CITY OF RENTON, WASHINGTON

RESOLUTION NO. 2776

A RESOLUTION OF THE CITY OF RENTON, WASHINGTON, ADOPTING AIRPORT RULES AND REGULATIONS AND MINIMUM STANDARDS.

WHEREAS, the City of Renton owns and operates the Renton Municipal Airport; and

WHEREAS, state and federal statute rules and regulations and good business practice require that the city have airport rules and regulations and minimum standards; and

WHEREAS, the Airport Rules and Regulations and Minimum Standards have not been updated for a substantial period of time or are non-existent; and

WHEREAS, it would be advantageous to the City of Renton to have Municipal Airport Rules and Regulations and Minimum Standards.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF RENTON, WASHINGTON DO RESOLVE AS FOLLOWS:

SECTION I. The above recitals are hereby found to be true and correct in all respects.

SECTION II. The City of Renton hereby adopts Municipal Airport Rules and Regulations, a copy of which is attached hereto and incorporated herein as if fully set forth.

SECTION III. The City of Renton hereby adopts Municipal Airport Minimum Standards For Commercial Aeronautic Activities, a copy of which is attached hereto and incorporated herein as if fully set forth.

PASSED BY THE CITY COUNCIL this 11th day of December, 1989.

Maxine E. Motor

Maxine E. Motor, City Clerk

RESOLUTION NO. 2776

APPROVED BY THE MAYOR this 11th day of December, 1989.

Earl H. Clymer, Mayor

Approved as to form:

Lawrence J. Warren, City Attorney

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RESOLUTION NO. 2776

CITY OF RENTON
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MINIMUM STANDARDS FOR COMMERCIAL AERONAUTIC ACTIVITIES RENTON MUNICIPAL AIRPORT

GENERAL:

The City of Renton, recognizing the necessity of protecting the public health, safety, and interest in the Renton Municipal Airport, hereby promulgates and adopts the following procedures and Minimum Standards for the use of any land or facility on said Airport, which is to be utilized as an aeronautical activity.

These standards shall be administered on fair and reasonable terms in accordance with the provisions of Section 308 of the Federal Aviation Act, Title VI of the Civil Rights Act of 1964, and FAA Advisory Circulars in the 150/5190 series.

Any standard which a tenant operator is required to meet must be uniformly applicable to all operators seeking the same franchise privileges and the basic premises herein contained are applicable to all.

SECTION I -- DEFINITIONS:

Airport: Shall mean Renton Municipal Airport, a public airport operated by the City of Renton, King County, State of Washington.

Airport Manager: Shall mean the Airport Manager appointed by the City of Renton to manage, superintend, control and protect the Renton Municipal Airport.

Renton City Council: Shall mean the Renton City Council consisting of seven duly qualified members holding office under and by virtue of the provisions of the City of Renton Charter.

Person: Shall mean any individual, firm, co-partnership, corporation, company, association, or joint stock association, and includes any trustee, receiver, assignee, or similar representative thereof.

Minimum Standard: Shall mean the qualifications herein, as amended from time to time by the Renton City Council, setting forth the minimum requirements to be met as a condition for the right to conduct an aeronautical activity on the Airport.

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

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

Land Use Identification Plan: Shall mean a scaled, dimensional layout of the entire airport property, indicating current and proposed usage for each identifiable segment.

Tenant Site Plan: Shall mean a scaled, dimensional layout of ground and/or facilities, indicating current and proposed usage of the site. As a minimum, this plan shall show and identify the following: space required to comply with the requirements of these minimum standards for the type of activity to be conducted; aircraft and motor vehicle parking areas adequate for the type of activity to be conducted; area landscaping and beautification; security fencing separating the aviation area from the public access area (air side/land side); and (if applicable) an adequately detailed building plan, showing the location and manner in which the structure is situated so as to comply with and promote safety, security and operational requirements.

SECTION II -- SPECIAL RESTRICTION ON AIRPORT LAND USE AND FACILITY USE.

No person shall be granted an exclusive right to conduct any commercial aeronautical activity upon the Airport provided, however, that no person shall be permitted to use any land or conduct any commercial aeronautical activity or the solicitation of business in connection therewith unless such aeronautical activity is conducted in accordance with the standards herein established and as hereinafter amended from time to time by the Renton City Council and the issuance of proper permits or licenses, and said person shall have a valid contract or agreement to conduct such activities with the Renton Municipal Airport.

SECTION III -- APPLICATIONS FOR PERMISSION TO CARRY ON ANY COMMERCIAL, BUSINESS OR AERONAUTICAL ACTIVITY ON THE AIRPORT, OR CHANGES THERETO.

A. Initial minimum application information:

Applications for permission to carry on any commercial, business or aeronautical activity on the Airport, to lease ground and/or facilities for the conduct of same, or the change the scope of and approved activity, shall be made to the Airport Manager.

The Airport Manager will not take action on a request to lease land and/or an existing aeronautical facility or building, or initiate any aeronautical activity or change the scope of operation of an approved activity, until the proposed lessee has, in writing, submitted a proposal which sets forth the following:

1. The specific type of aeronautical activity to be initiated. If a current aeronautical activity is to be changed (added to or deleted from), identification of the aeronautical activities currently provided and the specific activity to be so deleted or added.

2. A statement of the scope of operation proposed for the aeronautical activity, including but not limited to the hours of operation, segment of the aviation public to be served, e.g., sea plane service only, fuel - all grades, and general benefit to the aviation public and the Airport.

3. The proposed Tenant Site Plan, with dates for completion of improvements, by item.

4. If an existing structure is required and is not available, the estimated cost of any structure or facility to be furnished, and the proposed specifications of same.

5. The names and qualifications of the personnel to be involved in conducting the activity.

6. The name and address of the applicant. If a corporation, the state in which incorporated and the name and address of the registered agent.

7. The financial responsibility, ability, and prior experience of the applicant and operator to perform. The City of Renton shall be the sole judge of what constitutes adequate financial capacity.

8. The requested or proposed date for commencement of the activity.

9. The names, if any, of guarantors of the lease.

B. Supporting documents.

If requested by the City of Renton, the applicant shall submit the following supporting documents, together with such other documents and information as by be requested.

1. Financial Statement: A current financial statement certified by a Certified Public Accountant.

2. Assets: A written listing of the assets owned or being purchased which will be used in the business on the Airport.

3. Authorization for release of information: A written authorizationf for the FAA and all aviation or aeronautic commissions, administrators, or departments of all states in which the applicant has engaged in aviation business to supply the Airport with all information in their files relating to the applicant or his/her operation. The applicant shall execute such forms, releases and discharges as may be requested by any of these agencies.

C. Upon consideration of the application, the City of Renton shall determine whether or not the applicant meets the standards and qualifications as herein set out and whether or not such application should be granted in whole or in part, and if so, upon what terms and conditions.

SECTION IV -- REVIEW OF APPLICATION

In reviewing the application, the following items will be considered:

A. Qualifications: The applicant meets the qualifications, standards and requirements established by these minimum standards.

B. Safety: The applicant's proposed operations or construction will not create a safety hazard on the Airport.

C. Airport Expenditure: The granting of the application will not require the Airport to spend Airport funds, or to supply labor or materials in connection with the proposed operations to an extent which, or at a time when, the Airport is unwilling to enter into such an arrangement, or the operation will result in a financial loss to the Airport.

D. Availability: There is appropriate, adequate or available space on the Airport to accomodate the activity of the applicant at the time of application.

E. Compliance with Plans: The proposed operation or airport development or construction complies with the Airport Master Plan, Airport Layout Plan or Land Use Identification Plan.

F. Congestion: The development or use of the area requested by the applicant will not result in depriving existing fixed base operators and/or tenants of portions of the area in which they are operating; or will not result in a congestion of aircraft or buildings; or will not unduly interfere with the operations of any present fixed base operator on the Airport through problems in connection with aircraft traffic or service, or preventing free access to the fixed base operator's area.

G. Representation: Any party applying, or interested in the business, has supplied the Airport with true and correct

information and has made full disclosure on his/her application or in supporting documents.

H. Previous Performance: The manner in which any party applying or interested in the business has performed any lease or other agreement with the Airport or any other airport.

I. Credit Record: Any party applying for, or interested in, the business has a credit report which indicates satisfactory business responsibility and reputation.

J. Financing Capability: The applicant appears to have, or have access to, the finances necessary to conduct the proposed operation for a minimum period of six months.

K. Ecological Considerations: Adequate provisions are made for the protection of health, welfare, or safety, of the inhabitants and environs of the Renton Municipal Airport.

M. Performance Bond: Ability of applicant to post performance bond equal to six months rental if so requested by the City of Renton.

SECTION V -- LEASE OR CONTRACT

Each aeronautical activity approved for operation upon the Renton Municipal Airport must enter into a lease with the City of Renton for adequate commercial aeronautical activity facilities with a term of not less than one year.

Commercial aeronautical activities may not be operated from Airport-owned facilities for which the lease term is less than one year or from sub-leased facilities without entering into a direct contract with the City of Renton for the conduct of the commercial aeronautical activity or activities.

Upon approval of any such applications as submitted or modified, the City of Renton shall cause to be prepared a suitable lease or contract agreement setting forth the terms and conditions of the land and/or facility use, which lease or contract shall be conditioned upon or contain language assuring:

A. That there be original and continued compliance with the standards required for each aeronautical activity approved.

B. That the right shall be reserved by the City of Renton to modify or add to the Minimum Standards for Operation of Aeronautical Activities at the Airport and that any lease, contract or agreement entered into with applicant shall be terminated or cancelled in the event of failure to comply with any modification or amendments to the Minimum Standards after notice thereof shall have been given.

C. Proper insurance and hold harmless clause shall be incorporated in said lease.

D. That the controlling interests in the operation shall not be transferred by stock purchase or other control of the lease, business, or corporation to which the lease is granted without prior written consent of the City of Renton.

SECTION VI -- STANDARDS FOR SPECIFIC AERONAUTICAL ACTIVITIES

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

A. PUBLIC FUEL AND OIL SALES AND SERVICE: (This activity may be conducted only by a General Aviation Service Center (FBO) providing Aircraft Engine and Airframe Maintenance available to the public.) Persons conducting aviation fuel and oil sales or service to the public on the Airport ("servicing" as used herein shall mean only the oiling and fueling of aircraft) shall be required to provide:

1. Suitable space to service the largest aircraft likely to be serviced at the airport.

2. Tank storage capacity, either in-ground or below ground level as mutually agreed upon and permitted by local codes, of a minimum of 2,000 gallons each of jet fuel (JET A) and aviation gasoline (AVGAS). Tank storage areas must be fenced and signed.

3. Mobile refueler vehicle, one for Jet A and one for AVGAS, and fixed storage tank pumping equipment with reliabile metering devices and appropriate filtering devices of sufficient capacity to refuel the largest aircraft, likely to be serviced, within one hour.

4. Uniformed and properly trained fueling/line personnel on duty at least eight hours of every calender day, seven days a week, and on-call by readily accessible means provided at the site of the activity at other non-staffed hours.

5. Demonstrated capability to perform minor repairs coupled with proper equipment for repairing and inflating aircraft tires, servicing oleo struts, changing engine oil, washing aircraft windows and windshields, and for recharging discharged aircraft batteries and energizing aircraft starters.

6. Suitable aircraft parking and tie-down areas and the demonstrated capability to efficiently and safely move aircraft to such areas and store them in compliance with local regulations.

7. In the conduct of refueling operations, every operator shall:

a. Install and use adequate grounding facilities at fueling locations, consisting of at least ground rods, approved Y-cables for grounding, and nozzle to aircraft ground cables.

b. Provide and carry on refueling vehicles adequate fire extinguishers, at least one on each side of the vehicle.

c. Maintain proper markings as the to grade of fuel on vehicles to assist with the prevention of misfueling.

d. Maintain proper No Smoking signs on fueling vehicles and prohibit smoking by refueler personnel while in or within fifty feet of the refueler vehicle.

e. Maintain refueling vehicles in a safe, roadworthy operating condition, and safe for the conduct of refueling operations, so as to be capable of passing inspections for emissions, mechanical operation and compliance with Fire Regulations.

f. Persons engaged in the fueling or draining of aircraft fuel shall have attended and successfully completed a recognized aircraft fueler course or have received fueler training from such an individual in the employ of the activity, as documented by training records maintained by the activity.

g. Provide an adequate stock of fuel absorbant material and initiate fuel spill containment actions in the event of a fuel/lubricant spill as the result of refueling/servicing operations by the activity.

8. Conveniently located, appropriately sized, and comfortably heated lounge or waiting room for passengers and airplane crews of itinerant aircraft, available while refueling and/or servicing is being performed, including sanitary rest rooms and a public telephone. Availability of the lounge/waiting room is preferred while awaiting the arrival of the on-call fueling/line personnel, but not mandatory.

9. A commitment to remove snow and otherwise clean up the fueling areas utilized by the activity, coupled with the provision of the necessary equipment for this purpose.

10. A commitment to have employees participate for a minimum of 2 hours per year in fire, rescue or other emergency training when provided for tenants by the Airport.

B. AIRCRAFT ENGINE AND AIRFRAME MAINTENANCE AND ACCESSORY SALES: All persons operating aircraft engine, airframe and accessory maintenance facilities to the public for hire shall provide:

1. For airframe and/or engine repairs, sufficient hangar space to house any aircraft upon which such service is being performed.

2. Adequate shop space to house the equipment and adequate equipment and machine tools, jacks, lifts and testing equipment to perform top overhauls as required by FAA certification and repair parts not needing replacement on all single engine and multi-engine general aircraft.

3. Adequate suitable leased ground space to park aircraft awaiting service or awaiting pick-up after the completion of service.

4. At least one FAA certificated airframe and power plant mechanic available during eight hours of the day, five days per week, and availability of repairmen in such fields as electronics and instruments, and others as required.

5. Suitable facilities for washing and cleaning aircraft.

6. Provision of spaces and equipment meeting all applicable safety and ecological requirements for painting aircraft, if this service is provided.

7. Arrangements for access to, or the provision of, specified minimum capacity (spaces) for the storage of aircraft, coupled with the committment to remove any nonairworthy aircraft from the Airport premises within a reasonable time.

8. A committment to promptly remove from the public landing area (as soon as permitted by cognizant FAA and CAB authorities) any disabled aircraft; coupled with the availability of suitable tractors, tow bars, jacks, dollies and other equipment as might be needed to remove the largest type aircraft that normally could be expected, other than Boeing aircraft.

C. AIRCRAFT RENTAL AND SALES: Persons conducting an aircraft rental and sales activity shall provide:

1. A minimum of 500 square feet of office space for consummating sales and/or rentals and the keeping of proper records in connection therewith.

2. Hangar storage space for at least one aircraft to be used for sales or rental.

3. For rental activities, at least two airworthy aircraft suitably maintained and certified.

4. For sales activities for new aircraft, a sales or distributorship franchise from a recognized aircraft manufacturer of new aircraft.

5. Adequate facilities for servicing and repairing the aircraft or satisfactory arrangements with other operators licensed by the Airport for such service and repair.

6. There shall be available, at least during eight hours of the working day, a properly certified pilot capable of demonstrating new aircraft for sale or for checking out rental aircraft.

7. The minimum stock of readily expendable spare parts, or adequate arrangements for securing spare parts required for the type of aircraft and models sold.

8. Proper check lists and operating manuals on all aircraft rented and adequate parts catalogues and service manuals on new aircraft sold.

9. Furnish monthly reports of operation and pay established landing/field use fees.

D. FLIGHT TRAINING: All persons conducting flight training activities shall provide:

1. The availability, on a full time basis, of personnel and equipment appropriate to the types of training planned.

2. The availability of aircraft of specific types compatible with the training proposed.

3. A minimum of 500 square feet of classroom space for students. This classroom must be in a facility leased or constructed by the activity.

4. Properly certified ground school instructor providing regularly scheduled and advertised ground school instructions sufficient to enable students to pass the FAA written examinations for private pilot.

5. Continuing ability to meet certification requirements of the FAA for the flight training proposed.

6. Adequate facilities for storing, servicing, and repairing all its aircraft or satisfactory arrangements for such services with other operators licensed by the Airport for such services and repair.

7. Furnish monthly reports of operation and pay established landing/field use fees.

E. AIRCRAFT CHARTER AND TAXI SERVICE: Persons conducting an aircraft charter and/or taxi service shall be required to provide:

1. Conveniently located, heated, passenger lounge of a minimum of 500 square feet of floor space, rest rooms, and public telephone facilities.

2. Adequate facilities for checking-in passengers, handling ticketing or fare collections, customs, and handling baggage, not within the passenger lounge area.

3. Suitable, properly certified aircraft with properly certified and qualified operating crew, one of which shall be located at the airport and ready for departure during at least eight hours of daylight operation five days a week, and at other times, standby units and crew available upon call within one hour's notice.

4. Furnish monthly reports of operations and pay established landing/field use fees.

F. AERIAL ADVERTISING AND SURVEYING/PHOTOGRAPHY: Persons conducting an aerial advertising and/or aerial surveying or photography activity shall provide:

1. Hangar storage space for at least one aircraft to be used in the conduct of the activity.

2. For aerial advertising activities, each operator shall maintain the following:

a. Adequate facilities at the Renton Airport for preparing, repairing and storing aerial banners.

b. Appropriate waiver from the FAA. A copy to be provided to the Airport Manager once during each valid period of the waiver.

c. A Certificate of Public Liability Insurance, $300,000 single limit coverage, with the City of Renton and Renton Municipal Airport named as additional insured with respect to banner towing operations.

d. For aerial banner advertising, a ground crew present on the airport at the banner towing site at all times during which:

(1) Banners, banner towing equipment, or other paraphernalia associated with the banner towing operation are located at the banner towing site, and

(2) The banner towing aircraft is in the air towing a banner until after the last banner has been dropped and clean-up of the banner towing equipment at the site has been completed.

(3) Two-way radio voice communications between the ground crew and the Renton Air Traffic Control Tower is maintained.

3. For non-banner aerial advertising (sky writing) and aerial surveying/photography, adequate facilities for preparing, loading/unloading, and otherwise servicing photographic and surveying equipment and materials.

4. Adequate facilities for servicing and repairing the aircraft or satisfactory arrangements with other operators liscensed by the Airport for such service and repair.

5. At least one airworthy aircraft suitably maintained and certified for the activity proposed.