insurance to protect the operator and the CAA from liability in connection with such operations;

G. SPECIALTY SHOPS AND OTHER AERONAUTICAL FUNCTIONS:

Specialty shops such as engine overhaul, accessory overhaul, prop shops, instrument shops, etc., are encouraged to be tenants of existing operators. However, special requirements will be studied by the CAA on an individual basis.

H. AREAS AVAILABLE FOR LEASE:

The ALP for the Airport shows the various areas available for lease and the types of uses permitted.

1. All plans and specifications for new construction or alteration shall be approved in writing prior to construction as to architectural conformity, location of building lines, proper hangar clearances, and other specifications that may apply to conform to Airport standards.
2. Improvements or alterations to the leased premises become the property of the Airport upon completion, but the lessee is responsible for all maintenance costs.
3. Within 30 days of completion of construction or alteration, the lessee will submit a complete set of "as-built" plans with a detailed cost breakdown.
 - a. All buildings and construction shall meet City building and fire codes, FAA, state and city specifications and any other specific requirements set by the CAA.
 - b. All utilities including electrical, telephone, gas lines or regulators, will be underground. Plans and specifications for the construction of utilities shall require prior approval by the CAA, including those constructed by the utility companies.

I. COMBINATION ACTIVITIES:

Any person conducting a combination of the specific activities listed hereunder shall not be required to duplicate the requirements of the individual activities, but where the requirement of one activity is sufficient to meet the requirement of a separate activity to be conducted, the one facility shall be sufficient to meet both requirements.

J. WAIVERS:

The CAA reserves the right, at its sole discretion, to waive any of the above if, in their opinion, existing conditions justify such a waiver.

X. AMENDMENT OF STANDARDS

The CAA shall review at least annually the minimum standards and requirements for conducting aeronautical activities at their discretion and shall recommend such revisions or amendments as shall be deemed necessary under the use circumstances surrounding the Airport to properly protect the health, safety and interest of the CAA, the City and the public. Upon approval of any such amendments, the operators of aeronautical activities secured hereunder shall be required to conform to such amended Standards.

PASSED AND APPROVED THIS _____ DAY OF _____, 20____:

DAVID D. BERRONG, CHAIRMAN

ATTEST:

AMY E. JONES, CITY CLERK