



# **Pellston Regional Airport**

## **Minimum Standards & Operating Procedures**

**Adopted – November 14, 2012  
Amended – June 17, 2021**



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**COUNTY OF EMMET**  
**ORDINANCE NO. 2012 – 2, AS LAST AMENDED \_\_\_\_\_, 2021**

AN ORDINANCE TO ESTABLISH MINIMUM STANDARDS AND OPERATING PROCEDURES FOR AERONAUTICAL AND NON-AERONAUTICAL ACTIVITIES AT THE PELLSTON REGIONAL AIRPORT.

**Section 1. Purpose and Scope.** The purpose and scope of this ordinance is to promote the widest range of fair, reasonable, and adequate services at the Pellston Regional Airport that meet the air transportation demands of Northern Michigan while establishing a set of minimum standards and operating procedures that protect the public and Emmet County from irresponsible and unsafe actions. An organized approach to the continued growth and development of the Airport is dependent upon standards and procedures that meet the expectations of those who are directly or indirectly engaged in aeronautical services. Establishment of these minimum standards and operating procedures will help encourage and promote activities that contribute to quality provided to all users of the Airport.

**Section 2. Powers and Authority.** The Pellston Regional Airport is owned and operated by the County of Emmet (the Airport Sponsor) **through the Emmet County Board of Commissioners** who is responsible for planning, maintaining, developing, promoting, and operating the Airport and **said Board of Commissioners** is granted the power and authority to establish and enforce the standards and procedures presented in this ordinance. The Airport Manager, supported by the Pellston Regional Airport Committee, in an advisory capacity reports to the Emmet County Administrator **and** is responsible for implementing and enforcing all standards and procedures established in this ordinance that have been reviewed and approved by the Board of Commissioners. The Airport Manager shall work under the direction of the Emmet County Administrator and is authorized to act in the best interests of the Airport. These interests include decisions, directives, rulings, disputes, and appeals that are outlined in these minimum standards and operating procedures.

**2-1. Amendments and Interpretation.** The Airport Sponsor shall retain the right to amend, repeal, or adopt minimum standards and operating procedures as necessary. All amendments, repeals, or adoptions to these standards and procedures shall be catalogued in **Section 9** of this ordinance and include the language that is to be replaced. In the event any minimum standard or operating procedure is deemed ambiguous, the Airport Manager, under direction of the County Administrator and with support from the Airport Sponsor shall make a determination on the meaning of the provision upon which the decision is to be incorporated into this ordinance. Situations and conditions outside the scope of this ordinance may be under the authority of the Airport Manager **after** direct consultation with the County Administrator. Any individual or organization in need of clarification of these standards and procedures either defined in this ordinance or outside its scope should consult with the Airport Manager.

**2-2. Conflict of Authority.** Should any of these minimum standards and operating procedures conflict with federal or state law, then such federal or state law will take precedence. Standards and procedures herein shall not supersede regulations set forth by the Federal Aviation Administration (FAA), the Transportation Security Administration (TSA), or any applicable federal, state, or local laws, ordinances, codes, or regulations.

**2-3. Emergencies.** During emergencies, the Airport Manager or a designated representative is responsible for the safety and security of all persons and property within the boundaries of the Airport and shall be empowered to take appropriate actions that may suspend these minimum standards and operating procedures. Additional rules, standards, procedures, and regulations needed to facilitate the safe and efficient operation of the Airport during said emergencies may be issued at the discretion of the Airport Manager **after consulting with the** County Administrator that contradict standards and procedures established in this ordinance for emergency situations.

**Section 3. Definitions.** The following list of terms, for the purpose of these minimum standards and operating procedures, shall have the meaning indicated:

**3-1. Activity:** The term “activity” shall refer to any aeronautical or non-aeronautical operation, practice, action, engagement, enterprise, performance, procedure, process, or service that is conducted, or wishing to be conducted, within the boundaries of the Airport property.

**3-2. Activity Contract:** The term “activity contract”, or otherwise known as “contract”, shall refer to the negotiated terms and conditions between the Airport Sponsor and an individual or organization engaged in an activity at the Airport.

**3-3. Activity Request:** The term “activity request” shall refer to the written request procedure listed in Section 4 of these minimum standards and operating procedures that is submitted to the Airport Manager by an individual or organization wishing to engage in an activity at the Airport.

**3-4. Advisory Circular (AC):** Advisory Circulars are publications by the FAA that provide guidelines defining aviation regulations and how to meet compliance with them. Compliance with some AC guidelines may be required, as noted, for an Airport to maintain its airport operating certificate. Specific ACs that are mentioned in this Ordinance may be amended from time to time by the FAA. Additional ACs may be adopted by the FAA from time to time and shall be incorporated within this Ordinance

**3-5. Aero-Center Building:** The “Aero-Center Building” shall refer to the building designated for the transfer of passengers and cargo to and from general aviation aircraft. The Airport’s FBO and other general aviation support facilities such as the passenger waiting area, restrooms, flight planning-weather briefing room, and pilot lounge are located in the Aero-Center Building. Commercial airline operations shall not be conducted from the Aero-Center Building.

**3-6. Aeronautical:** The term “aeronautical” shall refer to any activity conducted at the Airport that is directly related to the operation of aircraft.

**3-7. Air Operations Area (AOA):** The AOA shall be considered the physical areas approved by the FAA and the TSA for the parking and operation of aircraft. The AOA includes, but is not limited to, runways, taxiways, aprons, and unimproved areas of land abutting runways and

taxiways as designated in [FAA Advisory Circular \(AC\) 150/5300-13, Airport Design](#). The AOA is considered restricted space and requires authorized credentials for access.

**3-8. Air Taxi:** Air taxis are commuter or on-demand passenger and cargo aircraft operations operating under the provisions of [Federal Aviation Regulation \(FAR\) Part 135](#).

**3-9. Aircraft:** An aircraft is any vehicle used or designed for the navigation of flight. Examples include, but are not limited to, airplanes, helicopters, hot air balloons, gliders, ultra-lights, and unmanned aerial vehicles (UAV).

**3-10. Aircraft Rescue and Fire Fighting (ARFF):** The term “ARFF” shall refer to the firefighting division of the Airport that is responsible for the response, evacuation, and rescue of passengers and crew in the event of an aircraft emergency. ARFF is also responsible for responding to other non-aeronautical emergencies such as medicals, structural fires, and vehicle accidents that occur within the boundaries of the Airport.

**3-11. Airframe:** The term “airframe” shall refer to the structural components of an aircraft that includes, but is not limited to, the fuselage, stabilizers, wings, control devices, and ailerons. The propulsion system components of an aircraft shall not be considered part of an aircraft’s airframe for the purpose of these minimum standards and operating procedures.

**3-12. Airport:** The term “airport” shall refer to all land, improvements, facilities, and equipment located within the geographical boundaries of the Pellston Regional Airport.

**3-13. Airport Cooperative Research Program (ACRP):** The ACRP is an applied research program managed by the Transportation Research Board (TRB) of the National Academy of Sciences and sponsored by the Federal Aviation Administration (FAA) that develops practical solutions to challenges faced by airport operators.

**3-14. Airport Emergency Response Plan:** A plan approved by the FAA designed to minimize the possibility and extent of personal injury and property damage in the event of an emergency at an airport. The Airport emergency response plan includes guidelines and recommended procedures for the response to emergencies that may occur such as aircraft accidents, fires, natural disasters, and bomb incidents.

**3-15. Airport Legal Counsel:** The Airport legal counsel, or “legal counsel”, shall refer to the legal counsel of the County of Emmet.

**3-16. Airport Main Terminal:** The Airport main terminal shall refer to the building designated for the transfer of passengers to and from commercial airline aircraft. Support facilities for commercial airline operations are located in the main terminal such as airline office areas, ticket counters, security screening checkpoint, passenger waiting areas, boarding gates, and baggage claim. The Airport’s offices, car rental agencies, restaurant, conference room, gift shop, and ground transportation operations are also located in the main terminal.

**3-17. Airport Manager:** The term “Airport Manager” shall refer to the administrative position within the management structure of the Pellston Regional Airport in the County of Emmet, who is charged with daily administration, employee supervision, operation, planning, and development duties of the Airport. This position, supported by the Pellston Regional Airport Committee, reports directly to the Emmet County Administrator, and through channels to the Emmet County Board of Commissioners and is the supervisor responsible for activities occurring at the Airport.

**3-18. Airport Manager Designated Representative(s):** The term “Airport Manager Designated Representative(s)” shall refer to the person(s) selected or appointed by the Airport Manager to carry out selected tasks in his/her absence. Any absence of the Airport Manager, and the naming of a designated representative in the Airport Managers absence, shall receive prior approval and knowledge of the County Administrator.

**3-19. Airport Operating Certificate (AOC):** The term “airport operating certificate” shall refer to the certificate issued by the FAA to the Airport authorizing commercial airline operations. Compliance with safety regulations defined in [Federal Aviation Regulation \(FAR\) Part 139](#) is mandatory for the Airport to retain its AOC.

**3-20. Airport Property:** The term “airport property” shall refer to all property, land, and environment within the boundary of the Airport.

**3-21. Airport Sponsor:** The FAA designates the owner/operator of an airport as the Airport Sponsor. The Airport Sponsor of the Pellston Regional Airport is the County of Emmet. The Emmet County Board of Commissioners **is the governing body of the County of Emmet as further defined in Section 3-36.**

**3-22. Approach Surface:** An approach surface is an area defined in [Federal Aviation Regulation \(FAR\) Part 77](#) that is longitudinally centered on a runway extending outward and upward from the end of the Primary Surface. This surface is designed to protect arriving and departing aircraft from obstructions.

**3-23. Apron:** Also referred to as “ramps”, aprons are surfaces designed for the parking, maneuvering, and servicing of aircraft. Aprons may be designated turf areas or prepared hard surfaces that are comprised of asphalt or concrete.

**3-24. Aviation Fuel Fire Safety Course:** Aviation fuel fire safety courses shall refer to those classes, programs, or courses approved by the Federal Aviation Administration (FAA) to meet [FAR Part 139](#) requirements for Airport personnel that are responsible for the handling of aircraft fuel. The intent of these courses is to ensure the importance of aircraft fueling safety is recognized and to equip personnel with principles that are necessary for safe fueling operations on airports.

**3-25. Avionic Systems:** The term “avionic systems” shall refer to those electronic systems installed on aircraft that provide communications, navigation, and management of electrical components.

**3-26. Boarding Gates:** Boarding gates are designated locations on aprons or ramps used for the enplaning or deplaning of passengers from the Airport main terminal building to an aircraft and include any device designed for the transfer of passengers between the building and an aircraft.

**3-27. Building Restriction Line (BRL):** The BRL is a designated boundary defined in [Federal Aviation Administration \(FAA\) AC 150/5300-13 Airport Design](#) that identifies suitable building locations on the Airport.

**3-28. Certified Flight Instructor (CFI):** Certified flight instructors are individuals that are certified by the Federal Aviation Administration (FAA) to instruct, enhance, and evaluate the knowledge and skill level of an aviator seeking to gain a pilot’s license or a higher pilot certification rating.

**3-29. Charter:** The term “charter” shall refer to on-demand and unscheduled aircraft operations for commercial passenger transportation purposes operated under the terms of a contract between a business and its customers.

**3-30. Code of Federal Regulations (CFR):** The CFR is the codification of general and permanent rules by the executive departments and agencies of the United States government.

**3-31. Commercial Airline:** A commercial airline shall refer to those operators certified under [Federal Aviation Regulation \(FAR\) Part 119](#), and meeting requirements defined in [Part 121](#) or [Part 135](#), that provide passenger and cargo air transport services for profit under a schedule that is published in advance.

**3-32. Conical Surface:** The conical surface is defined in [Federal Aviation Regulation \(FAR\) Part 77](#) as a surface that extends upward and outward from the outer limits of the horizontal surface, designed to protect aircraft arriving and departing the runway environment from obstructions.

**3-33. Contract:** The term “contract” shall refer to the activity contract between the Airport Sponsor and an individual or organization engaged in an activity at the Airport.

**3-34. Criminal History Records Check (CHRC):** A CHRC is an identification record check taken from fingerprint submissions reviewing an individual’s history of arrests and prosecutions. CHRCs are necessary for any individual applying for permission to access secured authorized areas at the Airport such as the sterile area of the main terminal building.

**3-35. Department of Homeland Security (DHS):** The DHS is a cabinet department of the federal government responsible for protecting the United States from terrorist attacks and overseeing responses to natural disasters. The TSA is an agency of the Department of Homeland Security.

**3-36. Emmet County Board of Commissioners:** The Emmet County Board of Commissioners is the governing body of the County of Emmet, exercising legislative and administration functions. In addition, it determines the type and level of County services to be provided to the public, adopts the County's budget, reviews the equalization of property values, provides legislative oversight of County services, and appoints various County officials.

**3-37. Emmet County Prosecuting Attorney:** The Emmet County Prosecuting Attorney is an elected official of Emmet County independent of the Michigan Attorney General who is responsible for a wide array of legal functions for the County including the prosecution of those in violation of felonies and misdemeanors.

**3-38. Environmental Protection Agency (EPA):** The EPA is a federal agency charged with the protection of human health and the environment from hazardous materials through the development and enforcement of standards and regulations.

**3-39. Federal Aviation Administration (FAA):** The FAA is a federal agency charged with the regulation and oversight of all aspects of civil aviation and the national airspace system in the United States. The FAA is responsible for various aspects of aviation in the U.S. such as the certification of pilots, aircraft, and airports; the safe separation of aircraft throughout the national airspace system; and installation, operation, and maintenance of navigational aids and other equipment.

**3-40. Federal Aviation Regulation (FAR):** FARs are the rules and regulations prescribed by the FAA that govern all aviation activities in the United States. Specific FARs that are mentioned in this Ordinance may be amended from time to time by the FAA. Additional FARs may be adopted by the FAA from time to time and shall be incorporated within this Ordinance.

**3-41. Federal Security Director (FSD):** The FSD is a regional position within the Transportation Security Administration (TSA) that is responsible for providing day-to-day operational direction for federal security at small and non-hub airports.

**3-42. Fire Marshal:** The fire marshal is a position within the Michigan State Police responsible for the enforcement of the local fire code and investigating the origin and cause of fires.

**3-43. Fixed Base Operator (FBO):** The term "FBO" shall refer to the provider of multiple aeronautical services based at the Airport that includes fuel sales, line services, and hangar/tie-down services. For the purposes of these minimum standards and operating procedures, an FBO shall be considered as those individuals or organizations that provide all of the aeronautical services listed in Section 6, subsection 6-1(c).

**3-44. Global Positioning System (GPS):** The global positioning system is a global satellite based navigation system that provides longitudinal, latitudinal, and altitudinal position information to identify one's location. GPS signals can be utilized to guide aircraft on precision and non-precision instrument approaches to a runway in aircraft with appropriate instrumentation and at airports where the FAA has developed GPS approaches.

**3-45. Hangar:** The term "hangar" shall refer to any protective structure designed for the storage and parking of aircraft. Typically, hangars are enclosed and defined as either box style or T-style.

**3-46. Hazardous Materials:** Hazardous materials are those solids, liquids, and gases that have the potential to cause death, serious injury, or short- and long-term health effects to people and other living organisms. These substances also have the potential to damage buildings, homes, property, or the environment.

**3-47. Horizontal Surface:** The horizontal surface is a surface defined in [Federal Aviation Regulation \(FAR\) Part 77](#) that lies 150 feet above an Airport's elevation designed to protect maneuvering aircraft around an airport from obstructions. The perimeter of this surface extends outward from the transitional and primary surfaces and is shaped by swinging arcs of specified radii from the center of each end of the primary surface.

**3-48. Instrument Flight Rules (IFR):** Instrument flight rules are an established set of rules and regulations by the FAA that govern flight under conditions when pilot navigation by outside visual reference is not safe. Pilots operating under IFR are required to be certified by the FAA and are trained to operate an aircraft upon the reference and navigation of the aircraft's instrumentation.

**3-49. Irregular Aircraft Operation:** An irregular aircraft operation shall be consider as any aircraft movement that occurs at the Airport outside of its planned flight schedule and may include flights that originated at the Airport or those arriving from another destination.

**3-50. Jet Aircraft:** A jet aircraft shall be considered as any aircraft propelled by one or more jet engines.

**3-51. Law Enforcement Official (LEO):** LEOs shall be considered any local, state, or federal public-sector employee or agent responsible for the enforcement of public laws and prevention, investigation, apprehension, or detention of individuals suspected of **criminal or municipal civil infraction** offenses.

**3-52. Lessee:** The term "lessee" shall be considered any individual or organization to which a lease is granted; lessees may also be referred to as a tenant or the one who is renting from another individual or organization.

**3-53. Lessor:** The term “lessor” shall refer to any individual or organization that grants property for lease to another individual or organization; lessors may also be referred to as a landlord or property owner.

**3-54. Limited Aeronautical Service Operator:** Limited aeronautical service operators shall be considered any individual or organization engaged in, or wishing to engage in, two (2) or three (3) of the aeronautical activities listed in Section 6, subsection 6-1(a) of these minimum standards and operating procedures.

**3-55. Material Safety Data Sheet (MSDS):** MSDSs are detailed informational documents required by the Occupational Safety and Health Administration (OSHA) that are prepared by the manufacturer or importer of a hazardous substance describing the physical and chemical properties of the product as well as its flash point, toxicity, procedures for spills and leaks, and storage guidelines.

**3-56. Michigan Compiled Laws (MCL):** The MCL is the official codification of laws, statutes, and regulations of the State of Michigan.

**3-57. Michigan Liquor Control Commission (MLCC):** The MLCC is a commission enacted by the State of Michigan to license the sale and distribution of alcoholic beverages to consumers and the general public.

**3-58. Michigan Uniform Traffic Code:** The Michigan Uniform Traffic Code is the legislation enacted by the State of Michigan for local municipalities to adopt the Michigan Vehicle Code as a local ordinance.

**3-59. Michigan Vehicle Code:** The Michigan Vehicle Code is the legislation that provides for the registration, regulation, and licensing of motor vehicles, motor vehicle operators, and motor vehicle operations within the State of Michigan.

**3-60. Multi-Engine Aircraft:** A multi-engine aircraft shall refer to any aircraft with a fixed wing that is propelled by two (2) or more reciprocating or turbine powered engines. Jet engine aircraft with more than one engine shall not be considered as a multi-engine aircraft for the purposes of these minimum standards and operating procedures and instead will be classified as a jet engine aircraft as noted in Section 3-50.

**3-61. National Airspace System (NAS):** The NAS is the network of airspace that encompasses the geographic boundaries of the United States, including air navigation facilities, equipment, services, airports, landing areas, aeronautical charts, technical information, rules, regulations, procedures, manpower, and material.

**3-62. National Fire Protection Association (NFPA):** The NFPA is an international non-profit organization charged with research, training, education, and establishment of fire safety codes, standards, and criteria designed to minimize the risks and effects of fire.

**3-63. National Transportation Safety Board (NTSB):** The NTSB is an independent United States government agency charged with the determination of probable cause of transportation accidents. The Office of Aviation Safety within the NTSB is responsible to investigate all aviation related accidents and investigate specific aviation safety problems from a broader perspective.

**3-64. Navigational Aid (NAVAID):** Navigational aids are visual, radio, and other electronic devices intended to provide navigational information to pilots and properly equipped aircraft. NAVAID equipment may range from lighting systems, visual signs, antennas, global position system receivers, radars, and pavement markings.

**3-65. Non-Precision Instrument Approach (NPIR):** Non-precision instrument approaches are procedures developed for aircraft that provide lateral guidance for descent to a runway and include all procedures, equipment, and dissemination of electronic and visual navigational signals. A pilot's ability to visually navigate an aircraft is typically needed to conduct a non-precision instrument approach.

**3-66. Notice to Airmen (NOTAM):** NOTAMs are a method of communication that conveys safety information about unanticipated or temporary Airport infrastructure conditions to aviation users.

**3-67. Object Free Area (OFA):** A OFA is an airfield surface defined in [FAA AC 150/5300-13, Airport Design](#), which is centered on a runway or taxiway centerline and designed to prevent above ground objects from protruding above the elevation of the runway or taxiway safety area.

**3-68. One-Time Use:** An event or activity that occurs no more than once per calendar year shall be considered a one-time use.

**3-69. Precision Instrument Approach (PIR):** PIRs are approach procedures developed for aircraft that provide lateral and vertical guidance for descent to a runway. PIRs are most beneficial for certificated pilots and properly equipped aircraft to conduct landings in weather conditions that limit a pilot's visual ability to navigate an aircraft and include all procedures, equipment, and dissemination of electronic and visual navigational signals.

**3-70. Private Hangar:** The term "private hangar" shall refer to any hangar located on Airport property that is intended for the private use of an individual or organization. Hangars that are available to the public for temporary or overnight use shall not be considered private hangars.

**3-71. Pellston Regional Airport Committee:** The Pellston Regional Airport Committee is an advisory committee that reports to the Emmet County Board of Commissioners, is charged with monitoring the operation, development, and improvement of the Airport, and makes recommendations to the Emmet County Board of Commissioners based upon those areas of concern(s) except as otherwise provided in this Ordinance..

**3-72. Power Plant:** The term “power plant” shall refer to all components of the propulsion system necessary to provide thrust for an aircraft.

**3-73. Published Runway Approach Procedure:** Published runway approach procedures are navigational procedures developed by the FAA for pilots to conduct visual and instrument-based landings. FAA approach plates illustrate the horizontal and vertical path necessary for a pilot to conduct a published runway approach.

**3-74. Primary Surface:** The primary surface is a surface defined in [FAR Part 77](#) that is centered longitudinally on a runway centerline at the same elevation plane as the runway. Primary surfaces control obstructions within close proximity to the runway environment.

**3-75. Ramp:** Also referred to as “aprons”, ramps are surfaces designed for the parking, maneuvering, and servicing of aircraft. Ramps may be designated turf areas or prepared hard surfaces that are comprised of asphalt or concrete.

**3-76. Runway:** The term “runway” shall refer to any defined, rectangular-shaped surface prepared or suitable for the landing or takeoff of fixed-wing aircraft.

**3-77. Runway Protection Zone (RPZ):** The RPZ is a trapezoidal-shaped area off the end of a runway designed to protect people and property on the ground from arriving and departing fixed-wing aircraft.

**3-78. Runway Visibility Zone (RVZ):** The RVZ is a quadrilateral-shaped area formed by connecting the visibility points of two different runways designed to allow adequate time for one aircraft to see and avoid an aircraft using the other runway.

**3-79. Safety Area:** Safety areas are defined ground surface areas surrounding a runway or taxiway surface suitable for reducing the risk of damage to an aircraft in the event of an undershoot, overshoot, excursion, or an unintended departure from the runway or taxiway. Runway safety areas (RSA) extend beyond the end of a runway and are intended to minimize damage to an aircraft in the event of an excursion from the runway surface on takeoff or landing.

**3-80. Security Plan:** Security plans are prepared documents approved by the Transportation Security Administration (TSA) that meet federal requirements outlined in [CFR Part 1542](#) outlining an airport’s security program and how it will perform its regulatory and statutory responsibilities.

**3-81. Secured Area:** The secured area is a designated area at the Airport defined in the airport security plan where the loading and unloading of passengers and cargo can occur for commercial airlines that have a TSA approved security program. Only authorized individuals and vehicles are permitted within the secured area.

**3-82. Single Aeronautical Service Operator:** A single aeronautical service operator is any individual or organization providing any one (1) of the aeronautical services listed in Section 6, subsection 6-1(a) of these minimum standards and operating procedures.

**3-83. Single Engine Aircraft:** A single engine aircraft shall refer to any fixed-wing, propeller driven aircraft powered by a single reciprocating engine.

**3-84. Spill Prevention, Control, and Countermeasures (SPCC) Plan:** An SPCC plan is an Environmental Protection Agency (EPA) required document designed to prevent the discharge of oil and other hazardous materials into navigable waters and adjoining shorelines.

**3-85. Sterile Area:** A designated area defined by the Airport's security plan within the main terminal building designed for the holding of passengers and property that have passed through a security screening inspection.

**3-86. Taxistreet:** Taxistreets are defined surface paths for the movement of aircraft from a taxiway to an apron, hangar, or other airfield designation. The movement of aircraft and vehicles on taxistreets typically do not require the aircraft or vehicle operator to identify their position and intentions on the Airport's universal communication frequency (UNICOM).

**3-87. Taxiway:** Taxiways are defined surface paths for the movement of aircraft from a runway to an apron, taxistreet, or other airfield destination. The movement of aircraft and vehicles on taxiways require the aircraft or vehicle operator to identify their position and intentions on the Airport's universal communication frequency (UNICOM).

**3-88. Terminal Instrument Procedures (TERPS):** TERPS are navigational procedures developed by the FAA for aircraft to maneuver through the NAS using outputs and readings provided from instrumentation on-board an aircraft. TERPS can be developed for the departure, arrival, and en-route stages of flight.

**3-89. Tie-Down Location:** Tie-down locations are designated areas on an apron or ramp equipped with in-surface devices to fasten and secure an aircraft while parked.

**3-90. Traffic Pattern:** A traffic pattern is a navigational circuit followed by aircraft upon departure or arrival to an airport designed for the safe separation of aircraft. Traffic patterns may also be designed to keep aircraft away from noise sensitive areas such as residential neighborhoods or obstructions.

**3-91. Transitional Surface:** A transitional surface is a surface defined in [FAR Part 77](#) that extends outward and upward from the primary and approach surfaces to the horizontal surface preventing objects from obstructing the lateral navigation of aircraft arriving to and departing from a runway.

**3-92. Transportation Security Administration (TSA):** The TSA is a federal agency of the United States Department of Homeland Security (DHS) responsible for the security of transportation systems across the country, including aviation, rail, transit, highway, and pipeline sectors.

**3-93. United States Code (USC):** The USC is the official codification by subject matter of the general and permanent laws of the United States of America.

**3-94. Universal Communication Frequency (UNICOM):** The UNICOM is an air-ground radio communication system designed for pilots and vehicle operators to identify their location and intentions when conducting operations on runways, taxiways, and in designated airspace around an airport.

**3-95. Unmanned Aerial Vehicles (UAV):** The term "UAV" shall refer to any unmanned aircraft that is remotely piloted through a ground-based control system or autonomously operated through the use of an on-board computer.

**3-96. Use Fee Schedule:** The Use Fee Schedule shall be determined by the Emmet County Board of Commissioners on an annual basis based upon recommendations provided by the Airport Manager through the Emmet County Administrator and the Pellston Regional Airport Committee. These fees shall set forth the fees to be charged for specific activities conducted at or on the Airport.

**3-97. Vehicle:** The term "vehicle" shall refer to any self-propelled device designed for the ground transportation of people or cargo. For the purpose of this ordinance, the term "vehicle" shall include, but is not limited to, automobiles, tugs, tractors, belt loaders, heavy equipment, all-terrain vehicles (ATV), aircraft push back devices, motorcycles, bicycles, and lawn maintenance equipment. Pull or push devices such as plows, trailers, baggage carts, farming plows, mowing decks, lavatory carts, ground power units (GPU), and tow bars shall also be referred to as vehicles.

**3-98. Wildlife Management Plan:** The wildlife management plan shall refer to the FAA approved plan drafted by the Airport that outlines procedures to minimize wildlife populations on and around the airfield that pose a threat to aviation safety, structures, equipment, and human health.

**Section 4. Activity Request.** Any person or organization wishing to engage in any form of for-profit or non-profit activity within the boundary of the Airport shall state their intentions to the Airport Manager through a written request. Each request shall demonstrate how the proposed activity will comply with specific requirements outlined in Section 6 of this ordinance and include information addressed in each of the following subsections.

**4-1. Scope of Activity.** A detailed scope describing how the activity will be established and the means and methods necessary to achieve its desired outcome must be included in each request.

A thorough description of the following items must be included to provide the Airport Manager with specifics about the requested activity and how it will benefit users of the Airport and the local community:

- Description of the requested activity
- Services to be offered
- Intended location of operation
- Amount of land to be leased or subleased and from whom
- Square footage of physical infrastructure including offices, hangars, support buildings, etc., if applicable
- Proposed hours of operation
- Proposed number of employees (full and part-time) on site
- Number of aircraft or vehicles to be provided/serviced, if applicable
- Details of the aircraft, vehicles or equipment required to conduct the requested activity
- Anticipated frequency of activity (daily, weekly, etc.)
- Proposed charges/rates/fees for services rendered
- Time frame of site preparation/planning/construction (if necessary)
- Methods, types, devices, and frequencies of electronic communications (if necessary)

**4-2. Evidence of Competency and Experience.** The success of an activity is dependent upon an individual's or organization's competency, experience, and being well capitalized during its start-up period. Accordingly, knowledge and applicable experience conducting the proposed activity must be demonstrated to the Airport Manager through a prepared business plan that should include, but is not limited to, the following items:

- Examples of related successful entrepreneurial ventures
- A list of business goals supported by reasons they are believed to be attainable
- Testimonials from clients, business partners, financiers, stock holders, industry peers, other airports, and business development organizations
- Sources of capital and other investments
- The individual or organizations credit rating, if applicable
- A full criminal and credit history of the individual and/or organization
- Projected balance sheets

**4-3. Indemnification.** Individuals or organizations shall include in their activity request an acknowledgement to defend, pay on behalf of, indemnify, and hold harmless the County of Emmet, its elected and appointed officials, employees, and volunteers, against all claims, damages, lawsuits, costs and expenses, including attorneys' fees, arising from negligence or any intentional action resulting from the proposed activity. It also shall be included in the request that the individual or organization understands this indemnification clause will survive past the

termination of its activity contract with the Airport Sponsor, if granted, and an acknowledgement that the individual or organization waives the right to declare any immunities as provided by law.

**4-4. Proof of Insurance.** Each individual or organization shall include proof of insurance in the activity request submitted to the Airport Manager. All coverage shall be with insurance companies acceptable to the Airport Sponsor, with limits of liability and coverage at levels satisfactory to the Airport Sponsor. All coverage shall include the Airport Sponsor as additionally insured, and shall include endorsements notifying the Airport Sponsor, via the Airport Manager, in advance of cancellation, non-renewal, reduction, and/or material change of coverage. In addition, the following types of insurance coverage shall be carried by individuals or organizations performing the following types of activities:

**a) Aeronautical Services Operators.** The following insurance coverage shall be carried by individuals or organizations providing aeronautical services such as a single aeronautical service provider, limited aeronautical service provider, Fixed Base Operator, air taxi operator, or commercial airline as defined under Section 6-1 of this ordinance:

- i. Single Aeronautical Service Provider, Limited Aeronautical Service Provider, and Fixed Base Operators.**
  - 1) Premises.** \$5,000,000 limit per occurrence, no general aggregate limit
  - 2) Products.** \$5,000,000 limit per occurrence, aggregate products liability coverage
  - 3) Hangarkeepers.** \$1,000,000 limit per occurrence, no general aggregate limit though a limit should be established to reflect per aircraft and occurrence exposures
  - 4) Refueling.** \$10,000,000 limit per occurrence, aggregate products liability coverage
- ii. Vehicles.**
  - 1) Automobile.** \$10,000,000 limit per occurrence
- iii. Airline Refueling.**
  - 1) Premises.** \$50,000,000 limit per occurrence, no general aggregate limit
  - 2) Products.** \$50,000,000 limit per occurrence, aggregate products liability coverage
  - 3) Hangarkeepers.** \$50,000,000 limit per occurrence, no general aggregate limit though a limit should be established to reflect per aircraft and occurrence exposures
- ii. Ground Handlers/Ramp Service.**
  - 1) Premises.** \$10,000,000 limit per occurrence, no general aggregate limit
  - 2) Products.** \$10,000,000 limit per occurrence, aggregate products liability coverage

- 3) **Hangarkeepers.** \$10,000,000 limit per occurrence, no general aggregate limit though a limit should be established to reflect per aircraft and occurrence exposures
  - iii. **Regional Airlines (Operating Aircraft under 60,000 Pounds Gross Takeoff Weight).** \$100,000,000 comprehensive airline liability limit, aggregate products liability coverage
  - iv. **Other Passenger Airlines.** \$500,000,000 comprehensive airline liability limit, aggregate products liability coverage
  - v. **Cargo Airlines Operating Aircraft under 60,000 Pounds Gross Takeoff Weight.** \$50,000,000 comprehensive airline liability limit, aggregate products liability coverage
  - vi. **Cargo Airlines Operating Aircraft Over 60,000 Pounds Gross Takeoff Weight.** \$250,000,000 comprehensive airline liability limit, aggregate products liability coverage
- b) **Non-Aeronautical Services Operators.** The following insurance coverage shall be carried by individuals or organizations providing services at the Airport that are not directly associated with aeronautical activities such as ground transportation providers, construction contractors, and food service providers as defined in Section 6-2 of this ordinance:
- i. **Taxi/Limousine Operators.**
    - 1) **Automobile.** \$5,000,000 limit per occurrence
    - 2) **Commercial General Liability.** \$1,000,000 limit per occurrence, \$1,000,000 limit general aggregate
  - ii. **Rental Car Operators.**
    - 1) **Automobile.** \$5,000,000 limit per occurrence
    - 2) **Commercial General Liability.** \$5,000,000 limit per occurrence, \$5,000,000 limit general aggregate
  - iii. **Shuttle Bus, Minibus, Van Operators.**
    - 1) **Automobile.** \$10,000,000 limit per occurrence
    - 2) **Commercial General Liability.** \$10,000,000 limit per occurrence, \$10,000,000 limit general aggregate
  - iv. **Construction/Demolition Contractors.** \$5,000,000 commercial general liability limit per occurrence, \$5,000,000 limit general aggregate
  - v. **Food Service Providers.** \$1,000,000 commercial general liability limit per occurrence, \$1,000,000 limit general aggregate
- c) **Automobile Operation.** Each individual or organization requiring the operation of automobiles (or other motor vehicles required to be registered/licensed under the Michigan Motor Vehicle Law) in the performance of its activities shall carry Motor Vehicle Liability insurance as required by Michigan law on an occurrence basis for Bodily Injury and Property Damage. Coverage shall include all owned vehicles, all non-owned vehicles, and all hired vehicles. In addition, vehicles operating within the

Air Operations Area (AOA) shall carry residual combined liability for Bodily Injury and combined single limit coverage.

- d) **Workers' Disability Compensation Insurance.** Each individual and organization providing aeronautical services shall carry Workers' Disability Compensation coverage, including Employer's Liability coverage, in accordance with applicable law.

**4-5. Building Standards.** Construction of buildings necessary to support the proposed activity shall meet all applicable federal, state, and local laws, regulations, codes, ordinances, and Airport Sponsor policies. A full set of construction plans for any proposed building shall be submitted to the Airport Manager for review as a part of the activity request. Individuals or organizations are encouraged to consult with the Airport Manager prior to submittal of the request to coordinate the design of structures that are compatible with the surrounding Airport environment. The architectural design of buildings is recommended to be consistent, where applicable, with the style and design of other similar existing and planned buildings on Airport property. In addition, proposed buildings shall be demonstrated to meet the local fire code and all plumbing, mechanical, electrical, and other construction and design standards.

**4-6. Airport Design Standards.** Any proposed development to support the requested activity shall at a minimum be compatible with all airport design standards defined in [FAA Advisory Circular \(AC\) 150/5300-13, Airport Design](#), [Federal Aviation Regulation \(FAR\) Part 77, Objects Affecting Navigable Airspace](#), Terminal Instrument Procedures (TERPs), as well as other applicable FAA regulations and rule making decisions. Development may not be proposed to infringe upon any restricted airport design standard including, but not limited to:

- Runway safety areas (RSA)
- Taxiway safety areas (TSA)
- Runway object free areas (ROFA)
- Taxiway object free areas (TOFA)
- Runway visibility zones (RVZ)
- Runway protection zones (RPZ)
- Primary, approach, transitional, horizontal, and conical surfaces
- Published runway approach procedures

**4-7. Compatible Land Use.** Any land uses to support the requested activity shall be compatible with existing and future planned Airport development land uses. All structure heights must not exceed elevations defined in [FAR Part 77, Objects Affecting Navigable Airspace](#), and not interfere with aircraft approach and departure routes identified in Terminal Instrument Procedures (TERPs) developed for the Airport. Actions occurring on the proposed site must also incorporate control measures, if necessary, to reduce or eliminate visual obstructions such as dust, glare, smoke, steam, smog, or light emissions that could interfere with aircraft operations occurring both on the ground and in the air. It is recommended land use compatibility guidelines set forth in

[Airport Cooperative Research Program \(ACRP\) Report 27, \*Enhancing Airport Land Use Compatibility\*](#), be met by the activity applicant.

**4-8. Wildlife Management.** It shall be demonstrated in the activity request that any proposed construction, land use practice, or activity itself will not serve as an attractant for birds or other forms of wildlife. Architectural features, landscaping, waste disposal, storm water drainage, lawn care, and agricultural activities must incorporate elements that do not directly or indirectly support habitats favorable for birds or mammals that may pose a hazard to aircraft operations. Permanent standing water sources such as pools, ponds, and fountains and vegetation such as trees, plants, and grasses that are favorable in supporting a habitat for wildlife are discouraged. Guidelines set forth in [FAA AC 150/5200-33B, \*Hazardous Wildlife Attractants on or Near Airports\*](#), should be followed in demonstrating to the Airport Manager the wildlife management practices that will be incorporated into the proposed activity.

**4-9. Right For Additional Information.** The Airport Manager shall hold the right to request additional information from an individual or organization in determining whether to approve or deny an activity request. Requests may ask for further clarification about a specific process, how a proposed activity or development will meet minimum standards and operating procedures defined in this ordinance, or how applicable federal, state, and local laws, ordinances, regulations, and codes will be followed. The Airport Manager shall not use this clause to unjustly discriminate, discourage, or deny an individual's or organization's activity request.

**4-10. Activity Request Decision and Contract.** After a review by the Airport Manager, County Administrator, Pellston Regional Airport Committee and the Airport Sponsor, and its legal counsel, a decision will be made to approve or deny the activity request. If significant public controversy surrounds the request, the Airport Manager with concurrence of the County Administrator may decide to hold a public hearing prior to its decision to seek comments on the proposed activity before a final decision is made.

Approval of an activity request will be provided in writing to the individual or organization applicant. The Airport Manager and the individual or organization shall then meet to discuss a proposed agreement on terms and conditions of the contract including rental rates, fees, and charges; levels and types of insurance coverage; and the rights, privileges, and obligations of the operator. The Airport Manager in consultation with the County Administrator shall retain the right to request conditions in the activity contract with the individual or organization that are not addressed in these minimum standards and operating procedures.

Individuals or organizations denied an activity request shall be notified in writing on the basis of the decision and be provided a list of necessary amendments if the individual or organization desires to resubmit a request. Activity request resubmittals shall include a copy of the original written decision and a list of the amendments that have been made to address the changes requested by the Airport Manager. Individuals or organizations seeking to appeal an activity request decision shall submit a written appeal to the Airport Manager within 30 days of the original decision. Appeals shall include arguments based on fact supporting the individual's or

organization's original activity approach and provide justification on why the required Airport Manager amendments may not be feasible, attainable, or likewise not necessary. The Airport Manager and the County Administrator shall review the appeal and make a decision to grant or deny the activity request. A final appeal may be made to the Airport Sponsor –whose decision is final.

**Section 5. General Minimum Standards and Operating Procedures.** All individuals and organizations within the boundary of Airport property shall adhere to the minimum standards and operating procedures outlined in this ordinance. These standards and procedures apply to all employees, employers, contractors, passengers, pilots, flight crews, officials, and visitors. Individuals and organizations shall be held accountable for understanding and abiding by all Airport standards and procedures as well as all applicable federal, state, and local laws, regulations, codes, and ordinances. Any violation of these standards and procedures shall be punishable by the penalties and fines listed in Section 7 of this ordinance.

**5-1. Non-Discriminatory Policy.** All employees, tenants, and contractors employed on Airport property shall not discriminate or harass any person because of race, color, creed, religion, origin, nationality, age, sex, orientation, gender, marital status, disability, weight, height, pregnancy, conditions of employment, and/or residence/business location. Discriminatory complaints shall be brought to the attention of the Airport Manager who is to immediately begin a thorough investigation and may decide to take appropriate corrective actions including, but not limited to, requiring the accused to attend diversity/cultural sensitivity training and/or temporary or permanent dismissal from the Airport.

**5-2. Conduct of Employees.** All employees, tenants, contractors, and other employed personnel at the Airport shall be neat, clean, and courteous at all times and conduct themselves in a manner that is not loud, noisy, boisterous, offensive, or objectionable. Employees shall be expressly prohibited from consuming alcoholic beverages or using controlled substances, except as prescribed by a physician, while rendering services at the Airport.

**5-3. Exclusive Rights.** No individual or organization shall be granted exclusive rights to solely provide any aeronautical or non-aeronautical activity, service, or product at the Airport. The Airport Sponsor, however, reserves the right to exclusively establish and provide any aeronautical or non-aeronautical activity, service, or product at any time if it is deemed private operators no longer are meeting the defined needs of Airport users. Any exclusive operation undertaken by the Airport Sponsor may not be provided by a private individual or organization until the Airport Sponsor relinquishes its exclusivity rights.

**5-4. Public Laws and Regulations.** In addition to these minimum standards and operating procedures, all individuals and organizations on Airport property shall comply with all applicable federal, state, and local laws, statutes, regulations, codes, and ordinances, including, but not limited to, tax codes, fire inspections, building inspection, and environmental regulations. Individuals or organizations that violate public laws, statutes, regulations, codes, and ordinances on Airport property shall be subject to legal actions and punitive measures by the appropriate

government jurisdiction. Public law enforcement official shall be granted the right to enforce all applicable public laws and regulations on Airport property.

**5-5. Solicitation.** No individual or organization shall solicit funds, goods, services, products, or seek donations on Airport property without the written consent of the Airport Manager. Individuals or organizations seeking to engage in for-profit or non-profit activities on the Airport shall notify the Airport Manager following the procedure established in Section 4 of these minimum standards and operating procedures.

**5-6. Right to Impose and Collect Fees and Charges.** The Airport Sponsor shall hold the right to establish and collect fees, rents, and charges from individuals and organizations engaged in business or other activities to provide for the cost for operating, maintaining, and developing the Airport. All individuals and organizations shall pay all charges and fees upon demand as negotiated in the terms of their approved activity contract with the Airport Sponsor.

**5-7. Aircraft Landing and Parking Fees.** Aircraft conducting landing operations and parked overnight on ramps and aprons or at boarding gates and tie-down locations shall be subject to a landing fee and, if applicable, an overnight parking fee. The rate of such fees shall be determined by the Airport Sponsor or as agreed upon in the activity contract with the individual or organization providing aeronautical services such as a Fixed Base Operator, commercial airline, flight school, or charter operation. Aircraft owners/operators that purchase fuel from the Airport Sponsor or an authorized aeronautical operator, in a minimum amount established by resolution of the Airport Sponsor, shall not be charged a landing fee. The Airport Sponsor shall also retain the right to amend, repeal, adopt, or adjust the landing and parking fee rates as deemed necessary.

**5-8. Insurance.** All individuals or organizations conducting business or activities must carry insurance that indemnifies, saves, holds harmless, and defends the Airport Sponsor and its employees, individually and collectively, from and against all liability resulting in any claims or actions as a result of direct or indirect actions from the individual or organization. Minimum limits of liability and coverage must be retained at levels satisfactory to the Airport Sponsor and as agreed upon in the activity contract with each individual or organization. The Airport Sponsor shall hold the right to require an individual or organization to amend, adjust, or adopt additional limits of liability in its insurance coverage.

**5-9. Airport Security.** All individuals, organizations, contractors, customers, and visitors shall comply fully with the Airport's security plan. All activities occurring on Airport property are subject to the rules and regulations set forth by the Airport security plan and directives, governance, and guidance by the TSA which may change without notice. Each individual and organization is responsible to control and secure their leasehold to prevent unauthorized access into designated restricted areas. The Airport security plan shall be referred to for additional information on individual and organization security responsibilities. In addition to these standards and procedures, emphasis shall be placed on the following elements of the Airport security plan:

- a) Access Control.** The Airport has established a system of secured doors and gates to limit access of restricted areas to unauthorized persons. Individuals who are authorized to access restricted areas must ensure these access points are locked and secured after entry or exit and that no unauthorized persons are allowed to enter. Individuals passing through vehicle gates must remain at the gate with their vehicle after entering or exiting restricted areas until the gate is completely closed to prevent access to unauthorized persons or vehicles. Individuals shall be held responsible for any intentional or unintentional action that results in a security breach if it is found an access point was not secured after their use. The Airport Manager shall be immediately notified if an individual observes a security breach and/or is incapable of preventing an unauthorized access.
- b) Personnel Identification.** All individuals who are granted Airport-approved access to a restricted area are required to display Airport-issued access media. Those requesting unescorted access to a restricted area must seek approval from the Airport Manager upon which an individual must pass a criminal history records check (CHRC) as required by TSA regulations and attend an airfield safety and security course administered by the Airport. Individuals granted access are required to comply with all security directives and regulations outlined in the Airport security plan and as administered by the TSA.
- c) Other Forms of Personnel Identification.** Pilots and flight crews may display identification issued by their employer or have in their immediate possession a certificated pilot's license to access a restricted area in lieu of an Airport-issued identification badge. Visitors, contractors, passengers, and other company employees not based at the Airport may access restricted areas under the escort of an authorized individual with proper identification. All individuals providing an escort must remain in close proximity of those being escorted at all times while in restricted areas.
- d) Penalties.** Failure to comply with the rules, regulations, and procedures outlined in the Airport security plan and as mandated by the TSA as a result of all intentional and unintentional actions are subject to federal fines and/or penalties including, but not limited to, fines and imprisonment. Individuals who violate security plan rules, regulations, and procedures are subject to punitive measures outlined in the plan that include, but are not limited to, temporarily or permanent revocation of access to authorized areas.

**5-10. Emergencies.** The Airport Manager and/or a designated representative, and the County Administrator shall be immediately notified in the event of an emergency including, but not limited to, bombings, bomb threats, fires, hijacking, natural disasters, fires, and security breaches. Response and coordination of all types of emergencies should follow guidelines and procedures outlined in the Airport emergency response plan. Individuals and organizations on Airport property should follow the procedures and guidelines, where appropriate, as identified in the

Airport Emergency Response Plan to ensure the safety of all persons within their leasehold during an emergency. Instructions, orders, and procedures issued by the Airport Manager or a designated representative in the event of an emergency shall be followed by all individuals and organizations. Individuals and organizations that conduct activities which may experience an emergency shall provide the Airport Manager and ARFF with a copy of their emergency response procedures which must interface with those procedures identified in the Airport emergency response plan.

**5-11. Fire Prevention and Safety.** Codes and Standards established by the National Fire Protection Association (NFPA) shall preside over all fire and fire related safety provisions at the Airport, unless otherwise directed by applicable laws, rules, fire codes and regulations enforced by the local Fire Marshal. In addition, emphasis shall be placed on the following fire prevention and safety provisions outline in this section. Section 6 shall be referenced for specific fire prevention and safety provisions for Airport activities outlined in that section.

- a) **Building Design and Construction.** All buildings and structures on Airport property shall be designed, constructed, and regularly inspected to meet compliance with all NFPA standards and pass regularly scheduled inspections by the local Fire Marshal. Occupancies of each building shall not exceed, at any time, the number of persons approved by the local fire code as enforced by the local Fire Marshal.
- b) **Fire Extinguishers.** Maintenance, service, and placement of all fire extinguishers shall be the responsibility of each tenant, except in areas under the responsibility of the Airport Sponsor. Extinguishers shall be periodically inspected by the tenant to meet NFPA standards, including, but not limited to, operation, charge, conductivity, and hydrostatic testing.
- c) **Fire Protection Systems.** Installation, operation, and maintenance of all fire protection systems are required standards set forth by the NFPA and the local Fire Marshal. The Airport Manager (or a designated representative) and ARFF shall be notified immediately of all fire protection system alarms and be updated on the reasoning of all alarms, including false alarms. The Airport Manager, designated representatives, and ARFF shall be given access or methods to access all fire protection system control panels in the event the Airport tenant is unable to respond to an alarm. Individuals who tamper with any fire protection system or falsely activate any fire alarm shall be prosecuted to the fullest extent in accordance with all local and state laws, ordinances, codes, and regulations.
- d) **Fires.** The Airport Manager (or a designated representative), the County Administrator and ARFF shall be notified immediately of all fires, regardless of size and scope, which occur on Airport property. If the fire is unable to be suppressed without the means of a fire extinguisher or a fire suppression system, ARFF shall respond to the fire and/or decide if off-airport mutual aid resources are necessary. Guidelines established in the Airport emergency response plan should be followed,

as appropriate to the situation, for the response of all fires. Individuals and organizations wishing to conduct a controlled burn on Airport property shall notify and seek approval from the Airport Manager and ARFF prior to the scheduled date of the burn.

**5-12. Hazardous Materials.** The Airport Manager, County Administrator and ARFF shall be notified prior to and approve the handling, storage, and transportation of all solid, liquid, and gaseous materials that pose a potential hazard to the health and safety of humans or the environment on Airport property. Any individual or organization given approval to handle, store, or transport hazardous materials shall do so in accordance with all federal, state, and local laws and regulations with transport on board aircraft accomplished in full compliance with procedures defined in current FARs. Furthermore, a copy of the hazardous material emergency response plan and Material Safety Data Sheets (MSDS) for all approved hazardous material(s) on Airport property shall be submitted to the Airport Manager and ARFF.

**5-13. Incidents/Accidents.** The Airport Manager (or a designated representative), County Administrator and ARFF shall be immediately notified of all incidents and accidents that occur on Airport property, including, but not limited to, those that involve aircraft, vehicles, equipment, structures, personnel, infrastructure, and utilities. All persons involved in any incident or accident shall make a full report to the Airport Manager as soon after the incident or accident as possible. Emergency response to all incidents and accidents shall be the discretion of the Airport Manager (or a designated representative) and the incident commander or senior on-duty officer of ARFF. Guidelines as identified in the Airport emergency response plan should be followed, as appropriate, for the response to all incidents and accidents. In addition, requirements shall be followed for each specific situation outlined in the following subsections:

- a) Aircraft.** The pilot of any aircraft involved in an incident or accident shall stop the aircraft at the scene of the incident or accident and not move the aircraft until granted approval from the Airport Manager, the FAA, and the National Transportation Safety Board (NTSB), if necessary. The pilot(s), flight crew, and passengers onboard the aircraft shall exit immediately, if deemed necessary by the pilot and emergency personnel, and give way to responding emergency vehicles and personnel. A prompt and complete written report of the incident or accident, including the date and time, description and timeline of events, and contact information of witnesses shall be submitted to the Airport Manager. A copy of any written reports required by FAA, NTSB, police, or fire departments may be submitted in lieu of the report required in this subsection.
- b) Vehicles/Equipment.** Any individual involved in an incident or accident anywhere on Airport property involving a passenger car, truck, van, aircraft tug, baggage cart, trailer, tractor, heavy equipment, or any form of a self-propelled vehicle shall immediately notify the Airport Manager (or a designated representative) and ARFF. All individuals involved with the incident or accident must remain on scene until the arrival of responding police, fire, and other emergency personnel. A full and

complete written report of the incident or accident from the vehicle operator shall be submitted to the Airport Manager. Any reports required from responding police, fire, and other emergency personnel may be submitted in lieu of the written report required in this subsection from the vehicle operator.

- c) Structures/Buildings.** Any incident or accident damaging a structure or building on Airport property as a result of, but not limited to, fire, wind, explosion, industrial processes, snowfall, natural disasters, or other human causes shall be reported immediately to the Airport Manager or a designated representative by the building owner, lessee, or operator. All individuals occupying the structure are to be evacuated if the structural integrity of the building may be compromised. Continued use and operation of the structure shall be the decision of a certified architect, building inspector, and/or the local Fire Marshal if the integrity may be compromised. A comprehensive written report of the incident or accident and documentation of its inspection for occupancy, if conducted, shall be submitted to the Airport Manager.
- d) Public Utilities.** The Airport Manager or a designated representative shall be notified immediately of any incidents or accidents occurring on Airport property that involve a public utility including, but not limited to, electrical lines, water mains, and natural gas pipelines. Individuals in proximity to the scene of the utility incident and accident, both on- and off- Airport property, shall be safely evacuated if a threat is posed to public safety. The public utility entity supplying the product and officials responsible for the maintenance of its delivery infrastructure shall also be immediately notified of the incident or accident. Approval from the public utility entity and public safety officials is required to allow individuals to return to evacuated areas. Guidelines identified in the Airport emergency response plan should be followed, as appropriate, to any public utility incident or accident.

**5-14. Air Operations Area (AOA) Requirements.** All activities occurring within the Air Operations Area (AOA) involving, but not limited to, aircraft, vehicles, equipment, and personnel shall be conducted in accordance to the minimum standards and operating procedures outlined in the following subsections. In addition, all provisions, directives, regulations, and operational procedures established by the FAA shall be followed for all aircraft operations, vehicular traffic, and personnel activities that are conducted within the AOA.

- a) Authorized Personnel.** Authorized personnel conducting or with the intention to conduct aeronautical-related activities may access the AOA and shall display proper identification credentials (Airport badge, airline crew badge, or pilot's license) at all times. Individuals without approved credentials needing to temporarily access the AOA, such as passengers and contractors, shall be escorted by authorized personnel displaying Airport-issued access media.
- b) Flightworthy Aircraft Requirements.** All flightworthy aircraft operating within the AOA must be registered with the FAA or their country of origin, have paid all

necessary federal and state registration fees, dues, and taxes, possess an airworthiness certificate authorizing flight operations, meet all operational and maintenance standards and regulations defined by FARs and the aircraft manufacture, and be insured by the aircraft's owner. In addition, each aircraft must be equipped with a two-way radio capable of transmitting on frequency 123.0 Megahertz (MHz) to taxi, take-off, land, or reposition within the AOA.

- c) **Non-Flightworthy Aircraft.** Non-flightworthy aircraft are not permitted within the AOA. Aircraft incapable of retaining their flightworthiness through age, accident, maintenance, sale, or abandonment are to be removed at the expense of the owner, unless prior arrangements with the Airport Manager have been made.
- d) **General Aircraft Operations.** The operation of aircraft entering, exiting, or maneuvering the AOA, both on the ground and in the air, must follow all FAA air traffic procedures, guidelines, and regulations. Aircraft operating on, or intending to operate on, all runways and taxiways and within landing and departure traffic patterns must communicate their positions on the Airport's universal communication (UNICOM) frequency at 123.0 Megahertz (MHz). In addition, the following standards and procedures shall be followed:
- i. **Aircraft Operation.** No aircraft shall be operated either on the ground or in the air in a careless or negligent manner that endangers persons or property in the aircraft or on the ground. Prior approval from the Airport Manager is required for any aircraft flight to be conducted in an experimental, celebratory, ceremonial, or stunt manner. Aircraft operations shall not violate [Section 750.44, Trick or Acrobatic Flying](#), or [Section 750.45, Open Air Assemblies; Operation of Aircraft; Altitude](#), of the Michigan Compiled Laws (MCL). Additionally, aircraft shall not conduct operations on any closed surface or surface not intended for the operations of aircraft unless in an emergency. Operations conducted on all AOA surfaces shall be conducted in the manner for which the surface was designed and be in accordance with all federal air traffic rules, regulations, and procedures.
  - ii. **Aircraft Taxiing.** All aircraft shall taxi at safe and reasonable speeds that do not endanger other aircraft, vehicles, equipment, and personnel within the AOA. All aircraft moving under their own power are required to illuminate navigational lights when operating within the AOA. Aircraft taxi patterns shall be conducted in a safe and efficient manner that minimizes the number of runway crossings needed for an aircraft to reach a desired destination. In the event taxiing aircraft converge, each shall pass each other bearing to the right or unless otherwise agreed upon by the pilots of both aircraft communicating on the UNICOM frequency. Aircraft shall be taxied only by a licensed pilot or authorized aircraft maintenance personnel and shall not be taxied under their own power into or out of hangar parking locations. All

other ground movements of aircraft shall be towed by a properly equipped aircraft tug, tractor, or other self-propelled towing vehicle equipped with an operational amber beacon, identification markings, and a two-way radio capable of transmitting on frequency 123.0 Megahertz if moving on a taxiway or runway.

- iii. **Aircraft Parking.** Aircraft shall park only at designated locations on aprons, ramps, hangars, and boarding gates and shall not block apron and ramp entry/exit access points, taxiways, or runways. Prior approval is required from the Airport Manager or a designated representative to park an aircraft in any area not intended for aircraft parking. While parked, parking brakes, chocks placed securely against landing gear wheels, and/or in-pavement apron tie down anchors shall be used to prevent any unintentional aircraft movement. Methods of entry, engine ignition, and operation must be locked and secured for all parked aircraft that are left unattended and shall be the responsibility of the pilot, operator, agency, or entity in control of the aircraft.
- iv. **Aircraft Engine Run-ups.** The Airport Manager or a designated representative shall be notified in advance and approve all aircraft engine testing or run-ups prior to their commencement. Approved engine testing or run-ups shall occur during normal business hours Monday through Friday with approval needed from the Airport Manager or a designated representative for circumstances outside normal business hours. The Airport Manager or a designated representative reserves the right to deny aircraft engine tests or run-ups during noise sensitive times of the day such as early morning, late evening, and overnight. Aircraft engine testing or run-ups shall be conducted only by a pilot or a certified airframe and power plant mechanic when chocks have been placed in front of an aircraft's landing gear wheels and its parking brakes have been engaged. Testing and run-ups shall only be conducted in approved locations that minimize noise impacts to the surrounding community and prevent debris damage to any other aircraft or structure.
- v. **Aircraft Deicing/Anti-Icing.** All deicing and anti-icing of aircraft shall occur in areas designated by the Airport Manager or a designated representative. Best management practices and proper techniques should be utilized to minimize the use of excessive deicing/anti-icing fluid needed for application on an aircraft. Processes, practices, and procedures identified in [FAA AC 120-60B, Ground Deicing and Anti-Icing Program](#), are recommended for all deicing/anti-icing operations, especially for those aircraft operators licensed under [FAR Part 121](#).
- vi. **Control of the Airfield.** The Airport Manager or a designated representative assumes control of the airfield and at any time shall reserve the right to close

the Airport in its entirety or any portion thereof. The Airport Manager or a designated representative shall also reserve the right to delay, restrict, or deny aircraft operations and deny the use of the Airport to any individual or organization if actions or proposed actions may endanger persons and/or property. A Notice to Airmen (NOTAM) shall be issued by the Airport Manager or a designated representative in the event of a complete or partial Airport closure. The reopening of any closed surface shall be at the discretion of the Airport Manager or a designated representative and subject to a satisfactory airfield inspection as outlined by the rules and regulations of [FAR Part 139](#).

- e) **General Vehicle Operations.** Only vehicles with a defined purpose serving an aeronautical need are authorized to operate within the AOA and are subject to standards and procedures outlined in the following sub-sections. These standards and procedures apply to all vehicles including, but not limited to, automobiles, tugs, tractors, belt-loaders, and other self-propelled implements. The Airport Manager or a designated representative reserves the right to deny access to any vehicle not meeting the standards and procedures established in this subsection.
- i. **Vehicle Requirements.** All vehicles within the AOA must be equipped with an operational rotating amber beacon and identification markings. Additionally, those needing to operate on runways or taxiways must be equipped with a two-way radio capable of transmitting on frequency 123.0 MHz and must identify their entry, position, and exit on the UNICOM frequency. The identification of all vehicles operating on the AOA are recommended to meet guidelines established in [FAA AC 150/5210-5D, \*Painting, Marking, and Lighting of Vehicles Used on an Airport\*](#). Trailers, carts, and other towed vehicles are required to display identification markings if located permanently within the AOA such as, but not limited to, ground power units, baggage carts, and tow bars. Vehicles not meeting these standards, but requiring temporary access to the AOA, must be escorted by a vehicle meeting the requirements established in this subsection. Additionally, all vehicles operating within the AOA must carry liability insurance at levels and coverage satisfactory to the Airport Sponsor as established in the operator's activity contract with the Airport Sponsor. The Airport Manager, or a designated representative, reserves the right to remove any vehicle from the AOA that does not comply with requirements defined in this section.
- ii. **Vehicle Operations.** Vehicles must operate at safe and reasonable speeds when traveling within the AOA, exercising caution when in proximity to aircraft, other vehicles, personnel, and in conditions that limit visibility such as nighttime and inclement weather. No vehicle shall travel upon the AOA at a speed greater than ten (10) miles per hour, observing a five (5) mile per

hour speed limit in proximity of aircraft. Vehicles shall give the right of way to all aircraft, emergency response vehicles, snow removal equipment, and Airport maintenance equipment and may not pass or park under the wing of an aircraft or a boarding gate bridge unless necessary by function.

- iii. **Vehicle Parking.** All vehicles shall park in designated areas on the AOA that do not interfere with the movement or passage of aircraft, emergency vehicles or other vehicle operations. Parked vehicles also shall not block access to fire suppression equipment such as hydrants and extinguishers, doors and exit paths of structural fire escapes, and fire lanes and other designated areas for emergency response vehicles. Vehicles shall have their parking brake applied and/or have chocks inserted under their wheels when parked for any circumstance within the AOA.
- iv. **Vehicle Operators.** Only authorized individuals with a state-issued motor vehicle driver's license that have attended the Airport's airfield safety and driving training course are permitted to operate a vehicle within the AOA. Each vehicle operator shall be held responsible for all intentional and unintentional actions as a result of vehicle operations that occur within the AOA. Operators that are found in violation of the minimum standards and procedures outlined in this ordinance are subject to punitive measures at the discretion of the Airport Manager on a case-by-case basis that may include, but is not limited to, airfield driver retraining or revocation of airfield driving privileges.
- v. **Vehicle Security.** All vehicles entering the AOA may be subject to a search in accordance to Airport's security plan and TSA rules, regulations, directives, and procedures. Vehicle operators denying such search may not be granted access to the AOA at the discretion of the Airport Manager (or a designated representative) and the TSA. All vehicles within the AOA shall be secured by the vehicle operator when left unattended through such means as activation of door locks and removal of ignition keys. It shall be the responsibility of the vehicle operator that vehicles are secured after use to prevent unauthorized operation.

**5-15. Electronic Interference.** All individuals and organizations shall not transmit electronic signals that interfere with the use of radios, Global Positioning System (GPS) devices, wireless networks, telephone lines, radars, and other forms of electronic communication necessary for safe aircraft operations on the ground and in the air in proximity to the Airport. Individuals or organizations requiring the use electronic communication for activities conducted at the Airport must seek approval from the Airport Manager and provide justification for their use along with the types of devices and electronic frequencies proposed for their operation. The Airport Manager shall reserve the right to deny a request from an individual or organization or require an

amendment or discontinuation of an approved method of electronic communication if it is found to interfere with devices and frequencies utilized in aircraft and Airport operations.

**5-16. Environmental Standards.** All individuals and organizations conducting activities on Airport property shall do so in accordance to all federal, state, and local environmental laws, standards, and regulations including, but not limited to, those that involve air quality, water quality, wetlands, threatened and endangered species, solid and hazardous waste, natural resources, coastal environments, and health and human safety. Individuals or organizations found in violation of federal, state, and local environmental laws, standards, and regulations shall be held liable for their actions and may be subject to punitive measures such as fines or imprisonment. The Airport Sponsor shall not be held liable for actions by an individual or organization for which it does not have prior knowledge, or knowledge of the intentions of that individual or organization, that results in an environmental violation.

**5-17. Smoking.** Smoking shall not be permitted anywhere within the AOA, inside enclosed places of employment, in structures designated for the storage of aircraft, within 50 feet of any fueling vehicle, tanker, storage facility, or device designed for the transmittal of fuel, or within 50 feet of the source of a flammable substance. Smoking on Airport property shall be done so in accordance to the State of Michigan Smoke Free Air Law that prohibits smoking indoors at businesses and in public places.

**5-18. Firearms and Weapons.** No person, except those authorized under federal regulations and Michigan Compiled Laws (MCL) shall carry, transport, or discharge any firearm or weapon on Airport property. Firearms or weapons that are properly encased and secured for shipment shall be permitted, given the firearm or weapon is not in the immediate possession of the individual during travel on board any aircraft. Federal, state, and local law enforcement officials and those individuals in need to carry firearm for official purposes, such as an armored security services officer, shall also be permitted to carry firearms and weapons while in the performance of their official law enforcement and security duties.

**5-19. Alcohol or Drugs.** No person under the influence of alcohol or drugs shall operate any vehicle, aircraft, motorcycle, heavy equipment, or other self-propelled apparatus of any type on Airport property. Consumption of alcoholic beverages on Airport property shall be limited to those places designated by the Airport Manager and in accordance with the liquor license(s) obtained from the Michigan Liquor Control Commission (MLCC). The Airport Manager or a designated representative shall retain the right to remove from, or deny access to; any person found intoxicated under the influence of alcohol or drugs on Airport property.

**5-20 Public Parking.** No person shall park a motor vehicle at the Airport other than in areas specifically designated for parking (“authorized locations”). Only passenger vehicles are permitted to be parked in authorized locations unless prior written approval has been obtained from the Airport Manager or a designated representative. Parking areas will be designated as two hour parking and long term parking.

A. Two hour parking areas will be in the parking lot area in front of the commercial passenger terminal building which have signs for parking for a maximum of two (2) hours

B. Long term parking shall be for motor vehicles of a duration longer than two (2) hours in the lot in front of the commercial passenger terminal building, the lot to the southeast of the commercial passenger terminal building, and the two lots to the northeast of the commercial passenger terminal building, except those parking areas with a two (2) hour limit sign.

Motor vehicles shall not be parked for more than two (2) hours in parking areas in front of the commercial passenger terminal building which have signs for parking for a maximum of two (2) hours unless prior written approval has been obtained from the Airport Manager or a designated representative.

Motor vehicles that shall be parked for more than two (2) hours shall be parked in long term parking.

Motor vehicles shall not be parked or left unattended in the roadway directly in front of the entrance of the commercial passenger terminal building except to temporarily stop or stand to drop off or pick up airline passengers.

The Airport may, from time to time, designate specific parking spaces in the parking lots as “Parking for Handicapped Only”, “Parking for Persons with Disability”, or some similar wording, or by using the universal road sign designating a parking space as a “handicap accessible” parking spot. The use of such parking space shall be governed by state statute and not by this section.

For purposes of this section 5-20, the Emmet County Sheriff or his/her deputies, the Airport Manager after receiving the training as prescribed by MCL 257.675d, or a person or persons authorized by the Airport Manager to issue a parking citation after receiving the training as prescribed in MCL 257.675d, shall have the authority to enforce this ordinance and to issue and serve municipal civil infraction notices and citations for violations of this section.

In the case of any alleged violation of this section, the registered owner of the vehicle at the time of the alleged violation shall be presumed to be the person who parked or placed the vehicle at the point where and at the time that the violation occurred.

In the case of any alleged violation of this section which involves a leased vehicle, the lessee or renter of the vehicle shall be presumed to be the person who parked or placed the vehicle at the point where and at the time that the violation occurred.

The Airport Manager or a designated representative reserves the right to tow any vehicles, at the registered owner’s expense or vehicle lessee’s expense, that is parked in an unauthorized location or is parked in a parking area in violation of the rules set forth above for two (2) hour parking area or long term parking area. The towing of any vehicle

from Airport property shall be conducted by a company selected by the Airport Manager or a designated representative, which is licensed and insured to conduct such operations. The towing company shall provide services at the Airport within 10 minutes from time of contact by the Airport Manager or a designated representative requesting removal of a vehicle.

In addition to the provisions found in Sections 7-2, 7-3, and 7-4, a violation of this section shall be punished as a municipal civil infraction by court costs, and a fine not to exceed as follows:

a.	First offense	\$ 25.00
b.	Second offense	\$ 50.00
c.	Third or subsequent offense	\$100.00

*(Section 5-20 amended April 25, 2019)*

**5-21. Wildlife Management.** No individual shall feed, frighten, hunt, trap, capture, wound, kill, or disturb the habitat of any bird, mammal, reptile, fish, amphibian, or other species of wildlife anywhere within Airport property without the approval of the Airport Manager. Additionally, no individual shall intentionally or unintentionally provide food, water, or shelter for any form of wildlife found on or off Airport property. Individuals wishing to mitigate wildlife from their leasehold shall coordinate methods with the Airport Manager that are in conjunction with the Airport's wildlife management plan.

**5-22. Animals and Pets.** Domestic animals and pets are not permitted on Airport property unless such domestic animal or pet is restrained by a leash, harness, or travel carrier. Domesticated animals or pets are not allowed in any structure or building on Airport property other than those that have been, or are being, transported on board an aircraft. Guide dogs under the restraint and control of a physically impaired person, trainer, or dog handler and guard and search dogs under the control of authorized handlers shall be permitted on Airport property.

**5-23. Waste Disposal and Littering.** No person shall dispose or litter, in any manner, paper, trash, rubbish, food, or other forms of solid and liquid waste anywhere on Airport property except in approved receptacles with covers that prevent the unintentional discharge of material from exiting the container as a result of wind, transportation, animals, and human interaction. Waste from aircraft, service vehicles, and personnel shall be properly disposed of and not left in any portion on the AOA. All individuals and organizations shall keep their space clean of all food, rubbish, and debris waste and are encouraged to incorporate recycling into the disposal of waste from activities conducted at the Airport. Airport tenants and leaseholders shall be responsible for the disposal of waste from their premises as agreed upon in their activity contract with the Airport Sponsor. The Airport Manager shall designate specific locations on Airport property and provide dumpsters, receptacles, and bins for the disposal of waste.

**5-24. Preservation of Property.** No person shall destroy, inflict damage, or deface any building, sign, equipment, vehicle, structure, marker, landscaped vegetation, or any other form of personal

or public property. Individuals responsible for such actions shall be held liable for the full amount of the damage in addition to civil and criminal penalties including fines and imprisonment. In addition, individuals or organizations found responsible for such damage may be subject to punitive measures from the Airport Manager including revocation of access, and cancellation of their activity contract with the Airport Sponsor to conduct business at the Airport.

**5-25. Disorderly Conduct.** Any person engaged in disorderly conduct shall be subject to removal from Airport property and prosecution by law enforcement officials under [MCL 750.167-168](#) or other applicable law.

**5-26. Lost and Found.** Any individual finding a lost article on Airport property should deposit it with an Airport employee or with the lost and found service, if available, of the tenant where the article was located. Individuals seeking lost articles should contact the Airport administration office during normal business hours and/or the lost and found services of tenants during normal operating hours. Items deposited with the Airport's lost and found are subject to search and/or screening. The Airport Sponsor shall not be held liable for lost articles that are damaged, missing, broken, vandalized, or destroyed.

**Section 6. Specific Minimum Standards and Operating Procedures.** In addition to the minimum standards and operating procedures listed in Section 5, individuals and organizations engaged in any of the activities listed in this section shall also be governed by the following specific terms and conditions. These standards and procedures focus on operational and safety requirements necessary for the Airport to meet federal obligations and to provide adequate services that meet the demands and expectations of Airport users. The Airport Manager, in consultation with the County Administrator, shall hold the right to temporarily or permanently terminate or cancel any activity that fails to comply with the standards and procedures outlined in this section.

**6-1. Commercial Aeronautical Activities.** Any individuals or organizations engaged in any of the following commercial aeronautical activities shall do so in accordance with the terms and conditions of any executed contract between the party and the Airport Sponsor and in accordance with the following standards and procedures:

- a) **Single Aeronautical Service Operators.** Individuals or organizations providing any one (1) of the following aeronautical services shall be considered a single aeronautical service operator and are subject to the terms and conditions outlined in this section. Individuals or organizations wishing to conduct a single activity shall file a request as outlined in Section 4; however, the Airport Manager shall reserve the right to waive some requirements as demonstrated previous business experience may not be necessary. Specific operational arrangements such as rents, commissions, and location(s) to conduct business not addressed in these standards and procedures shall be at the discretion of the Airport Manager. Single Aeronautical Service Operators that conduct business at the Airport but do not have a base of operations on Airport property shall be subject to a monthly off-site fee at the

discretion of the Airport Sponsor or other fee as negotiated in their activity contract with the Airport Sponsor.

- i. **Aircraft and Aircraft Parts Sales.** Any individual or organization engaged or wishing to engage in the sale of aircraft or aircraft parts shall be authorized by the appropriate aircraft(s) or aircraft part(s) manufacture(s). Provisions for the sale of aircraft including, but not limited to, type of aircraft, and size of apron/ramp space area, showroom area, offices, and customer parking shall be satisfactory to the Airport Manager and included in the individual's or organization's activity request. Private individuals conducting a one-time sale of aircraft are exempt from these terms and conditions and are not required to submit a request as identified in Section 4. All aircraft parts sold at the Airport shall be approved by the FAA and meet all FAR requirements, specifically [Part 21, Certification Procedures for Products and Parts](#). Aircraft and aircraft parts that are defective, counterfeited, expired, or lacking required documentation shall not be sold at the Airport. Individuals or organizations engaged in aircraft and/or aircraft part sales shall be permitted to conduct business at the Airport if based from an off-Airport location.
- ii. **Aircraft Maintenance and Repair.** Any individual or organization engaged or wishing to engage in the maintenance or repair of aircraft including, but not limited to, airframes, power plants, avionics systems, or any other component necessary for airworthiness shall be certified by the FAA as appropriate to the work being performed and meet all FARs. All work must be conducted with equipment, supplies and parts appropriate to the nature of work being performed in an area or areas satisfactory to the Airport Manager that do not endanger or constrain the movement of people, vehicles, and other aircraft. Testing of power plant components upon the completion of maintenance and repair work shall not occur in hangars or other covered structures and be done so in accordance to Section 5, subsection 5-14(d), paragraph (iv), of these standards and procedures. All maintenance and repair, including the disposal of hazardous waste substances such as lubricants, oils, and other fluids, shall be done so in accordance with all applicable local, state, and federal environmental regulations. Individuals or organizations engaged in aircraft maintenance and repair shall be permitted to conduct business at the Airport if based from an off-Airport location.
- iii. **Flight Instruction.** Flight instruction must be conducted by an individual or individuals who have earned a certified flight instructor (CFI) rating from the FAA that is appropriate to the type(s) of training offered. Individuals or organizations providing flight instruction shall do so in accordance to all FARs and provide, or be capable of providing through a contractual agreement, aircraft appropriate to the type of training offered. The Airport

Manager shall reserve the right to require the alteration, expansion, reduction, or elimination of any flight instruction program that is not capable of meeting demands and expectations of both the Airport and its patrons.

- iv. **Aircraft Rental.** Individuals or organizations engaged in, or wishing to engage in, aircraft rental shall provide, or be capable of providing through a contractual agreement, single- and multi- engine aircraft equipped for flight in Instrument Flight Rule (IFR) conditions upon request with at least a seven (7) day notice. In addition, a delivery method shall be established for customers to retrieve and return rented aircraft 24 hours a day, seven (7) days a week. The aircraft rental operator shall also carry insurance coverage satisfactory to the Airport Sponsor that meets minimum requirements set forth in Section 4, subsection 4-4(a) of these standards and procedures.
- v. **Air Taxi.** Air taxi operators shall be certified under [FAR Part 135](#) and be capable of providing service upon request 24 hours a day, seven (7) days a week. Each air taxi operator must provide an aircraft equipped for flight in IFR conditions with a flight crew consisting of at least one (1) commercially rated pilot. Passengers shall have access to suitable facilities, either through the air taxi operator or through a contractual agreement with a Fixed Base Operator, that include a reception/lounge area and restrooms prior to and after all air taxi flights.
- vi. **Charters.** Charters shall be defined as on-demand and unscheduled aircraft operations for commercial passenger transportation purposes operated under the terms of a contract between an air carrier and its customers that are certificated under [FAR Part 121](#) or [FAR Part 135](#). Individuals or organizations conducting, or wishing to conduct, charter operations on a regular basis that are initiated at the Airport shall enter into an activity contract with the Airport Sponsor as outlined in Section 4 of these standards and procedures. Charter operations not initiated at the Airport and arriving from another destination are not required to enter into an activity contract with the Airport Sponsor; however, such charter operations shall notify the Airport Manager or a designated representative prior to their scheduled arrival at the Airport. All charter operations conducted at the Airport shall pay the Airport Sponsor a use charge established from time to time by resolution of the Airport Sponsor.
- vii. **Aircraft Fueling.** Aircraft fueling operators shall comply with all applicable NFPA, [FAR Part 139](#), federal, state, and local fire safety standards and maintain and update a Spill Prevention, Control, and Countermeasures

(SPCC) plan submitted to and approved by the Airport Manager. The fueling operator shall provide means, either through on-duty personnel or self-service mechanisms, to provide Jet A and 100 low lead (100LL) fuel 24 hours a day, seven (7) days a week. Personnel that have completed initial and recurrent training in an aviation fuel fire safety course authorized by the FAA must be employed by the operator to supervise all aspects of aircraft fueling operations, including recurrent, on-the-job training of all other employees that fuel aircraft, accept fuel shipments, or otherwise handle fuel.

Fuel storage capacity shall be maintained by the aircraft fueling operator to meet the average daily demand for each grade of fuel offered for at least three (3) days. Filtration systems that meet commercial airline fuel quality standards shall be equipped in all storage facilities that service such aircraft. In addition, storage facilities must be designed with spill prevention and containment features and equipped with safety mechanisms to control the flow of fuel in the event of an emergency. Fueling operators must submit an approved copy of an SPCC plan to the Airport Manager and ARFF prior to initiating fueling operations at the Airport.

Aircraft fueling operators shall also maintain an inspection program for all mobile fueling vehicles, pumps, and storage tanks to meet or exceed conditions defined by NFPA standards. In addition, regular inspection of contaminants in all fuels received, stored, and delivered shall be conducted and the responsibility of the aircraft fueling operator. Potential ignition sources shall be eliminated within 100 feet of all fueling vehicles, facilities, and operations that include, but not limited to, smoking, exposed electrical wiring, and other sources of static electricity. Fueling operations are expressly prohibited and may not occur while passengers are on board an aircraft, fueling equipment is not properly grounded, or when functional fire control devices such as fire extinguishers and cut off valves are not present.

The Airport Manager or a designated representative reserves the right to temporarily or permanently discontinue the operation of aircraft fueling operators that do not comply with these standards and procedures and all federal, state, and local fire safety regulations.

- viii. Commercial Airlines.** Aircraft operators certified under [FAR Part 119](#) for commercial air transportation and operating under [FAR Part 121](#) or [135](#) shall be considered a commercial airline for the purpose of this ordinance. Commercial airline operations shall be conducted in accordance with all applicable FARs and TSA security regulations, including the screening of all enplaned passengers, baggage, and cargo. All commercial airline

operations shall be conducted in the main terminal building, including ticketing, screening, enplaning, deplaning, and serving. Prior permission from the Airport Manager (or a designated representative) and approval from the local TSA Federal Security Director (FSD) shall be required for commercial airline operations to be conducted at a non-terminal location. Each commercial airline shall be granted the right to lease office area and ticket counter space in the main terminal building and be granted access to the baggage claim and boarding gates for airline operations. No airline shall claim exclusive rights to any form of Airport property unless the property is otherwise financed in full by the airline. The Airport Manager shall reserve the right to amend, adopt, alter, or cancel the activity contract entered into with any individual or organization operating as a commercial airline that is not satisfactory in meeting the contract's terms, conditions, and air transportation demands of Northern Michigan.

- ix. **Hangar Rental.** Individuals or organizations engaged in, or wishing to engage in, the rental of aircraft hangars to the public shall meet the following minimum standards and operating procedures. Hangar lessors desiring to construct new hangars at the Airport shall first receive approval from the Airport Manager subject to the activity request guidelines in Section 4-10 of these minimum standards and operating procedures. The Airport Committee shall review all hangar rental agreements and may make recommendations to the airport sponsor regarding same. Emmet County Civil Counsel or appointed law firm or attorney shall assist in the writing, modification and review of any / all potential or current airport hangar lease agreements. Sufficient operational area shall be included in the design of the hangar structure and associated infrastructure to allow for the safe and efficient maneuvering of aircraft. Aircraft hangars shall not be located in areas that may temporarily or permanently restrict the movement of other aircraft, vehicles, and equipment.

The hangar lessee will maintain the premise of the hangar area in good condition and will allow no waste of the premises or any utilities. The hangar lessor will be responsible for the removal of snow and ice up to within four (4) feet of the hangar doors. Additional maintenance responsibilities shall be negotiated between the lessee and lessor as part of the lease agreement between the two parties. Generally, the hangar lessee may be responsible during the term of the lease for: janitorial/custodial service, payment of public utilities consumed, alterations and additions approved by the hangar lessor, security, insurance, and snow removal from the area covered in the lease. The hangar lessor may assume responsibility for maintaining the structure of the hangar building, including utilities, infrastructure components such as

roads and taxistreets, and structural components such as doors, roofs, and floors.

The Airport Manager or a designated representative shall reserve the right to prohibit or impose restrictions on any activity occurring within any hangar structure or leasehold that, at the Airport Manager's or a designated representative's discretion, is deemed a hazard to the safety of people and property. The storage of automobiles, snowmobiles, motor homes, boats, campers, motorcycles, or personal belongings is expressly prohibited unless approved by the Airport Manager after consultation with the County Administrator. Vehicles may be stored in hangars without specific approval only while the lessee is operating an aircraft. Hazardous materials such as automobile or aviation fuel shall not be stored, disposed, or handled, under any circumstance, in aircraft hangars. Materials such as lubrication oils, cleaning solvents, paints, or other fluids necessary for the maintenance of aircraft may be stored in hangars if kept in approved steel storage containers marked "FLAMMABLE". Fueling and defueling of aircraft is not permitted inside aircraft hangars and shall be done so outdoors in areas approved for such activities by the Airport Manager or a designated representative.

The hangar lessee shall not sublease or otherwise transfer its agreement with the lessor to another individual or organization without the prior written consent of the Airport Sponsor or as negotiated in its lease with the Airport Sponsor. The hangar lessee shall understand that any sublease or transfer approved by the Airport Sponsor may involve entry into a new hangar rental agreement by the sub-lessee. In these instances, the lessee shall remain responsible for the payment of rent and ensuring the terms and conditions identified in this ordinance and in the lessor's contract with the Airport Sponsor are met. The Airport Manager will begin the process of bringing any lease adjustments, transfer, etc. to the attention of the Pellston Regional Airport Committee, County Administrator, Civil Counsel, and the Airport Sponsor.

The Airport Sponsor shall reserve the right to adopt additional standards, conditions, and terms, as appropriate, in the activity contract entered with the hangar lessor. Both hangar lessees and lessors shall be held accountable to the standards and procedures defined in this ordinance and the terms and conditions outlined in their lease agreement. Failure to comply with the standards and conditions of both this ordinance and the negotiated activity contract shall result in the termination of the activity contract entered with the Airport Sponsor.

- x. **Leases on County Owned Hangars.** Individuals or entities that want to lease space for aircraft in a county-owned hangar (Hangar Lessee) shall first provide a written request to the Airport Manager on an application form approved by the Airport Committee. The Airport Manager will provide the application to the Airport Committee for its consideration and determination of approval or denial. If the Airport Committee approves the request, a lease to rent hangar space as approved by Emmet County Civil Counsel will be required to be signed by the Hangar Lessee and the Airport Manager. The Airport Sponsor will set the annual rental amount for hangar space in December of each year for the following year after receipt of a recommendation from the Airport Committee. Any hangar lease entered during the course of the year will require a pro rata amount of rent for the balance of the year.

Leases will be for a one-year period of January 1 through December 31 of each year. Each Hangar Lessee who wishes to continue leasing hangar space will be notified in December of each year of the rental amount set by the Airport Committee for the following year. An Addendum to the hangar lease will be prepared and be required to be signed by the Hangar Lessee and the Airport Manager no later than December 31 of each year for the following year.

- b) **Limited Aeronautical Service Operators.** Individuals or organizations engaged in, or wishing to engage in, multiple activities at the Airport but not willing or capable of providing numerous services as defined by an FBO shall be considered a limited aeronautical service operator. Limited aeronautical service operators shall be those individuals who conduct any two (2) or three (3) of the activities listed in Section 6, subsection 6-1(a) of these minimum standards and operating procedures and shall be held to the terms and conditions listed for each activity. Limited aeronautical service operators seeking to conduct more than three (3) activities shall be considered an FBO and will be subject to the terms and conditions outlined in Section 6, subsection 6-1(c). Prior approval from the Airport Sponsor shall be required for any limited service operators seeking to become an FBO. In addition to the terms and conditions of this subsection, limited service operators shall comply with all standards and procedures outlined in this ordinance.

- c) **Fixed Base Operators (FBO).** FBOs shall be capable of providing a wide range of aeronautical services that are most demanded from aviation users. Any individual or organization engaged in, or wishing to engage in, an FBO service at the Airport shall be required to provide all of the services listed in this section at levels equal to or greater than the following minimum standards:

- i. **Fuel Sales.** The FBO shall have vehicles available for the distribution of Jet A and 100 low lead (LL) fuel that are maintained in accordance with federal

and state regulations that meet [FAR Part 139](#) fire safety standards. Maintenance and operation of fueling vehicles, facilities, and equipment shall meet standards set forth by the NFPA and regulations outlined in [FAR Part 139](#). All aircraft fueling operations shall be subject to the same terms and conditions of a single service operator as listed in Section 6, subsection 6-1(a)(vii) of these minimum standards and operating procedures.

- ii. **Line Services.** Line services shall be considered as those provided by an FBO that include, but are not limited to, aircraft deicing, towing, and parking; pilot and passenger meeting and greeting; ramp tie down and hangar parking; aircraft fueling/defueling; ground power and air conditioning service; and miscellaneous tasks such as lavatory service, aircraft waste collection, and catering. The FBO shall staff sufficient personnel capable of meeting the typical line service demands of aviation users and be capable of providing additional staffing through full-time or temporary means upon request with at least a seven (7) day notice for services.
- iii. **Hangar/Tie-Down Services.** The FBO shall be capable of providing hangar and tie-down parking for aircraft on a first serve basis. Lessees seeking to store based aircraft in FBO managed facilities shall be subject to the terms and conditions agreed upon between lessee and the FBO.
- iv. **Hours of Operation.** The FBO shall be required to provide all services 24 hours a day, seven (7) days a week, either through the means of on-duty personnel or through an on-call method. On-duty personnel should be staffed during regular business hours that are satisfactory to the Airport Manager. On-call methods shall be approved by the Airport Manager and involve a response time no greater than one (1) hour after the initial notification for service.
- v. **Operating Authority.** The Airport Sponsor shall reserve the right to terminate the operation of any FBO not meeting the standards and procedures outlined in this subsection or are failing to provide services at levels that adequately meet the demands and expectations of aviation users. Any such termination shall be in a 30 day written notice submitted to the FBO operator that may require the FBO to permanently cease operations or require services be provided subject to terms and conditions of a single or limited service operator as defined in this ordinance. If an FBO operation is permanently terminated, the FBO operator shall be required to resubmit an activity request as listed in Section 4 of these minimum standards and operating procedures if seeking to conduct future business at the Airport.

**6-2. Commercial Non-Aeronautical Activities.** Individuals or organizations engaged in, or wishing to engage in, the following commercial non-aeronautical activities shall do so in accordance with the following standards and procedures:

- a) **Rental Car Operators.** All individuals or organizations engaged in, or wishing to engage in, the rental of automobiles to the public on Airport property shall have negotiated a contract permitting such activity with the Airport Sponsor. All rental car operators, based on the Airport, shall collect an airport use fee that is a percentage of the gross revenue collected by the rental car operator from its customers to be paid to the Airport Sponsor. For off-airport operators, the fee shall be a set amount per car that shall be paid to the Airport Sponsor. The use fee shall be included as a separate line item charge on each customer contract. The amount the use fee, both the percentage for on-airport operators and the set fee for off-airport operators, shall be determined annually as part of the User Fee Schedule.

Rental car operators shall use counter space at a designated location in the main terminal building for customer service or provide a method of contact to transport customers to an off-site location. Each rental car operator shall maintain hours of operation consistent with current commercial flight schedule at the Airport, scheduling on-duty staffing or pick up availability for at least 30 minutes after all arriving flights. Rental car operators shall agree to provide prompt, courteous, efficient service that is adequate to meet all reasonable demands for automobile rental at the Airport.

Each rental car operator located at the Airport shall conduct customer vehicle pick up and drop off operations at designated locations identified by the Airport Manager. These locations shall provide reasonable and adequate automobile storage and parking space that are convenient to the main terminal building. Parking locations in the ready/return lot for the pick-up and drop off of vehicles shall be properly identified by the rental car operator including signs with the operator's logo. Off-airport rental car operators shall pick up and drop off passengers in an approved location designated by the Airport Manager and shall notify the Airport Manager (or designated representative).

Each rental car operator shall make available an adequate fleet of rental automobiles of a recent model (or models) in popular price ranges that shall be cleaned in between rentals and maintained in a safe and fully functional operating condition. Rental car vehicle maintenance and service shall be conducted exclusively at a permanent offsite facility that is within immediate vicinity of the Airport and is equipped and maintained for year-round operation.

All rental car operators shall notify the Airport Manager (or designated representative) of the make, model, color, and location of each vehicle on Airport property left for a transaction outside its normal hours of operations, which includes the delivery and pick-up of vehicles. A per transaction fee, at an amount determined by the Use Fee

Schedule, shall be charged for each after-hours transaction that requires the attention of Airport administrative and operational staff which includes, but is not limited to, relocation of vehicles and holding of rental vehicle keys, and returned contracts. The Airport Sponsor, Airport Manager, and Airport administrative and operational staff shall not be held liable for the movement of rental vehicles or transactions with customers that occur outside of the hours of operation for each rental car agency.

The Airport Sponsor reserves the right to alter, modify, adopt, or cancel the contract of any car rental operator and/or assess a penalty fee or civil fine in an amount provided in [Emmet County Ordinance No. 97-10](#), as amended, that is not satisfactorily meeting expectations. Car rental operators that have their contract terminated by the Airport Sponsor shall be required to resubmit an activity request if desiring to conduct future business at the Airport.

**b) Taxi/Bus/Limousine Services.** Taxi, bus, and limousine services shall be considered as activities conducted by individuals or organizations seeking to provide ground transportation services for hire to and from the Airport. All activities conducted by taxi, bus, and limousine operators, both based on- and off- the Airport, shall be done so in accordance with the following standards and procedures:

**i. Taxi/Limousine Operators.** It shall be prohibited for a taxi or limousine operator to pick up passengers for-hire on Airport property without entering into an activity contract with the Airport Sponsor. Taxi and limousine operators that have entered into an activity contract with the Airport Sponsor shall be considered registered to conduct for-hire ground transportation services. Operators that have not entered into an activity contract with the Airport Sponsor and wish to pick up passengers for-hire for a one-time 24-hour period shall register and seek approval with the Airport Manager (or a designated representative) prior to conducting business at the Airport. Operators that have been approved and registered to conduct taxi/limousine operations at the Airport for a one-time 24-hour period shall also pay an operating fee to the Airport Sponsor or a designated representative, in accordance with the Use Fee Schedule. Taxi and limousine operators wishing to conduct business at the Airport outside of a one-time 24-hour operating period shall be required to enter into an activity contract with the Airport Sponsor.

All taxi and limousine operators shall be registered for such operation by the State of Michigan and shall have vehicles that are registered/licensed under the Michigan Motor Vehicle Law, and shall carry Motor Vehicle Liability insurance as required by Michigan Law on an occurrence basis for Bodily Injury and Property Damage, and provide proof of such to the Airport Manager on an annual basis to be kept on file at the Airport. The Airport

Manager shall reserve the right to waive some activity request requirements identified in Section 4 for taxi and limousine operators seeking to engage in business at the Airport.

All operators approved and registered to conduct operations at the Airport shall collect a fee for each transaction subject to terms and conditions negotiated in their activity contract with the Airport Sponsor. Taxi and limousine operators approved and registered to conduct operations for a one-time 24 hour period shall also collect a fee for each transaction as set forth in the Use Fee Schedule. There shall be no transaction fee collected by the Airport Sponsor if a taxi service is requested by a passenger for pick-up or drop-off at the Airport and evidence of this request shall be provided to the Airport Manager (or designated representative) if requested.

All approved operators shall maintain clean, safe, and fully functional vehicles that should be available upon the arrival of all daily scheduled airline passenger flights at the Airport. Four (4) vehicle parking spaces shall be provided for each operator who has entered into an activity contract with the Airport in proximity of the main terminal building upon which the transfer of passengers is to take place. Inside the Airport main terminal, taxi and limousine operators that have entered into an activity contract with the Airport Sponsor shall maintain a counter area that is manned with at least one (1) person between the hours of 9:00 a.m. and 5:00 p.m. daily and at least thirty (30) minutes prior to and after the arrival of all incoming commercial airline passenger flights. The operator shall also have measures in place to make its services readily accessible to incoming passengers within thirty (30) minutes by means of a direct telephone line or other notification system approved by the Airport Manager.

The taxi or limousine operators that have entered into an activity contract with the Airport Sponsor shall be capable of providing adequate, year round service to meet the requirements from all incoming regularly scheduled airline flights and be capable of providing service as demanded at the Aero-Center Building.

The Airport Sponsor reserves the right to temporarily or permanently terminate the activity contract of any individual or organization conducting business as a taxi or limousine operator that is not satisfactorily meeting the expectations of the Airport Manager. Likewise, the Airport Manager or designated representative reserves the right to check and verify that all taxi and limousine operators on Airport Property have been registered with the Airport Sponsor to conduct for-hire ground transportation activities. The Airport Manager, through the Airport Sponsor or designated representative,

reserves the right to remove any taxi or limousine operator from Airport Property that does not adhere to the rules and regulations of this ordinance.

- ii. **Bus, Minibus, and Van Operators.** Individuals or organizations operating for-hire commercial buses, minibuses, or vans with intentions of picking up passengers on Airport property shall enter into an activity contract with the Airport Sponsor. Bus, minibus, and van operators that have entered into an activity contract with the Airport Sponsor shall be considered registered to conduct for-hire ground transportation services. Operators that have not entered into an activity contract with the Airport Sponsor and wish to pick up passengers for-hire for a one-time 24-hour period shall register and seek approval with the Airport Manager or a designated representative prior to conducting business at the Airport. Operators that have been approved and registered to conduct ground transportation services at the Airport for a one-time 24-hour period shall also pay an operating fee in accordance with the Use Fee Schedule. Bus, minibus, and van operators wishing to conduct business at the Airport outside of a one-time 24-hour operating period shall be required to enter into an activity contract with the Airport Sponsor.

All operators approved and registered with the Airport Manager shall collect a fee for each transaction initiated at the Airport. Operators that have entered into an activity contract with the Airport Sponsor shall collect a fee subject to terms and conditions negotiated in their activity contract; operators approved and registered to conduct operations for a one-time, 24-hour period shall collect a fee amount determined by the Use Fee Schedule.

All buses, minibuses, and vans operating at the Airport shall be kept in clean, safe, and in fully functional operating condition. The Airport Manager, through the Airport Sponsor shall reserve the right to temporarily or permanently terminate the activity contract entered into with any operator not satisfactorily meeting expectations or if deemed the service is no longer necessary. Operators not approved and registered with the Airport Manager shall be prohibited from conducting business at the Airport. The Airport Manager or designated representative shall reserve the right to inspect and/or remove from Airport Property any bus, minibus, or van operator that has not registered or been approved to conduct ground transportation services. Bus, minibus, and van operators shall be allowed to park in front of the commercial service terminal building for the loading and unloading of passengers only and must have a driver present with the vehicle. Bus, minibus, and van operators waiting to pick up passengers at the commercial service terminal building prior to the arrival of a flight must park in a location away from the front of the building as designated by the Airport Manager, a designated representative, or as agreed upon in their activity contract with the Airport Sponsor.

- c) **Food Service.** Food service operators shall be those individuals or organizations that provide food or drink for sale on Airport Property that include, but are not limited to, restaurants, vending machines, food/beverage carts, and aircraft catering services. All food service operators conducting business on Airport property shall enter into an activity contract with the Airport Sponsor subject to the terms and conditions as outlined in this ordinance and an annual operating fee at an amount upon the discretion of the Airport Sponsor. Food service providers that have entered into an activity contract shall be considered registered to conduct business at the Airport. Food service operators wishing to conduct business at the Airport on a one-time basis (example: aircraft catering services) shall seek approval from and register with the Airport Manager or designated representative and be subject to a transaction fee and an operating fee at amounts determined by the User Fee Schedule. Food service providers seeking to conduct business at the Airport outside of a one-time basis shall submit an activity request as outlined in Section 4 of this ordinance. The Airport Sponsor shall reserve the right to waive certain requirements as it may not be necessary to demonstrate previous experience and a comprehensive business plan for simple food service operations.

As a result of limited room in the commercial passenger terminal building to support a full-service restaurant, the Airport Sponsor reserves the right to select a single food service provider if multiple requests are received to operate a restaurant at the Airport. Each activity contract awarded to operate a full-service restaurant in the terminal building shall be a maximum of four (4) years, at which time the Airport Sponsor may reserve the right to select another food service provider for its operation.

Food service providers who desire to be included on a preferred vendor list for distribution to general aviation users and arriving commercial airline passengers shall contact the Airport Manager. Each individual or organization providing food services seeking inclusion on the preferred vendor list shall be subject to a monthly fee at an amount determined by the Airport Sponsor as part of the Use Fee Schedule.

All food service providers on Airport Property shall maintain hours of business that are satisfactory to the Airport Manager. Food service operators shall also be capable of providing service with notification from the Airport Manager or a designated representative in the event the service is demanded such as during an extended flight delay at the Airport.

Individuals or organizations providing catering services to general aviation and commercial aircraft operators shall also be subjected to a handling fee at an amount determined by the Airport, through the Use Fee Schedule, if Airport staff is required to store, handle, deliver, or pick up any catering orders. Catering operations that do

not require the assistance of Airport staff to store, handle, deliver, or pick up orders shall not be charged a handling fee.

The Airport Manager shall reserve the right to remove any food service providers that do not satisfactorily meet expectations or provide a level of service acceptable for patrons at the Airport or meets the terms and conditions of its activity contract with the Airport Sponsor. The Airport Sponsor also shall reserve the right to temporarily or permanently terminate the activity contract of any food service operator not satisfactorily meeting the terms and conditions or their operating agreement.

**6-3. Private Hangar Construction.** Individuals or organizations wishing to construct a hangar on Airport property for private use shall be subject to the standards and procedures of this subsection. The need for the construction of a private hangar can range from an individual or a flying club for a recreational aircraft to an organization needing to house an aircraft used in conducting business operations. All hangar construction proposals shall be approved by the Airport Sponsor. Individuals or organizations shall be required to enter into contract with the Airport Sponsor prior to construction.

Construction of all hangars shall meet all federal, state, and local building codes, ordinances, laws, and regulations. Design of the hangar and its associated infrastructure shall include sufficient area for the safe and efficient movement of aircraft and not temporarily or permanently restrict the movement of other aircraft, vehicles, equipment, or impact the safety and efficiency of Airport operations. Hangar owners shall also be responsible for the maintenance and upkeep of all aspects of hangar maintenance including utilities, structural integrity, and associated infrastructure such as landscaping, sidewalks, parking lots, and taxi streets.

The storage of automobiles, snowmobiles, motor homes, boats, campers, motorcycles, or personal belongings is expressly prohibited in hangars unless approved by the Airport Manager. Vehicles such as automobiles and motorcycles may be stored in hangars without specific approval only while aircraft are being operated. Hazardous materials such as automobile or aviation fuel shall not be stored, disposed, or handled, under any circumstance, in aircraft hangars. Materials such as lubrication oils, cleaning solvents, paints, or other fluids necessary for the maintenance of aircraft may be stored in hangars if kept in approved steel storage containers marked "FLAMMABLE". Fueling and defueling of aircraft is not permitted inside aircraft hangars and shall be done so outdoors in areas approved for such activities by the Airport Manager.

**6-4. Motor Vehicle Operations.** Any person operating a motorized vehicle or equipment on Airport property shall possess a valid motor vehicle operator's license. Operation of any vehicle under the influence of alcohol and drugs is prohibited. All motor vehicle operations on Airport property shall be conducted pursuant to the traffic laws in the Michigan Motor Vehicle Code and the Michigan Uniform Traffic Code as are applicable. Each motor vehicle operator shall obey all traffic regulations, including all posted speed limits, one-way traffic directives, and traffic control devices, and all parking regulations, including posted parking directives and restrictions. Each motor vehicle operator shall yield to pedestrians in crosswalks, to emergency response vehicles

with lights or sirens activated, to construction equipment, and to commercial vehicles such as delivery trucks and buses. Motor vehicles operated on Airport property shall be licensed and insured in accordance with state law, and maintained in safe operating condition. Any person operating a motor vehicle on Airport property in violation of applicable traffic laws shall be subject to fines and penalties as provided therein. The Airport Manager or a designated representative may order the towing or removal of any motor vehicle parked or operated in violation of this ordinance.

## **Section 7. Enforcement; Violations and Sanctions.**

**7-1. Enforcement.** The following persons shall have the authority to enforce this ordinance and to issue and serve municipal civil infraction notices and citations for violations of this ordinance:

- The Airport Manager.
- The Emmet County Sheriff or the Sheriff's deputies.

**7-2. Violations.** Any person who violates or fails to comply with any standard or procedure required by this ordinance shall be responsible for a municipal civil infraction. Each event and each day of a violation shall constitute a separate violation.

**7-3. Sanctions.** The sanction for a violation of this ordinance which is a municipal civil infraction shall be a civil fine in the amount provided in [Emmet County Ordinance No. 97-10](#), as amended, which is adopted by reference, plus any costs, damages, expenses and other sanctions, as authorized under [Chapter 87 of 1961 PA 236](#), as amended, and other applicable laws.

**7-4. Additional Remedies.** In addition to enforcing a violation of this ordinance as a municipal civil infraction, the Airport Sponsor may initiate proceedings in a court of competent jurisdiction to abate or eliminate a violation or to seek other equitable and/or legal relief.

**Section 8. Severability.** The invalidity of any clause, sentence, paragraph or part of this ordinance shall not affect the validity of the remaining parts of the ordinance. Each provision of these minimum standards and operating procedures will be interpreted in a way that is valid under applicable law. If any provision is held invalid, the remainder of these minimum standards and operating procedures will remain in effect.

**Section 9. Amendments to the Minimum Standards and Operating Procedures.** The Airport Sponsor, from time to time, may adopt amendments to these minimum standards and operating procedures as necessary to meet local, state, and federal obligations. All proposed amendments shall be made available to the general public for review for a period of at least 30 days prior to the next regularly scheduled meeting of the Emmet County Board of Commissioners upon which any comments received shall be discussed. Adoption of proposed amendments shall occur at the following regularly scheduled meeting of the Emmet County Board of Commissioners and include a full copy of the amendment, with the language that is to be replaced, in these minimum standards and operating procedures.

**Section 10. Repeal.** Any ordinances or parts of ordinances inconsistent with this ordinance, including, but not limited to Emmet County Ordinance No. 4 adopted on April 23, 1998, are repealed.

**Section 11. Effective Date.** These minimum standards and operating procedures shall be effective seven (7) days after adoption by the Emmet County Board of Commissioners as an ordinance of the County of Emmet and publication of a notice of its adoption.

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