



Minimum Standards
&
Rules and Regulations

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Chapter 1.0 General Provisions

Section 1.01 Purpose

These Airport Minimum Standards and Rules and Regulations, hereinafter referred to as “Minimum Standards”, are adopted by the Winchester Regional Airport Authority to establish administrative, operational, and safety regulations and standards for the management, government, development and use of Winchester Regional Airport. These regulations and standards apply to everyone using the Airport and shall be observed in the interest of safety, security, and the financial well-being of all interested parties.

Section 1.02 Definitions

The following words and terms shall have meaning as indicated below, unless the context clearly requires otherwise.

Aeronautical Activity (Activities) - Any activity conducted at airports which 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 renting, flying clubs, sightseeing, aerial photography, aerial surveying, agricultural operations, aerial advertising, balloon or blimp operations, skydiving, ultralight operations, aircraft sales, sale of aviation petroleum products, dispensing of aviation petroleum products, aircraft servicing, repair and maintenance of aircraft, repair and maintenance of aircraft components, repair and maintenance of avionics components or systems, sale of aircraft parts or avionics components, aircraft storage, and any other activities which, because of their direct relationship to the operation of aircraft, can appropriately be regarded as an aeronautical activity. Activities, such as model aircraft and model rocket operations, are not aeronautical activities.

Aircraft – a device that is used or intended to be used for flight in air. Examples of Aircraft include, but are not limited to, airplane, sailplane, glider, rotorcraft (helicopter and gyroplane), balloon, blimp, and ultralight.

Aircraft Management – the oversight, personnel administration, reporting, maintenance administration, scheduling and dispatching of an aircraft not owned or leased by the operator.

Airport – Winchester Regional Airport (KOKV) and all of the area, buildings, facilities and improvements within the boundaries of said airport as it presently exists or as it may exist when it is hereafter modified.

Airport Sponsor – The Winchester Regional Airport Authority.

Airside - the buildings, hangars, instrument and communications facilities, runways, taxiways, ramps, aprons, and run-up areas used by aircraft on the Airport.

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

Applicable Law – all applicable provisions of federal, state, and local laws, statutes, ordinances, rules and regulations.

Apron(s) – those areas of the Airport within the property designated for the loading, unloading, servicing, or parking of Aircraft.

Authority - the Board of Directors of the Winchester Regional Airport Authority created by the Winchester Regional Airport Authority Act enacted by the General Assembly of Virginia and approved April 8, 1987. The Airport Authority owns and administers Winchester Regional Airport.

Based Aircraft - an aircraft which the owner physically locates at the Airport either tied down or hangared, and whenever absent from the Airport, its owner intends to return the aircraft to the Airport for a period of sixty (60) days in a twelve (12) month period.

Director - the Executive Director appointed by the Winchester Regional Airport Authority who shall exercise such powers and duties as maybe be delegated to him or her by the Authority, including powers and duties involving the exercise of discretion.

Federal Aviation Administration (FAA) - the federal aviation agency established by the Federal Aviation Act of 1958, as amended, and re-established in 1967 under the Department of Transportation.

Federal Aviation Regulations (FAR) - Title 14 of the Code of Federal Aviation Regulations regarding aeronautics and space.

Fixed Base Operator (FBO) - A business granted the right by the Authority to operate on an airport and provide aeronautical services such as fueling, hangaring, tie-down and parking, aircraft rental, aircraft maintenance, and flight instruction.

Fuel – Any petroleum product used for the purpose of providing propulsion to an Aircraft.

Full-Service FBO – An Entity engaged in the business of providing multiple aeronautical services including Aircraft Fueling to Aircraft owners, Airport users, and Airport tenants. A Full-Service FBO shall provide Aircraft Fuel and Oil Sales and Services, Airframe and Power plant Repair Services, as well as two (2) or more of the following Aeronautical Activities:

- A. Aircraft Charter
- B. Aircraft Hangar Storage
- C. Aircraft Refurbishing and or Painting
- D. Avionics Repairs and Sales
- E. Flight Training and Aircraft Rental
- F. Sale of New Aircraft Parts and Components
- G. Sale of New and Used Aircraft

Landside - all buildings and surfaces used by surface vehicular and pedestrian traffic on the Airport.

Large Aircraft - an aircraft that weighs 12,500 pounds or more.

Lease - an agreement between an Entity and the Authority, which allows that Entity to exclusively use public property at the Airport in a manner that is not permitted to the general public for a defined period.

Manager - the Airport Manager who, as authorized by the Authority, shall be responsible for the safety, operations, management and maintenance of the Airport and for the enforcement of the provisions of these standards and regulations.

Minimum Standards - the qualifications or criteria, which may be established by the Airport as the minimum requirements that must be met by businesses engaged in on- Airport aeronautical activities or services in exchange for the right to conduct those activities.

Proprietary Exclusive - As prescribed by the FAA Advisory Circular 150/5190-6 (Exclusive Rights at Federally Obligated Airports), the owner of a public-use airport may elect to provide any or all of the aeronautical services needed by the public at the airport. The airport sponsor that elects to engage in a proprietary exclusive must use its own employees and resources to carry out its venture.

Ramp Privilege - the driving of a vehicle upon an aircraft parking ramp on the airside of the airport to deliver persons, cargo or equipment to an aircraft as a matter of convenience.

Self-Fueling and Self-Service - Self-fueling means the fueling or servicing of an aircraft (i.e. changing the oil, washing) by the owner of the aircraft with his or her own employees and using his or her own equipment. Self-fueling and other self-services cannot be contracted out to another party. Self-fueling implies using fuel obtained by the aircraft owner from the source of his/her preference. As one of many self-service activities that can be conducted by the aircraft owner or operator by his or her own employees using his or her own equipment, self-fueling differs from using a self-service fueling pump made available by the airport, an FBO or an aeronautical service provider. The use of a self-service fueling pump is a commercial activity and is not considered self-fueling as defined herein and is subject to these Minimum Standards. In addition to self-fueling, other self-service activities that can be performed by the aircraft owner with his or her own employees includes activities such as maintaining, repairing, cleaning, and otherwise providing service to an aircraft, provided the service is performed by the aircraft owner or his/her employees with resources supplied by the aircraft owner.

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

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

UNICOM - a two-way communication system operated by a non-governmental entity that provides airport advisory information. Locations and frequencies are shown on aeronautical charts and publications.

Virginia Department of Aviation (DOAV) - the state agency responsible for the licensing of the Winchester Regional Airport.

Winchester Aviation - the Authority operation which engages in the proprietary aeronautical activity of providing airport services including, but not limited to, fuel sales and aircraft storage to the public.

Section 1.03 Rules and Regulations

All aeronautical activities and all business and other activities at the Airport shall be conducted in conformity with these regulations and standards, and all pertinent rules, regulations, orders, rulings and ordinances of the City of Winchester, Frederick County, the Winchester Regional Airport Authority, DOAV, FAA, and the National Fire Protection Association (NFPA) as appropriate, which are made a part of these regulations and standards by this reference. In the event of 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 shall prevail.

Section 1.04 Special Events

Special events, including but not limited to air shows, air races, fly-ins, skydiving or other similar events requiring the general use of the Airport, for other than normal or routine Airport traffic, shall not be held unless written approval is obtained from the Airport Authority. The written authorization shall specify the areas of the Airport authorized for such special use, dates and such other terms and conditions as the Airport Authority may require. The Authority is authorized to assess fees and charges for conducting special events in accordance with this Section.

Section 1.05 Common Use Areas

Common use areas include the transient apron, all runways for landing and taking-off; taxiways; Airport lighting; all apparatus or equipment for disseminating weather and wind information, for radio or other electrical communication and other structure, equipment or mechanism having similar purpose for guiding or controlling flight in the air or the landing or take-off aircraft. The parallel taxiway and connector taxiways shall be common use areas. All apron taxiways through leased areas shall be considered common use areas available for use in common by all persons flying or operating aircraft on the Airport and shall be kept clear and available for aircraft traffic. T-hangar taxi lanes are also considered common use areas. No one shall use any common use area for parking or storing of aircraft or for any other purpose than operating an aircraft without the prior consent or authorization of the Manager or his/her designee. Common use designations may be changed from time to time by the Airport Authority.

Section 1.06 Public Use

The Airport common use areas shall be open for public use, subject to regulations or restrictions due to weather, security, the conditions of the Airport operational area, and special events and like causes, as may be determined by the Manager or his/her designee.

Section 1.07 Vehicular Traffic

Traffic laws of the Commonwealth of Virginia shall apply to the streets, roads and vehicular parking areas on the Airport. All traffic, informational, and warning signs shall be obeyed. Except for fire-fighting equipment, ambulance and emergency vehicles, no person shall take or drive any vehicle on Airport airside surfaces unless

permission has been first obtained from the Manager or his/her/her designee. The following rules of operation apply to vehicles operated on the Airport:

1. No person shall operate a motor vehicle of any kind on the Airport in a reckless or negligent manner, or in excess of 20 miles per hour (MPH).
2. Pedestrians and aircraft shall have the right of way at all times. When vehicles are operating on the airside, they shall pass to the rear and remain at least 50 feet clear of taxiing aircraft.
3. When operating on the tie-down apron, within the T-hangar areas, or transient apron, vehicles shall be parked clear of taxi lanes so as not to restrict the movement of, or endanger moving aircraft. Once the delivery of persons, cargo or equipment is complete, the vehicle shall be removed from the aircraft parking ramp and the airside of the airport. Ramp privilege shall not include or authorize the parking of vehicles except to load or unload person, cargo or equipment.
4. Vehicles shall be prohibited from operating on the airport runway or taxiway without prior written permission from the Airport Manager or his/her/her designee.
5. Vehicle parking shall be conducted in designated parking areas or as assigned by written agreement.

Section 1.08 Advertising and Signs

Signs or other advertising shall not be placed or constructed upon Airport property or on any building or structure or improvement thereon without having first obtained written approval from the Manager or his/her designee. The Airport Authority may refuse permission for such signs if it finds that such signs are undesirable, unnecessary or create a safety hazard.

Section 1.09 Acceptance of Regulations and Standards by Use

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

Section 1.10 Operators to Keep Regulations and Standards Available

All persons licensed and duly authorized to do business or conduct operations of any kind on the Airport shall keep a current copy of the regulations and standards.

Chapter 2.0 Aircraft Operation and Airport Traffic

Section 2.01 General

1. Persons operating an aircraft shall comply with and operate such aircraft in conformity with these regulations and standards, all pertinent rules, regulations, orders and rulings of the Airport Authority, FAA, DOAV, and other appropriate governmental agencies.
2. In the event an aircraft is wrecked or damaged, the Manager or his/her/her designee shall be immediately notified. The Manager or his/her/her designee may cause the removal and storage or disposal of such wrecked or damaged aircraft at the expense of the aircraft owner.

Section 2.02 Parked Aircraft

1. The pilot or owner shall properly secure the aircraft while parked or stored. Aircraft pilots or owners are solely responsible for parking and tying down their aircraft, including any special security measures required by weather conditions or other conditions at the Airport. The owner and/or pilot of each aircraft shall be held solely responsible for any damage or loss resulting from the failure of such owner or the pilot of such aircraft to comply with this rule. The Airport Authority's obligation, unless otherwise provided in a lease agreement, shall be limited to the maintenance of the aircraft parking space. Parking space maintenance shall consist of such things as line painting, rope replacement, grommet repair, and asphalt or sod repair. Snow removal shall be limited to paved taxi lanes adjacent to tie-down spaces.
2. A specific tie-down space shall be assigned each aircraft when space is rented on a monthly basis. No one shall take or use any aircraft anchoring or tie-down facilities when such facilities are reserved for another aircraft.

Section 2.03 Maintenance of Aircraft

An aircraft owner or operator may perform Federal Aviation Regulation (FAR) Part 43 authorized maintenance on his/her owned or leased aircraft provided the aircraft owner or operator maintains proper FAA licenses and certificates to perform said maintenance and provided such maintenance is performed by the aircraft owner or his/her employee. Any aircraft owner or approved employee who performs maintenance as authorized in this Section, shall perform such maintenance within the confines of a hangar provided such activity does not pose a fire or safety hazard as determined by the sole discretion of the Fire Marshal and/or Airport Manager, and does not impede the ingress/egress of other aircraft. Proof of proper FAA licenses and certificates to perform aircraft maintenance must be provided to the Airport Manager upon request. Use of the tie-down areas for maintenance is prohibited unless otherwise approved by the Airport Manager.

An aircraft owner or operator shall not contract with a second party, such as an aircraft maintenance company or contractor, to perform scheduled maintenance on his/her aircraft at Winchester Regional Airport unless said company or contractor is recognized by the Airport Authority as an authorized Maintenance Fixed Based Operator (FBO) as defined in these Minimum Standards. "Unscheduled Maintenance" by a non-FBO maintenance company or contractor is permitted provided the aircraft owner notifies the Airport Manager of this activity in advance, and the company or contractor presents to the Airport Authority proof of proper FAA licenses and certificates to perform aircraft maintenance, proof of public liability insurance, and the aircraft owner/Airport Manager can identify an area to perform such unscheduled maintenance or service. Notification shall consist of the aircraft owner contacting the Airport Manager and providing written documentation that fulfills the above requirements. Unscheduled maintenance is limited to the following:

- a. Warranty maintenance work that requires repair or attention by the warranting company.
- b. Repair of a malfunction that prevents the aircraft from being taken to another airport for maintenance.

- c. Maintenance work requiring a specialty service not being provided by an approved maintenance FBO at Winchester Regional Airport.

All aircraft maintenance shall be conducted in accordance with the Winchester Regional Airport Minimum Standards and Rules and Regulations; all federal, state and local fire and safety regulations; all federal, state and local rules and regulations, airworthiness directives, and other applicable rules and regulations.

Section 2.04 Traffic Rules

1. The "Calm Wind" runway (when winds are less than 5 knots regardless of direction), is runway 32.
2. The Traffic Pattern Altitude (TPA) is 1,000 feet above ground level (AGL) for small aircraft; 2,000 feet AGL for turboprop and jet aircraft.
3. The runway shall be used for takeoff and landing only.
4. All aircraft shall be taxied at a slow and reasonable speed. The taxiways shall be used for aircraft ground movement only; takeoffs and landing shall not be conducted from a taxiway without prior written approval of the Airport Manager or his/her designee.

Section 2.05 Ultralight Vehicles

1. Ultralight Operators must comply with all provisions of the Code of Federal Regulations (CFR) Part 103 and all operating directives issued by the Airport Manager.
2. Prior to starting Ultralight Operations, the Airport will determine if this activity will present or create a safety hazard to the normal operations of Aircraft arriving or departing the Airport. An FAA airspace study may be necessary to determine the efficiency and utility of the Airport for such operations.
3. Commercial Ultralight Operators must comply with the provisions of these Minimum Standards for Aircraft Rental and Flight Instructions.

Section 2.06 Unmanned Aerial Systems (UAS)

1. UAS Operators must comply with all provisions of the CFR Part 107, as applicable, the FAA, and all operating directives issued by the Airport Manager.
2. Prior to starting UAS Operations, the Airport will determine if this activity will present or create a safety hazard to the normal operations of Aircraft arriving or departing the Airport. An FAA airspace study may be necessary to determine the efficiency and utility of the Airport for such operations.
3. Commercial UAS Operators must comply with the provisions of these Minimum Standards for Aircraft Rental and Flight Instructions.

Chapter 3.0 Fire Prevention and Aircraft Self-Fueling

Section 3.01 General

The purpose of this Section is to provide fire prevention and self-fueling regulations and standards for pilots and aircraft owners operating on the Airport who engage in servicing and fueling their own aircraft. Persons operating aircraft on the airport and who intend to use flammable or volatile liquids on the Airport and or fuel their own aircraft shall do so in accordance with the requirements of National Fire Protection Association (NFPA) 407 Standard for Aircraft Fuel Servicing, and FAA Advisory Circular 150/5230-4 (as amended).

Section 3.02 Flammable and Volatile Liquids

No person shall use flammable or volatile liquids having a flash point of less than 100 degrees Fahrenheit in the cleaning of aircraft, aircraft engines, propellers, appliances, or for any other purpose. The procedures and precautions outlined in the criteria of NFPA pamphlet 410-F (Aircraft Cabin Cleaning and Refurbishing Operations) are hereby incorporated by reference and made part of this chapter as if fully set out herein, and shall be adhered to in all cleaning, painting, and refurbishing operations using flammable and volatile fluids, including the storage of such fluids.

Section 3.03 Liquid Disposal

Fuels, oils, dopes, paints, solvents and acids and other hazardous materials shall not be disposed of or dumped into drains, on the aprons, catch basin, ditches (on or adjacent to the Airport) or elsewhere on the Airport. Such liquids shall be taken off site for disposal, unless a designated waste disposal point has been prescribed by the Airport Manager.

Section 3.04 Cleaning Floors

Floors shall be kept clean and free of oil. The use of volatile, flammable solvents for cleaning floors is prohibited.

Section 3.05 Drip Pans

If required, drip pans shall be placed under engines and kept clean.

Section 3.06 Compressed Gases

Cylinders of flasks of compressed flammable gases shall not be stored inside hangars or occupied buildings but shall be stored external to occupied building and hangars in facilities approved in writing by the Airport Manager.

Section 3.07 Fueling Operations

1. Persons may self-fuel aircraft owned or leased (by written lease) to them provided such operation is conducted in accordance with NFPA 407.
2. An aircraft owner may service his/her leased or owned aircraft provided the service is done by the owner or his/her employees using owned or leased equipment in accordance with the established regulations and standards of the Airport Authority related to such work.
3. Self-fueling shall be conducted only in those areas designated at APPENDIX A.

Section 3.08 Fuel Storage

No fuels shall be stored on Airport property other than in the bulk storage and distribution systems owned and operated by the Airport Authority, or otherwise approved in writing, except:

- a. A maximum of 10 gallons of automobile gasoline may be stored on the Airport for the fueling of lawn mowers, trimmers, and small garden tractors used on the Airport by FBOs. Such gasoline shall be stored external to buildings and hangars in facilities approved in writing by the Airport Manager.
- b. The existing private underground storage and distribution systems owned and operated by Valley Proteins, Incorporated shall be permitted to retain their systems until the owner's agreement with the Airport Authority (formerly the City of Winchester) to operate such facilities expires or the owner removes or abandons the facility. Even though permitted to retain their underground fuel storage and distribution systems, the owners shall not expand the product capacity or number of storage tanks in existing facilities, shall show compliance with Environmental Protection Agency (EPA) and Virginia State Water Control Board regulations and guidance, and shall comply with requirements of this chapter.

Section 3.09 Fuel Servicing Vehicles

Except as provided in **Section 3.08 (b)**, persons, firms or corporations operating aircraft on the airport and electing, with the permission of the Airport Authority to use a fuel servicing vehicle (hereinafter referred to as "refueler") for the purpose of dispensing fuel to service their own aircraft, must meet the following minimum standards:

1. Refuelers and their systems shall be maintained and operated in accordance with the EPA, federal, state, and local codes covering fuel dispensing on airports and NFPA Standard 407, latest edition,, or as hereinafter amended. The applicable sections of FAA Advisory Circular 150/5230-4 (as amended) shall also be followed.
2. All refueler operations must comply with the airport's approved storm water pollution prevention plan (SWPPP) and oil discharge contingency plan (ODCP). Failure to comply with these documents may constitute denial of all refueler operations by the Airport Authority until compliance can be demonstrated.
3. Each refueler shall be conspicuously marked in letters of contrasting color, with the word "flammable" on both sides and rear of the cargo tank in letters of at least six inches high, and with the wording "emergency shut off" and other appropriate operating instructions required at the emergency operating devices in letters at least two inches high. Each refueler will also be conspicuously marked on both sides and rear with the type and grade of fuel it contains in appropriate color schemes.
4. Refuelers shall not be stored or parked on airport property or leased parcels without written approval.
5. Refuelers shall use only the entrance, exit, and route designated by the Airport Manager or his/her designee, during the transportation and delivery of fuel to and from the airport.
6. Refueling with non-public refuelers shall be conducted only in those areas designated in writing by the Airport Manager.
7. A refueler cargo tank shall be supported by and attached to, or be a part of, the vehicle upon which it is carried.
8. Fueling personnel shall be of sufficient number to safely operate the fuel storage and dispensing systems and perform periodic checks and inspections essential to their proper functioning.
9. The owner of a private refueler may hangar, adjust, repair, refuel, clean and otherwise service their owned or leased aircraft, provided the service is done by the owner or their employees in accordance with the established standards of the Airport Authority related to such work.

Section 3.10 Contracts Prohibited

An aircraft owner shall not contract with a second party, such as an oil company or fuel contractor, to refuel their aircraft. The second party is considered a commercial aeronautical activity.
(See also Chapter 4, Section 4.09.4 (h))

Section 3.11 Fuel Flow Fees

Aircraft owners who choose to self-fuel from privately owned refuelers shall pay a fuel flow fee to the Airport Authority at the rates established by the Airport Authority. A fuel flow report, invoice, or receipt with the appropriate remittance shall be provided to the Manager by the 10th calendar day of each month for fuel dispensed on the Airport.

Chapter 4.0 Airport Operators, Leases and Concessions

Section 4.01 Business Activity Compliance

Subject to applicable orders, certificates or permits of the FAA, or its successors, Grant Agreements with the FAA and the laws of the Commonwealth of Virginia, no person shall use the Airport or any portion thereof or any of its improvements or facilities for commercial, business or aeronautical activities who has not first complied with these regulations and standards and obtained the required approval and written consent of and/or licenses for such activities from the Airport Authority and entered into such written leases and other agreements prescribed by the Airport Authority. Notwithstanding any other provisions of these regulations and standards, the provisions of any FBO lease agreement now in effect shall prevail.

Section 4.02 Application

Applications for leases of airport land or for permission to carry on any commercial, business or aeronautical activity at the Airport shall be made to the Airport Authority on forms prescribed by it at APPENDIX B. The applicant shall submit all information and material necessary or requested by the Airport Authority to satisfy the Airport Authority that the applicant can qualify and will comply with these regulations and standards. The Airport Authority shall take such actions as it deems appropriate, which may include acceptance, rejection, public notification, or recommendations for modifications of the proposal. The Airport Authority shall decide any proposal made pursuant to this Section within 120 days from receipt of such unsolicited proposal.

Section 4.03 Action on Application

The Airport Authority may deny any application or reject any bid or proposal as the case may be, if, in its opinion, it finds any one or more of the following:

1. The documents set out on page B-2-4 of the business license application form, which are required by the Airport Authority, Airport Manager, or his/her designee, are missing or incomplete.
2. The applicant's proposed operations or construction may create a safety hazard on the Airport.
3. The granting of the application will require the Airport Authority to spend funds, or supply labor or materials in connection with the proposed operations to an extent which the Airport Authority is not willing to enter into such arrangement; or the operation will result in a financial burden to the Airport Authority.
4. There is no appropriate, adequate or available space or building on the Airport to accommodate the entire activity of the applicant at the time of the application unless applicant proposes to construct such facilities.
5. The proposed operation, development, or construction does not comply with the approved Airport Layout Plan or other strategic goals of the Airport Authority.
6. The development or use of the area requested by the applicant will result in depriving existing FBOs of portions of the area in which they are operating; or will result in unduly interfering with the operations of any present FBO on the Airport through problems in connection with aircraft traffic or service, or preventing free access to the FBO's area.
7. Supplied the Airport Authority with any false information or has misrepresented any material fact in their application or in supporting documents; or has failed to make full disclosure on their application or in supporting documents.
8. Has a record of violating these regulations and standards, or the regulations and standards of any other airport, or the FAR or any other rules and regulations applicable to the Airport.

9. Has defaulted in the performance of any lease or other agreement with the Airport Authority.
10. Has a credit report which contains derogatory information of such a nature that it indicates to the Airport Authority that the applicant would not be a desirable operator on the Airport.
11. Has been convicted of any crime or violation of any state, city or county ordinance of such a nature that it indicates to the Airport Authority that the applicant would not be a desirable operator on the Airport.
12. Nothing contained herein shall be construed to prohibit the Airport Authority from granting or denying, for any reason it deems sufficient, an application to do business on the Airport for the purpose of selling, furnishing non-aviation products and supplies or establishing any service or business of a non-aeronautical nature, or the application by a person for an area on the Airport for the personal non-profit use of such person.

Section 4.04 Supporting Documents

All applicants to submit the following supporting documents to the Airport Authority, together with such other documents and information as requested by the Airport Authority;

1. A current financial statement prepared or certified by an independent certified public accountant, and certified by the chief financial officer(s) of the applicant.
2. A description of previous experience in airport services and a listing of key personnel to be assigned to the business at the Airport with duties, responsibilities, and similar experience.
3. A written and signed authorization permitting the FAA and all Aviation or Aeronautical Commissions and authorities, Administrators, or Department of all States and local jurisdictions in which the applicant has engaged in aviation business to supply the Airport Authority with all information in their files relating to the applicant or the business operation. The applicant shall execute such forms, releases and discharges as may be requested by any of these agencies for this purpose.

Section 4.05 Airport Licenses and Leases Non-transferable

Rights, privileges, permits or licenses to do business at the Airport, or any lease of any area of the Airport or part thereof shall not be assigned, sold or otherwise transferred or conveyed in whole or in part without prior written consent of the Airport Authority. Leases, or any portion thereof, shall not be assigned or sub-let without prior approval of the Airport Authority and all assignees or sub-lessees as approved by the Airport Authority shall comply with these regulations and standards.

Section 4.06 Refuse

Persons shall not throw, dump or deposit any waste, refuse or garbage on the Airport. All waste, refuse or garbage shall be placed and kept in proper containers until disposed of as specifically prescribed by the Airport Manager. All operating areas shall be kept in a safe, neat, clean and orderly manner at all times and in such a manner as to minimize any hazards.

Section 4.07 Approval of Construction

Buildings, structures, tie-downs, ramps, paving, taxi areas or any other improvements or addition shall not be placed, constructed, altered or removed without prior written approval of the Airport Authority in accordance with APPENDIX D. In the event of any construction, the Airport Authority may, at its discretion, require an appropriate bond to guarantee the completion of the construction in accordance with its approval. The Airport Authority shall consider conformance to the Airport's Capital Improvement Program and Airport Master Plan prior to the approval or denial of any construction or development at the Airport.

Section 4.08 Operation Area

Persons authorized to operate or conduct business activities at the Airport shall do so only on areas specified by the FBO lease agreement, or approved in writing by the Airport Manager.

Section 4.09 Fixed Base Operators

1. An FBO shall be a person or entity who carries on or conducts one or more of the following services at the Airport:
 - a. Aircraft Sales
 - b. Parts and Accessories Sales
 - c. On Demand Air Taxi operations prescribed under FAR Part 135.
 - d. Scheduled Part 121 Airline operations prescribed under FAR Part 135 or 121.
 - e. Aircraft Rental
 - f. Flight instruction
 - g. Aircraft Management
 - h. Maintenance Services which shall include services in one or more of the following:
 1. Airframe overhaul and repair
 2. Engine overhaul and repair
 3. Radio and electrical shop
 4. Instrument shop
 5. Aircraft interior work
 6. Refinishing and painting
 - i. Aviation fuels and oil dispensing service. **(See also Section 4.09.4 (i))**
 - j. Aircraft Storage, inside and outside
 - k. Specialized Commercial Flight Services which shall include services in one or more of the following:
 1. Non-stop sightseeing flights that begin and end at the airport within a 25-mile radius.
 2. Agricultural application
 3. Banner towing
 4. Aerial photography and survey
 5. Fire fighting
 6. Power line or pipeline patrol
 7. Any other operations specifically excluded from FAR Part 135
2. ***Full-Service Fixed Base Operator is an entity engaged in the business of providing multiple aeronautical services including Aircraft Fueling to Aircraft owners, Airport users and Airport tenants. In addition to the primary Aircraft Fueling operations, a Full-Service FBO shall provide a minimum of three (3) other secondary services describe in Section 4.09.1 of these Minimum Standards. Only a Full-Service FBO can provide Aircraft Fueling to Aircraft owners, Airport users and Airport tenants. (See also Section 4.09.4 (i))***
3. An applicant for an Airport Business License shall specify all services mentioned in paragraph 1 of this Section which the applicant desires to conduct on the Airport. An FBO shall carry on or conduct only those services for which it has been granted an Airport Business License or other written approval by the Airport Authority.
4. In addition to the requirements provided in **Section 4.09,1 & 2**, of this Section and any other requirements of these regulations and standards, the FBO shall meet the following minimum qualifications for each of the following respective services all of which shall be conducted on/from the Airport:
 - a. **Aircraft Sales.** The FBO shall provide or lease from the Airport Authority the office required by these regulations and standards and shall provide or lease from the Airport Authority an area on the Airport of sufficient size to permit the storage and/or display of all aircraft for sale or used in the aircraft sales business.

- b. **Parts and Accessories Sales.** The FBO shall provide or lease from the Airport Authority, the office required by these regulations and standards, conduct one or more FBO services listed above in paragraph 1 of this Section, and provide suitable space on the Airport for the display of parts and accessories available for sales.
- c. **On Demand Air Taxi Operations as prescribed under FAR Part 135.** The FBO shall provide or lease from the Airport Authority, the office required by these regulations and standards and an area on the Airport of sufficient size to accommodate all space needed for its operation, including space for the aircraft available for charter. The FBO shall own or lease (by written lease) at least one (1) aircraft based on the Airport which is equipped and maintained to provide the licensed services offered to the public. Such aircraft shall also be equipped and maintained to comply with the applicable rules and regulations of the Commonwealth of Virginia and the FAA.
- d. **Scheduled Part 121 Airline Operation as prescribed under FAR Part 135 or Part 121.** A commuter operator shall provide or lease from the Airport Authority the office and counter space, baggage and equipment storage and other space needed to provide such services. All services to include, but not limited to, security, baggage handling, servicing of aircraft, and ticketing shall be accomplished by the commuter operator's employees unless written approval to do otherwise is received from the Airport Authority.
- e. **Aircraft Rental.** The FBO shall provide or lease from the Airport Authority the office required by these regulations and standards and an area on the Airport of sufficient size to accommodate all aircraft that will be used by the FBO. The FBO shall own or lease at least two (2) aircraft based on the Airport which shall be maintained in accordance with applicable rules and regulations of the Commonwealth of Virginia and the FAA.
- f. **Flight Instruction.** The FBO shall provide or lease from the Airport Authority the office and suitable classroom for ground school as required by these regulations and standards and an area on the Airport of sufficient size to accommodate all aircraft used by the FBO for flight instruction. The FBO shall own or lease and have based on the Airport, at least two (2) aircraft suitable for flight instruction which shall be equipped and maintained in accordance with applicable rules and regulations of the Commonwealth of Virginia and the FAA.
- g. ***Aircraft Management. The FBO shall provide or lease from the Airport Authority, the office space required by these regulations and standards and an area on the Airport of sufficient size to accommodate all space needed for its operation including space for the aircraft to be managed by the FBO. Managed aircraft are those aircraft for which all services are provided as defined by the term 'Aircraft Management' in Section 1.02.***
- h. **Maintenance Services.** The FBO shall provide a shop building which is separated by a fire wall from any hangar, building or area in which aircraft are stored or lease such space from the Authority. The shop building shall be of sufficient size to accommodate all of the aircraft maintenance services being offered and shall have the office required by these regulations and standards. Such building, shop and office shall contain at least 2,500 square feet of inside floor space. In addition, the FBO shall equip the shop with such tools, machinery, equipment, parts and supplies normally necessary to conduct a full time business operation in connection with the aircraft maintenance service being offered. Such shop shall be staffed by mechanics and personnel who are qualified and competent. In addition, the FBO shall lease from the Authority an area on the Airport of sufficient size to accommodate aircraft used by the FBO, or which are placed with the FBO for repairs. Aircraft may be stored in the shop building. Unless leasing existing space from the Authority, the FBO shall lease or provide a paved aircraft apron within the leased area to accommodate movement of aircraft from its facility to the taxiway complex.
- i. **Aviation Fuels and Oil Dispensing Service.** The Authority retains the proprietary right to sell fuels and related line services on the Airport however, in the event the Authority

relinquishes that right, only a Full-Service FBO meeting the requirements of these Minimum Standards as outlined in Section 4.09.4 (n) shall be approved to provide fuel and line services.

- j. Aircraft Outside Storage.** The Authority retains the proprietary right to provide and/or rent aircraft outside storage.
- k. Aircraft Inside Storage.** The FBO shall provide a storage building of at least 2,500 square feet. It may have an office in the storage building. If no office is maintained, the FBO shall post the name, address and telephone number of the person who shall be managing or operating the hangar facilities. The operator shall lease from the Authority all of the area required to accommodate the building with the proper access and automobile parking area.
- l. Specialized Commercial Flight Services.** A Specialized Commercial Flight Service shall provide or lease from the Authority all space and equipment on the airport required for the conduct of all such services and may be required to complete an Airport Business License application and pay certain fees to the Authority.
- m. Aerial Application Operators (as Specialized Commercial Flight Service).** Companies planning or desiring to use the Airport as a staging area for aerial application of pesticides, herbicides, fertilizer or any other material dispensed from an aircraft must complete the Application for Permit provided at APPENDIX B and provide the Airport Manager with the information listed below. Aerial applicators shall not deliver any material or aircraft to the airport prior to receiving an aerial application permit from the Airport Manager.

 - 1. A copy of the Applicant's Virginia Commercial Pesticide Permit.
 - 2. A Certificate of Insurance indicating the Applicant has Chemical Liability Insurance for the period of proposed operation at the airport in the amounts required.
 - 3. A copy of an FAA Waiver for aerial application.
 - 4. A copy of the Applicant's emergency plan which must include 24-hour telephone numbers of Applicant's key personnel.
 - 5. Product labels and Material Safety Data Sheets (MSDS) for all material being used.
 - 6. The Applicant must agree to:
 - a. Have at least 200 pounds of absorbent material on site for spill protection, plus shovel, brooms and containers for used material.
 - b. Use a back flow preventer for any hoses attached to any water supply.
 - c. If pesticides are to be stored on airport property, they must be locked in posted storage containers.
- n. Full-Service FBO – Aircraft Fuels and Oil Sales and Services** shall be provided by a Full-Service FBO as stated in Section 4.09.2. Except as otherwise provided in any Agreement between the Full-Service FBO and the Airport, a Full-Service FBO conducting Aircraft Fuels and Oil Sales and Services to the public shall be required to provide the following services and equipment:

 - 1. Full-Service FBO may, at their option, provide fueling and/or ground services to certificated Air Carriers.
 - 2. Minimum types of aviation fuel offered shall be 100LL and Jet-A.
 - 3. An inventory of common grades of aviation engine oils and lubricants.
 - 4. Fuel dispensing equipment, meeting all applicable Federal, Commonwealth of Virginia, and County of Frederick requirements for each type of Fuel dispensed. At least two (2) mobile dispensing trucks, one (1) truck with a minimum of 750 gallons of aviation gasoline (100LL) and one (1) truck with a minimum of 3,000 gallons of Jet-A Fuel, are

required for the minimum grades specified. If additional grades are offered, at least one additional truck per grade will be required. All dispensing equipment shall be equipped with certified metering equipment, filters and bonding equipment and shall meet all Federal, State and Local requirements.

5. The storage, transportation, and dispensing of Fuel shall be done in strict accordance with Federal, Commonwealth of Virginia, and County of Frederick codes, Airport Rules and Regulations and applicable National Fire Protection Association (NFPA) Codes.
 6. All Fuel dispensing equipment and Fueling Operations will comply with NFPA requirements for Aircraft Fueling Operations and the appropriate FAA advisory Circulars.
 7. A Full-Service FBO shall have a minimum of one (1) 20,000 gallon 100LL Fuel storage tank and one (1) 20,000 gallon Jet-A Fuel storage tank for its own use.
 8. All bulk Fuel storage tanks shall be above-ground units, located in the containment area in the central Airport Fuel Farm and shall meet all applicable Federal, Commonwealth of Virginia, Airport Authority and County of Frederick regulations for the storage of Fuel and petroleum products. Fuel storage tanks must include adequate Fuel spill prevention features together with an approved Fuel Spill Prevention Countermeasures and Control Plan (SPCC), as applicable. Storage of other materials deemed hazardous shall be in containers or lockers meeting all applicable Federal, Commonwealth of Virginia, and County of Frederick regulations for the storage of Hazardous materials.
 9. A Full-Service FBO may not install Self-Service Fueling equipment without providing full service Fueling service to the public and with the written approval of the location by the Airport Authority. Self-Service Fueling is the dispensing of Fuel by a pilot into an Aircraft from a pump installed for that purpose. A Self-Service Fueling facility is for public use. The Self-Service Fueling facility may or may not be attended by the Full-Service FBO that owns and operates the equipment.
 10. The lawful and sanitary handling and timely disposal, away from the Airport, of all sold waste, regulated waste, and other materials including, but not limited to used oil, solvents, and other regulated waste. The stacking and storage of crates, boxes, barrels and other containers will not be allowed within the Fuel Farm facility.
 11. Properly trained and certified personnel of a quantity to meet all operational requirements normally expected. The Full-Service FBO supervisor in charge of Fueling and quality control shall attend an FAA approved fueling school, which meets the requirements of FAR Part 139.321 (b) 1 through 6. The Full-Service FBO shall establish and carry out all operations in accordance with procedures sufficient to provide the services required and safely store, dispense and handle fuel, lubricants and aviation oxygen on the Airport.
 12. Provide twenty-four (24) hours of line service per day, seven days per week on site. Line service shall consist of, at minimum, fueling, marshalling, parking, lavatory service, oxygen service, towing, and ground power.
 13. Oxygen dispensing and servicing for low pressure and high pressure gaseous oxygen. Only aviator's breathing oxygen shall be offered.
 14. Provide insurance coverage in amounts no less than specified in Section 4.10.
5. Except in cases of Specialized Commercial Flight Services and T-hangar or inside hangar aircraft storage only, each FBO shall provide and maintain an office which shall be staffed and open to the public during hours which shall be posted in a prominent place at the FBO's place of business for the public to read; which shall be the operator's office or place of business on the Airport and which shall include a waiting

room with appropriate furnishings, separate rest rooms for men and women and a public telephone unless adequate facilities currently exist, as determined by the Authority. These facilities and office shall be kept in a neat, clean and orderly condition. The office shall contain an adequate amount of inside floor space to safely and efficiently conduct the business it is intended for and shall be suitably provided with heating and air-conditioning. No separate, free standing building housing the required office space shall be erected with less than 2,500 square feet without written approval from the Authority. Only one office shall be required of each FBO. No FBO, or its employees, agents, officers or other persons connected with the business shall use the office area or other facilities of any other FBO without the written consent of said FBO. Furthermore, a signed copy of that written consent shall be provided to the Authority.

6. Each approved FBO shall enter into an agreement with the Authority whereby the FBO accepts, is bound by, complies with and conducts business in accordance with these regulations and standards and agrees that the approval and authority to carry on business at the Airport shall be subject to the terms and conditions set out in these regulations and standards and the revocation or termination thereof as herein provided and any other conditions set forth in the agreement.
7. Unless otherwise provided in the lease agreement with the Airport Authority, the FBO shall, at its own expense, provide, construct, install, equip and maintain all utilities, buildings, structures, ramps, tie-down area, taxi ways, fences and all other facilities and improvements requested or approved by the Airport Authority as being advisable and necessary for the FBO to carry on the activities or services authorized by the Airport Authority.
8. The FBO shall promptly pay, when due, all charges for water, sewer, power, telephone service and all other utilities and services supplied to it operation at the Airport; and all wages or salaries and rentals, fees and payments to the Airport Authority with interest on the unpaid balance at a rate of 18 percent per annum.
9. Plans and specifications and a FAA Form 7460-1 for any construction required or approved by the FBO shall be submitted to the Airport Authority for review and approval within 60 days from the issuance of the FBO license, and construction thereon shall commence within 60 days from the Airport Authority's approval of the plans and specifications. The deadline provided in this paragraph may be extended by the Airport Authority for a good cause upon the request of the FBO. All construction shall comply with applicable building codes of Frederick County and other ordinances and the proper permits, including fees, shall be secured and paid for by the FBO.
10. Unless otherwise provided by the Airport Authority, all operations of the FBO shall be conducted on one area of sufficient size to accommodate all services for which the operator is licensed, allowing for future growth and additional services as contemplated by the Airport Authority, or the applicant, at the time of application, to the extent; however, that space is available at the Airport. The FBO shall conduct its business operations strictly within the areas assigned it by the Airport Authority and its operations shall not in any way interfere with the operations of the other FBOs, agencies or other businesses operating on the Airport, the use of the Airport by the general public, or with any common use areas. The FBO shall not use any common use areas except as authorized by these regulations and standards or the Airport Authority.
11. An FBO shall cooperate with the Airport Authority and Airport Manager in the operation, management and control of the Airport and shall do all things reasonable to advance or promote the Airport and aeronautical activities thereon and to develop and maintain the Airport into a safe, attractive, efficient and modern facility.
12. All complaints against any FBO for violation of these regulations and standards shall be filed with the Airport Authority and in writing, signed by the party submitting the complaint specifying dates, times and witnesses, if any.
13. An FBO shall furnish all services authorized or approved by the Airport Authority on a fair and nondiscriminatory basis to all users thereof and shall charge fair and reasonable prices for each unit of service. The FBO may make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers, if permitted by law.

14. The Airport Authority may, at its discretion, terminate any lease or other agreement authorizing the FBO to conduct any services or businesses at the Airport. If one or more of the following occur, termination shall automatically revoke the FBO's license, for any cause or reason provided in these rules and regulations, or by law:
- a. Filing of a petition voluntarily or involuntarily, for the adjudication of the FBO as bankrupt.
 - b. Making, by the FBO, of any general assignment for the benefit of creditors.
 - c. Abandonment or discontinuance of any permitted operation at the Airport by the FBO or the failure to conduct them on a full time basis without the prior approval of the Airport Authority.
 - d. Failure of the FBO to remedy any default or breach of violations by it or its personnel in keeping, observing, performing, and complying with any portion of these regulations and standards and the terms, covenants and conditions in any lease or agreement entered into pursuant hereto on the part of the FBO to be performed, kept, or preserved, within 30 days from the date written notice from the Airport Authority has been mailed or delivered to the place of business of the FBO at the Airport.
 - e. Failure to promptly pay, when due, all rents, charges, fees and other payments which are payable to the Airport Authority by the FBO.
 - f. The FBO, or any partner, officer, director, employee or agent thereof commits any of the following:
 1. Violates any of the provisions of these rules and regulations.
 2. Engages in unsafe, abnormal or reckless practices in the operation of an aircraft on or in the vicinity of the Airport, which creates a hazard to the safety of other Airport users, other aircraft, or the general public or endangers property, or which could, if an emergency developed resulting in causing personal injuries, death or damage to property.
 3. Operates the business of the FBO in such a fashion as to create a safety hazard on the Airport for other Airport users, aircraft or property at the Airport, the general public, or any pilots, students or passengers.
 - g. Discovery that the FBO, through its application, supporting documents, and statement before the Airport Authority, has misrepresented, misstated, falsified, or failed to make full disclosure of any information related to its application for and FBO license or lease agreement with the Airport Authority.
15. In the event of such termination, the FBO shall peaceably vacate the Airport and surrender possession of the premises to the Airport Authority and cease and desist all business operations at the Airport. Should the FBO fail to make such surrender, the Airport Authority shall have the right at once and without further notice to the FBO, to enter and take full possession of the space occupied by the FBO at the Airport by force or otherwise, and remove any and all parties, goods and chattels not belonging to the Airport Authority that may be found within or upon the same at the expense of the FBO without being liable to prosecution or to any claim for damages therefore. Upon such termination by the Airport Authority, all rights, powers and privileges of the FBO hereunder shall cease, and the FBO shall immediately vacate any space occupied by it under agreement or any lease (or leases) and shall make no claim of any kind whatsoever against the Airport Authority, its agents or representatives by reason of such termination or act incident thereto.
16. In addition to all other rights and remedies provided in these regulations, the Airport Authority shall have any and all other rights and remedies at law or in equity, including the equitable remedy of injunction, to enforce these regulations and standards, to obtain compliance herewith, and to impose the penalties herein provided.
17. To the extent necessary to protect the rights and interest of the Airport Authority or to investigate compliance with the terms of the regulations and standards, the Manager or any authorized agent of the Airport Authority shall have the right to inspect at all times all Airport premises together with all structures or improvements, aircraft, equipment, licenses and registrations.

18. The FBO shall park and store the aircraft used in its operations on its assigned area only, unless arrangements for such parking are made with Winchester Aviation.

Section 4.10 Insurance Requirements

1. The fixed base operator agrees to indemnify, defend, and save the Airport Authority, its authorized agents, officers, representatives and employees harmless from and against any and all actions, penalties, liability, claims, demands, damages, or loss resulting from claims or court actions, whether civil, criminal or inequity, and arising directly or indirectly out of acts or omissions of the fixed based operator, its agents, employees, guests, or business visitors.
2. To guarantee performance of **Section 4.10.1**, the FBO shall obtain insurance coverage as prescribed below. Such policies of insurance shall be maintained in full force and effect during all terms of existing leases, agreements or business licenses or renewals or extensions thereof with a 10 calendar day notice of cancellation to the Airport Authority. Such policies shall be for not less than the following amounts:
 - a. Comprehensive General Liability and Property Damage including products and completed operations: \$1,000,000 combined single limit. The Airport Authority shall be named additional insured.
 - b. Aircraft liability: \$1,000,000 Bodily Injury and Property Damage combined single limit.
 - c. Ground and Hangar keeper's Liability (if applicable): Adequate coverage for any one aircraft in storage or care and a limit covering the total value of those aircraft but not less than \$100,000 for any one (1) aircraft and \$500,000 per each occurrence.
 - d. Chemical Liability Insurance (if applicable): \$400,000 combined single limit
 - e. Automobile Liability: For any vehicle that is to be operated on the runway and/or taxiways in the conduct of an aeronautical business, \$1,000,000 combined single limit.
 - f. Aircraft owners involved in self-fuel operations; Comprehensive Aircraft Liability policy indicating that the coverage includes owners fueling/defueling operations with fueling equipment owned and/or operated by the aircraft owner. The coverage shall be for a minimum of \$1,000,000 combined single limit for bodily injury and property damage.
 - g. Worker's Compensation: As required by law.
 - h. Employer's Liability (if applicable): \$100,000 limit of liability.
3. Copies of all such policies shall be delivered to the Airport Authority and shall be held for the benefit of the parties as their respective interest may appear. The amounts of said insurance shall not be deemed a limitation on the fixed base operator's liability to the Airport Authority and, if the Airport Authority or its authorized agents, officers, representatives or employees become liable for the amount in excess of the insurance, the fixed base operator will save and hold them harmless for the whole thereof. The Airport Authority may periodically require evidence of continued maintenance of any such insurance coverage.

Section 4.11 Flying Clubs

All flying clubs desiring to base their aircraft and operate on the Airport must comply with the applicable provisions of these Minimum Standards. However, they shall be exempt from regular fixed base operator requirements upon satisfactory fulfillment of the conditions contained herein.

- a. Flying Club shall be a nonprofit entity (corporation, association, or partnership) organized for the express purpose of providing its members with one or more Aircraft, for their personal use and enjoyment only. The ownership of the Aircraft, or Aircraft, must be vested in the name of the Flying Club (or owned ratably by all its members). The property rights of the members of the Flying Club shall be equal and no part of the net earnings of the Flying Club will inure to the benefit of any member in any form (salaries, bonuses, etc.). The Flying Club may not derive greater revenue from the use of its Aircraft than the amount necessary for the operations, Aircraft Maintenance, and replacement of its Aircraft.
- b. Flying clubs may not offer or conduct charter, air taxi, or rental of Aircraft operations. They may not conduct aircraft flight instruction except for regular members, and only members of the flying club

may operate the aircraft. No flying club shall permit its aircraft to be utilized for the giving of flight instruction to any person, including members of the club owning the aircraft, when such person pays or becomes obligated to pay for such instructions, except when instruction is given by a Lessee based on the Airport authorized to provide flight training.

- c. Any qualified mechanic who is registered member and part owner of the Aircraft owned and operated by a flying club shall not be restricted from doing maintenance work on the Aircraft owned by the club however; maintenance shall be subject to the provisions of **Chapter 2, Section 2.03** of these Minimum Standards.
- d. All flying clubs and their members are prohibited from leasing or selling any goods and services whatsoever to any person or firm other than a member of such club at the Airport except that said flying club may sell or exchange its capital equipment.
- e. The flying club, with its initial application, shall furnish the Airport Authority with a copy of its charter and by-laws, articles of association, partnership agreement or other documentation supporting its existence: a roster, or list of members, including names of officers and directors, to be revised on an annual basis; number and type of aircraft; evidence that aircraft are properly certificated; evidence that ownership is vested in the club; and operating rules of the club.
- f. Evidence of insurance in the form of a certificate of insurance in the following minimum amounts:
 - i. \$1,000,000 Bodily Injury and Property Damage combined single limit,
 - ii. \$100,000 per passenger seat with hold harmless clause in favor of the Airport Authority, its officers, and employees.
- g. A ten (10) day prior notice of cancellation of all applicable insurance policies shall be filed with the Airport Authority; and, the Airport Authority may periodically require evidence of continued maintenance of any such insurance coverage.
- h. A flying club must abide by and comply with all Federal, State and local laws, ordinances, regulations and these regulations and standards.
- i. Any flying club that violates any of the foregoing, or permits one or more members to do so, shall be warned in writing. Any condition not corrected within a specified time as established by the Airport Authority, may result in termination of the flying club's operations including any hangar or tie down lease, as applicable.

Section 4.12 Waiver of Chapter IV Provisions

The Airport Authority, may in its discretion, waive all or any portion of this chapter for the benefit of any government or governmental agency performing non-profit public services for the aircraft industry, 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 and the laws of the Commonwealth of Virginia.

Section 4.13 Pioneers

When an applicant wishes to qualify as a specialized FBO in order to provide services not already provided at the Airport, the foregoing minimum standards may be modified subject to the written approval of the Airport Authority for a limited period of time (not to exceed five (5) years). It is the express purpose of this provision to encourage the expansion of services at the Airport where they do not exist and only to the extent and for the period of time necessary to create an inducement to the establishment of such services.

Section 4.14 Acts of God

Nothing contained in these regulations and standards shall be construed as requiring the Airport Authority or tenant to maintain, repair, restore or replace any structure, improvement or facility which is substantially

damaged or destroyed due to an act of God or other condition or circumstance beyond the control of the Airport Authority.

Section 4.15 Effects on Existing Leases

All leases of buildings or land at the Airport with the Airport Authority at the time these regulations and standards become effective shall be subject to these regulations and standards except as these regulations may be inconsistent with any express provisions of said leases.

Chapter 5.0 Penalties

Section 5.01 General

In addition to any penalties otherwise provided by a County ordinance or the Federal Aviation Regulations, and all other rules and regulations of the Commonwealth of Virginia and the FAA, any person violating these regulations and standards may be promptly removed or ejected, either temporarily or permanently, from the Airport by the Airport Authority or the Airport Manager. The Airport Authority may hear and decide appeals from the persons so removed in accordance with this chapter. The Airport Authority shall, in writing, within 14 days of any such removal or ejection, render to the person removed or ejected under this section, a letter to their last known mailing address delineating the specific violation of these regulations and standards which necessitated such removal. The Airport Authority may hear appeals submitted by any person or persons so removed or ejected, within 10 days of their receipt of such letter from the Airport Authority.

Chapter 6.0 Reservation of Rights to Users

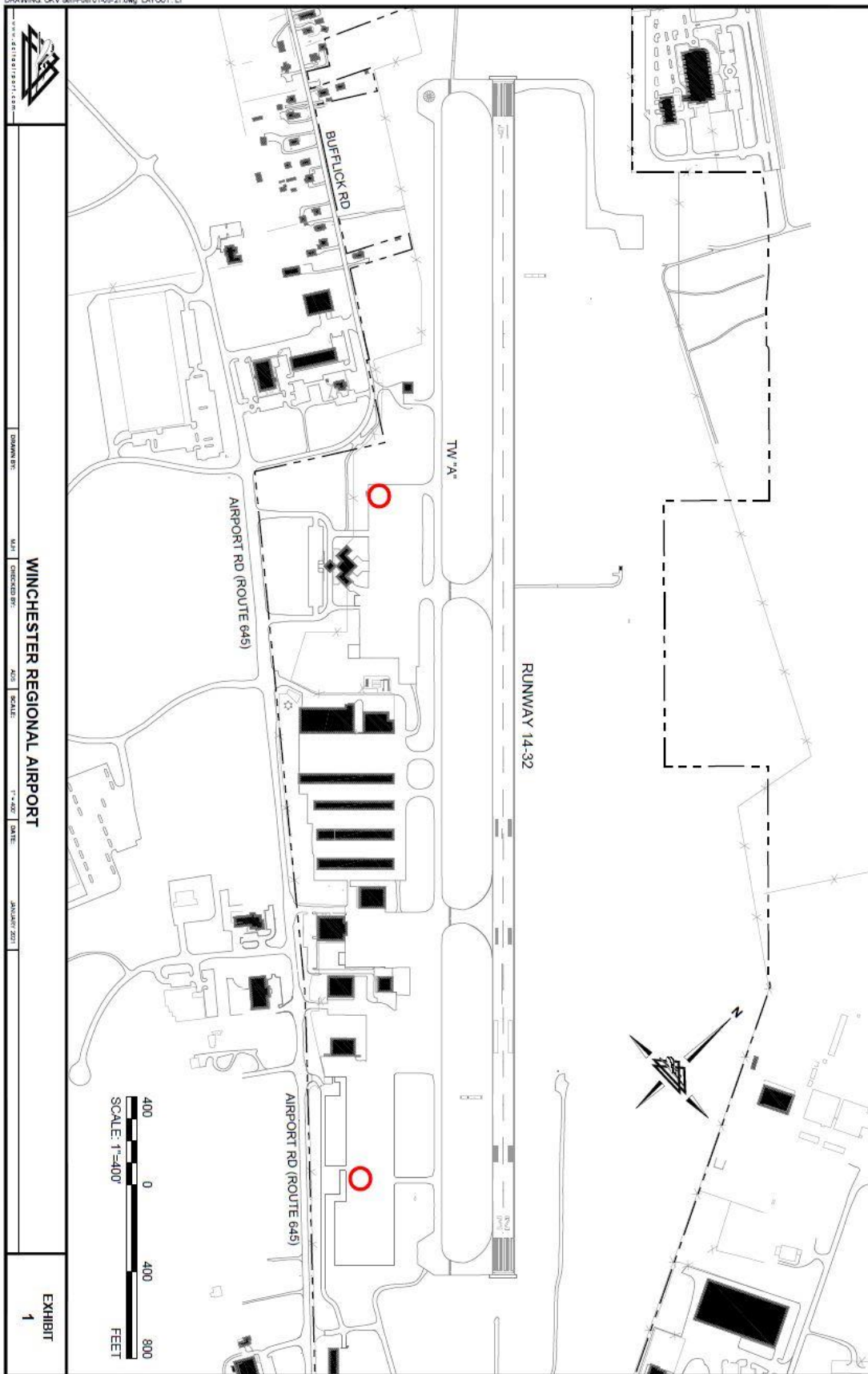
Section 6.01 Explanation of Rights and Duties Imposed

Notwithstanding anything to the contrary contained herein the following rights, privileges and duties are hereby conferred and imposed upon users of the airport facilities including but not limited to individual pilots, aircraft owners, tie down and T-hangar renters.

- a. Each user as defined herein shall meet and maintain all standards for licensing, maintenance, and repair of aircraft established by the Federal Aviation Regulations, Airworthiness Directives, and all other Federal and State regulations and standards for licensing, maintenance, and repair of aircraft.
- b. It shall be the duty of each user of the airport to be fully informed of and keep current on all Federal, State, Airport Authority and other applicable aviation and airport regulations and standards and to completely and promptly comply therewith.
- c. Nothing contained herein shall restrict or limit the right of individual users to conduct maintenance and repairs on their own aircraft which are allowed by the regulations. However, all such repairs and maintenance shall be authorized and conducted strictly in accordance with the regulations in these Minimum Standards, all fire and safety regulations of the Airport, Federal and State regulations, Advisory Circulars, airworthiness directives and requirements. Such maintenance and repairs shall be conducted within the area designated for owner maintenance or authorized FBO maintenance and repair facilities on the Airport.
- d. All individual users shall comply with the Winchester Regional Airport Regulations and Minimum Standards regarding common use areas defined in ***Chapter I, Section 1.05 herein***.
- e. Nothing herein shall be construed as restricting the full use and enjoyment of the Airport by all aircraft owners, pilots, renters of aircraft storage areas and all other users of the Airport.

Appendix A SELF FUELING DIAGRAM

DRAWING: OKV SelfFuel01-05-21.dwg LAYOUT: L1



Appendix B APPLICATIONS

WINCHESTER REGIONAL AIRPORT AUTHORITY

Application for Land Lease and/or Construction

Page 1 of 3

GENERAL

Before completing this application, applicant should become familiar with the latest edition of the Winchester Regional Airport Authority Minimum Standards & Rules and Regulations. A copy of the document can be obtained from the Manager, Winchester Regional Airport.

TYPE OF BUSINESS

- Aeronautical
- Non-Aeronautical
- Commercial Enterprise (open to the public)
- Private (corporate, personal, partnership, etc.)

LAND USE

Please complete the following as thoroughly as possible. You may continue on the back side of the application form or on separate sheets, if necessary.

- a. For what purpose will the leased land be used?
- b. How much lease land is required? (Include automobile parking and aircraft apron and tie down areas, if applicable.)
- c. What type of facility will be constructed?
 - (1) Facility(s) size in square feet.
 - (2) Primary materials used for construction (brick, wood, etc.)
 - (3) Structural shape and exterior colors.
 - (4) Sign requirements
 - (5) Utility requirements (gas, water, etc.)
 - (6) Describe pedestrian and vehicular access requirements.
 - (7) Special requirements (loading dock, fencing, etc.)

HAZARDOUS OR TOXIC MATERIALS

Will the land or facilities be used to store or contain volatile, hazardous or toxic chemicals or wastes of any kind?

- Yes (If yes, explain in detail.)
- No

OWNERSHIP

Attach a list of all businesses and individuals owning an interest in the proposed land lease and/or construction project. The list must include street and mailing addresses, telephone numbers (FAX if applicable).

AIRPORT AUTHORITY EXPENDITURE

Will the project require the Airport Authority to spend funds or supply labor and materials in any way, at any time? If so please explain.

CERTIFICATION

I, undersigned, certify that I am authorized to sign this application on behalf of individuals or the company I represent. Furthermore, the information provided by this application is true and factual to the best of my knowledge and I understand that any intentional material false statement made in this application will immediately disqualify me and the individuals or company I represent from all commercial aeronautical and/or non-aeronautical activity on or at Winchester Regional Airport.

Signature

Date

Printed or Typed Name

Company Name

Company Mailing Address

City State Zip

Phone Numbers

FAX Numbers

PLEASE SEE ATTACHED SUPPORTING DOCUMENT REQUIREMENTS

SUPPORTING DOCUMENTS

Please include those documents which are indicated by a check mark.

- All of the below listed documents.
- Last three (3) years financial statements to include balance sheet, income statement, and tax returns.
- Three (3) business references.
- Three (3) credit references (banks and/or creditors)
- Pro Forma (if applicable)
- Site plans and drawings
- Financial information pertaining to principals
- Other:

Please mail this application to:

Executive Director
Winchester Regional Airport Authority
491 Airport Road
Winchester, Virginia 22602
(540) 662-5786/2422
FAX: (540) 722-9335

WINCHESTER REGIONAL AIRPORT AUTHORITY

Application for Business License

Page 1 of 3

GENERAL

Before completing this application, applicant should become familiar with the latest edition of the Winchester Regional Airport Authority Minimum Standards & Rules and Regulations. A copy of this document can be obtained from the Manager, Winchester Regional Airport.

PURPOSE

Initial Application. Complete all parts of this application. If any portion is not applicable to your application, please indicate.

Renewal Application. Complete only those portions of this application that have changed since your initial application. Use the code "N/C" (no change) for portions of this application which have not changed. If any portion is not applicable to your application, please indicate.

TYPE OF BUSINESS

Application is made for a license to operate a business at Winchester Regional Airport. (Refer to the Airport Minimum Standards and Rules and Regulations.)

- FBO
- Specialized Commercial Flight Services
- Other Type of Commercial Activity

BUSINESS REQUIREMENTS

Please complete the following as thoroughly as possible. Continue on the back side of this applications form or on separate sheets, if required.

- a. Nature of Business Specify all products and services to be offered within the first 60 days of operation.

Applicants for FBO or Specialized Commercial Flight Services should refer to Section 9, Chapter 4 of the Standards and Regulations.

- b. Building/Facility Requirements

- (1) State the type and size of the building/facilities needed to conduct the business. Indicate any special consideration for equipment, drainage, lighting, etc.

Attach site plans and drawings.

NOTE: If applicant plans to construct facilities, an Application for Land Lease and/or Construction must also be completed and submitted.

- (2) Will the business require the storage, use or transport of volatile, hazardous or toxic chemicals or wastes on airport property? (If yes, explain in detail.)

c. Ownership and Management.

- (1) Attach a list of all persons and/or companies owning an interest in the proposed business to include street and mailing address and telephone numbers including FAX. (Sole proprietor or every partner; each director or officer of the corporation.)
- (2) Attach a list of all personnel who will be managing your operation at the airport. (Include Resident Street and mailing address and telephone numbers.)
- (3) Have you or any interested party in the applicant's business ever been convicted of any criminal violation or violation of any airport authority or commission, city or county ordinance of minimum standards or rules and regulations? (If yes, please explain in detail.)

d. Requirement for Airport Authority Expenditure. Will your business require the Airport Authority to spend funds or supply labor and materials? If yes, explain in detail.

CERTIFICATION

I, the undersigned, certify that I am authorized to sign this application on behalf of individuals or the company I represent. Furthermore, the information provided by this application is true and factual to the best of my knowledge and I understand that any intentional material false statement made in this application will immediately disqualify me and the individuals or company I represent from all commercial aeronautical and/or non-aeronautical activity on or at Winchester Regional Airport.

Signature

Date

Printed or Typed Name

Title

Company Name

Company Mailing Address

City State Zip

Phone Numbers

PLEASE SEE ATTACHED SUPPORTING DOCUMENT REQUIREMENTS

SUPPORTING DOCUMENTS

Please attach that information or those documents indicated below by check mark.

- All of the below information and documents.
- Brief description of previous experience in the type of business planned.
- Three (3) business references.
- Last three (3) years financial statements to include balance sheet, income statement, and tax returns.
- Three (3) credit references (banks and/or creditors).
- Pro Forma (if applicable).
- Licenses or permits required to conduct said business, to include local County Business License.
- Site plan and drawings (if applicable).
- Financial information pertaining to principals.
- Other:

Please mail this application to:

Executive Director
Winchester Regional Airport Authority
491 Airport Road
Winchester, Virginia 22602
(540) 662-5786/2422
FAX: (540) 722-9335

WINCHESTER REGIONAL AIRPORT AUTHORITY

Application for Permit Staging of Aerial Application Operation

TO: Airport Manager
Winchester Regional Airport
Airport Road
Winchester, Virginia 22602

FROM: -----

Phone numbers: -----

Dates(s) of proposed operation: -----

The undersigned is a principal of the company making application to use Winchester Regional Airport for aerial application. The applicant agrees to indemnify, defend, and save the Winchester Regional Airport Authority, its authorized agents, officers, representatives and employees harmless from and against any and all actions, penalties, liabilities, claims, demands, or damages, or loss resulting from claims or court actions, whether civil, criminal or inequity, and arising directly or indirectly out of acts or omissions of the Applicant's company, his/her (its) agents, employees, servants, guests, and business visitors.

The applicant further agrees to:

- a. Have at least 200 pounds of absorbent material on site for spill protection, plus shovel, brooms and containers for used material.
- b. Use a back flow preventer for any hoses attached to any water supply.
- c. If pesticides are to be stored on airport property, they must be locked in posted containers with MDA sheets attached.

Signature

Title

Printed Name

Date

Appendix C BUILDING STANDARDS

Minimum Standards for Facilities and Improvements, Planning and Construction

Section 01 Review Procedures

- 01.01 No buildings, structures, tie downs, ramps, paving, taxi areas or any other improvement or addition on the Airport shall be placed or constructed on the Airport, or altered or removed without prior approval of the Authority. In the event of any construction the Authority may, at its discretion, require and appropriate bond to guarantee the completion of the construction in accordance with its approval. The Airport Authority shall consider conformance with the Airport Master Plan prior to the approval or denial of any construction or development at the Airport.
- 01.02 A site plan will be required to be submitted to the Airport Authority for any proposed new facilities. All plans and construction drawings for buildings, pave areas, and other facilities shall meet the minimum standards set forth herein and shall be tentatively approved by the Airport Authority. Tentative approval by the Airport Authority shall precede submission to the Frederick County Department of Planning and Building or any other regulatory agency. Final Plans and specifications for any construction required or proposed by an operator shall be approved according to the requirements by Frederick County code and this Appendix, and be submitted to the Airport Authority for final review and approval. Sixty days following approval of the plans and specifications, a lease agreement shall be finalized. Construction shall not commence prior to finalizing a lease agreement. In the event that a phased construction program is provided in the lease agreement, the agreement should specify project milestones and rent obligations (i.e., payments due) for each phase. The deadlines provided in this paragraph may be extended by the Airport Authority for good cause upon request by the Operator.
- 01.03 All facilities shall be in conformance with the adopted Airport Master Plan. In addition to specific design standards for Winchester Regional Airport, all facilities are subject to the applicable codes, standards and regulations of the FAA, State of Virginia, Frederick County and the City of Winchester.

Section 02 Paved Areas

- 02.01 Aircraft Parking and Maneuvering Areas.
- a. Pavement sections are to be designed to accommodate aircraft with wheel loads of 12,500 pounds single gear; 30,000 pounds single gear; or 60,000 pounds dual gear as specified on the Layout Plan. FAA design criteria shall be used. Computations supporting the pavement design shall be submitted to the Airport Authority for their review and approval.
 - b. All aircraft pavements shall be constructed to FAA specifications.
 - c. Grades shall not exceed 1.5% or applicable FAA standard whichever is governing.
 - d. Where practicable, drainage structures shall be located within infield areas. In-pavement drainage structures must be approved for use by the Airport Authority.
 - e. All aircraft parking areas shall contain approved tie down installations. Method of tie down shall be approved by the Airport Authority. Parking positions and taxi lanes shall be clearly marked.
 - f. Aircraft parking areas shall be configured to allow ease of ingress and egress.
- 02.02 Automobile Parking Lots and Service Drives
- a. All automobile parking lots and service drives shall have a dust free, all-weather surface.
 - b. Computation using approved FAA, Virginia Department of Transportation (VDOT), or local requirements for pavement design shall be submitted to the Airport Authority for review and approval.

- c. Parking lots shall be configured to allow ease of ingress and egress and parking spaces shall be clearly marked. Loading zones, handicapped spaces, and fire lanes shall be marked appropriately.

Section 03 Grading, Drainage, and Landscaping

03.01 Infield Areas

1. Unpaved areas within and adjacent to the runway/taxiway system and other aircraft operating areas shall have grades adhering to FAA recommendations for General Utility Airports.
2. All site plans shall comply with applicable state and local storm water management requirements.
3. Grates and inlet structures shall be manufacturer certified to support aircraft of the same weight as the adjacent pavement.
4. All drainage facilities shall be sized in accordance with FAA and local requirements and procedures considering existing, proposed and future site conditions. Computation supporting the drainage designs shall be submitted to the Airport Authority for their review and approval.

03.02 Grading

Grading operations will meet all applicable erosion and sediment control regulations as required by the Frederick County Department of Planning and Building and other governing agency requirements.

03.03 Landscaping

- a. All graded areas will be fertilized, seeded and mulched with an approved mixture of grasses. Seeds will be applied at a rate to achieve a minimum coverage of one (1) sprig per square centimeter.
- b. Non-aircraft areas shall be landscaped with grass, trees or shrubs. Landscaping may be used for screening of facilities, providing shade in parking areas and to produce a visually interesting complement to buildings. Plant materials should be chosen for ease of maintenance, disease resistance and suitability for local climatic conditions. All plantings must be approved by the Airport Authority for adherence for FAR Part 77 height restrictions.
- c. A landscape plan shall be part of every facility proposal.

Section 04 Aircraft Wash Facilities

Aircraft wash facilities shall be equipped with oil separators and oil catch tanks to prevent oil from being discharged into the storm water or sanitary sewer system.

Section 05 Security and Lighting

05.01 Fencing shall be provided between aircraft and non-aircraft areas to limit pedestrian and vehicular interference with aircraft movements, and to provide security for parked aircraft.

05.02 Area lighting shall be provided for safety and operational needs at the minimum levels established by County code and approved by the Airport Authority.

1. All lighting fixtures shall be shielded from glare for aircraft on the runway/taxiway system, helipads, or in the air.
2. All electrical and telephone cable shall be underground. Conduits under paved areas or planned pavement shall be concrete encased or in a 24" steel sleeve.

3. Lighting designs shall avoid violations to the FAR Part 77 height restrictions. Any obstructions or sensitive areas shall be properly marked and lighted.

Section 06 Hangars, Buildings, and Other Structures

06.01 Codes

All hangars, buildings and other structures shall conform to building and safety codes applicable for the intended use. These may include (but not necessarily limited to):

- a. Building Officials Code Administrators (BOCA)
- b. Commonwealth of Virginia (Uniform Statewide Building Code)
- c. City of Winchester
- d. County of Frederick
- e. FAA
- f. OSHA
- g. Access for the handicapped (ANSI A117.1-1908 and Federal Guidelines for Accessible Design 36 CFR Part 1190)

Office/mobile trailers may satisfy these requirements for temporary facilities during construction of permanent facilities with approval from the Airport Authority. Temporary facilities must be sited in a location that does not impede vehicular or aircraft traffic and approved by the Airport Authority.

06.02 Location and Height

- a. The location of buildings shall be guided by the adopted Airport Master Plan and FAA standards.
- b. Windows and large areas of glass shall be oriented to avoid reflections which could distract landing or taking off.

06.03 Size

No free standing structures shall be less than 2,500 square feet without approval from the Airport Authority.

06.04 Utilities

- a. Buildings, or portions of buildings used for offices, customer lounges, waiting rooms or other public spaces shall be provided with heating, air conditioning, lighting, sanitary rest rooms, and public telephone. Such buildings shall be separated by a fire wall meeting all applicable codes when adjacent to any hangar, building or area in which aircraft are stored.
- b. Buildings used for maintenance shops or aircraft repair, shall be provided with heating, lighting, sanitary rest rooms, telephone service and sprinkler system (if required by code).
- c. Hangars 2,500 square feet or greater, not including t-hangars, used for aircraft maintenance or aircraft storage, shall be provided with electrical service, lighting, and sprinkler system (if required by code).
- d. Hangars less than 2,500 square feet and t-hangars used for aircraft storage shall be provided with electrical service, lighting, smoke detectors and fire extinguishers.
- e. All buildings requiring water service shall connect to the public water system if available at time of construction. If public water is not available, private wells approved by Frederick County shall be utilized. When public water service is made available, a connection shall be made within one year after date of availability.
- f. All new electrical and telephone service shall be underground.

06.05 Access

- a. Pedestrian and vehicular access to buildings normally open to the public shall avoid crossing aircraft operating (airside) areas.
- b. Vehicular access to aircraft storage hangars shall minimize crossing of aircraft operating areas. Automobile parking shall be provided for aircraft storage hangars in locations which do not interfere with aircraft operations.
- c. For hangars larger than 2,500 square feet, a personnel door shall be provided.
- d. Hangar doors should be either covered track sliding or bi-fold type.

06.06 Materials and Finishes

The objective of the Airport Authority is to insure that all new construction is of high quality and utilizes material and finishes which will maintain their appearance with low maintenance. To this end, the following guidelines have been developed.

- a. Hangars and other buildings may be constructed with steel, aluminum or masonry exteriors. All exterior metal surfaces shall have a durable finish applied at the point of manufacture.
- b. Exterior colors and textures should harmonize with other buildings and structures. The Airport Authority reserves the right to disapprove exterior materials or finishes which it feels would detract from the overall visual impression of the Airport.
- c. The Airport Authority shall approve interior materials, finishes, fixtures and graphics which are part of waiting rooms, lounges or other public spaces.
- d. Signs shall adhere to appropriate regulations of Frederick County and be approved by the Airport Authority. No illuminated signs shall be placed in locations where they could distract pilots or interfere with airfield lighting.

Section 07 Chemicals and Hazardous Materials

- a. Operators using chemicals or other hazardous materials shall store these materials in approved tanks and buildings meeting State, County, and/or Federal standards. The location of on-airport storage areas will be determined by the Airport Authority. Storage facilities shall be designed to protect the public and the natural environment from these materials. Any accidental spills or leaking of materials shall be reported immediately to the Airport Authority and the Fire Chief, County of Frederick.
- b. No chemicals, fuels, lubricants or hazardous materials may be discharged into the storm water or sanitary sewer systems. All chemicals and used containers shall be disposed of by the lessee off airport and in compliance with applicable state, local and federal regulations.

Appendix D REVISIONS

1982 11 09 – Adopted by Common Council, City of Winchester

1987 05 20 – Revision 01 – Adopted by Common Council City of Winchester

1987 12 10 – Revision 02 – Adopted by Winchester Regional Airport Authority

1990 06 14 – Revision 03 – Adopted by Winchester Regional Airport Authority

1992 06 11 – Revision 04 – Adopted by Winchester Regional Airport Authority

1993 05 13 – Revision 05 – Adopted by Winchester Regional Airport Authority

1995 12 14 – Revision 06 – Adopted by Winchester Regional Airport Authority

2009 09 17 - Revision 07 – Adopted by Winchester Regional Airport Authority

2021 XX XX - Revision 08 – Adopted by Winchester Regional Airport Authority