



PORT OF SHELTON
MINIMUM STANDARDS for GENERAL AVIATION OPERATIONS

at
SANDERSON FIELD AIRPORT,
SHELTON, WASHINGTON

Set Forth below are minimum standards and criteria applying to the general aviation operations of Sanderson Field Airport. All activities or business on the Airport shall be conducted in conformity with these Airport Minimum Standards.

Airport Rules and Regulations are published separately.

Authority:

RCW 53.08.220 Laws of the State of Washington

FAA Advisory Circular 150/5190-7

FAA Order 5190.6B

**Originally approved and adopted by the Port of Shelton Commission on
September 13, 1978**

Updated September 17, 2019

Table of Contents

1. PURPOSE AND INTENT.....	3
2. DEFINITIONS.....	4
3. GENERAL BUSINESS RULES AND REGULATIONS....	5
4. WAIVER of MINIMUM STANDARDS.....	7
5. ACCEPTANCE of AIRPORT RULES.....	7
6. USE of FACILITIES.....	7
7. APPLICABLE LAWS.....	10
8. FIRE and SAFETY.....	10
9. PORT EXEMPT FROM LIABILITY.....	11
10. RESPONSIBILITY for DAMAGES.....	12
11. SEVERABILITY.....	12
12. ENFORCEMENT.....	12
13. GOVERNMENT AGREEMENTS.....	13
14. NON-AERONAUTICAL COMMERCIAL ACTIVITY.....	13
15. FIXED BASE OPERATIONS.....	13
16. COMMERCIAL AVIATION OPERATIONS.....	14
17. NON-COMMERCIAL AVIATION OPERATIONS.....	15
18. ACTION on APPLICATION.....	15
19. COMMISSION'S RIGHTS and OBLIGATIONS.....	17
Attachment FIXED BASE OPERATOR APPLICATION.....	18
LEASE REQUIREMENTS.....	20

1. PURPOSE AND INTENT

The minimum standards herein set forth have been developed to promote in a reasonable manner the best interest of the public concerning the competent and qualified operation of the Sanderson Field Airport. The Port of Shelton may review and change the standards occasionally for the purpose of improving the quality of service to the public, but at no time shall they be construed to be less than the applicable Federal Aviation Administration regulations now or then in effect.

FEDERAL AVIATION ADMINISTRATION (FAA) POLICY. The airport sponsor of a federally obligated airport agrees to make available the opportunity to engage in commercial aeronautical activities by persons, firms, or corporations that meet reasonable minimum standards established by the airport sponsor. The airport sponsor's purpose in imposing standards is to ensure that a safe, efficient, and adequate level of operation and services is offered to the public, and such standards must be reasonable and not unjustly discriminatory. In exchange for the opportunity to engage in a commercial aeronautical activity, an aeronautical service provider agrees to comply with the minimum standards developed by the airport sponsor. Compliance with the airport's minimum standards should be made part of an aeronautical service provider's lease agreement with the airport sponsor. The FAA suggests that airport sponsors establish reasonable minimum standards that are relevant to the proposed aeronautical activity with the goal of protecting the level and quality of services offered to the public. Once the airport sponsor has established minimum standards, it should apply them objectively and uniformly to all similarly situated on-airport aeronautical service providers.

Although lease terms and covenants may vary between airports because of different problems encountered at each airport, the basic premises herein contained are applicable to all.

All activities, operations or services provided on the airport property for compensation shall be considered commercial and shall meet the standards as set forth in this chapter.

2. DEFINITIONS

Aeronautical Activity: 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, or because of the direct relationship to the operation of aircraft, can appropriately be regarded as an “Aeronautical Activity”.

Aircraft Operations Area or AOA: Means the entire airport area within the outer perimeter security fences, including Movement and Non-movement Areas including the aprons, ramps, taxi lanes, and hangar and tie-down areas.

Airport: The Sanderson Field Airport and all the area, buildings, facilities and improvements within the exterior boundaries of said airport, as it now exists or may hereafter be modified. It includes any appurtenant areas used, or intended to be used for airport buildings or other airport facilities or rights-of-way, together with all airport buildings and facilities located thereon. It also includes any heliport.

Commercial Aeronautical Activities: The conduct of any aspect of a business, concession, operation or agency providing goods or services to any person for compensation or hire, including exchange of services, whether or not such objectives are accomplished.

Executive Director: The individual designated by the Port Commission to oversee the safe and efficient running of the Port and its properties on a daily basis.

Fixed Base Operator or FBO: A commercial business granted the right by the airport sponsor to operate on an airport and provide aeronautical services.

Minimum Standards: The qualifications established herein as amended occasionally by the Executive Director in setting forth the minimum requirements to be met as a condition for the right to conduct an aeronautical activity on the Airport.

Non-Commercial Aviation Operations: A business or corporate group engaging in general aviation activity for business or corporate purposes.

Port: The Port of Shelton, Washington, and various properties and facilities owned by the Port.

Port Commission: The three elected officials who make Port policy and oversee the Port Executive Director.

3. GENERAL BUSINESS RULES AND REGULATIONS

Subject to applicable orders, certificates, or permits of the FAA, or their successors, no person shall use the Airport, or any portion thereof, or any of its improvements or facilities for revenue producing commercial, business, or aeronautical activities who has not first complied with these Minimum Standards and the Rules and Regulations of the Port of Shelton, and obtained the consent and all appropriate leases or agreements for such activities from the Port of Shelton.

The following general rules apply to all tenants:

- **Assignments of Rights:** No right, privilege, or use agreement to the business on the Airport or any lease of any area of the Airport shall be assigned, sublet, sold or otherwise transferred or conveyed in whole or in part without the prior consent of the Port of Shelton, which may be withheld in its sole discretion; however such approval shall not be unreasonably withheld.
- **Port of Shelton Written Approval for Leases of Land or Facilities:** Leases for facilities and/or land require written approval by the Port of Shelton.
- **Approval for Construction:** No buildings, structures, aircraft tie-downs, ramps, paving, taxi areas, or any other improvement or addition shall be placed or constructed on the Airport or altered or removed without the prior approval by the Port of Shelton. All plans, specifications and designs of any buildings or facilities to be constructed must have the written approval of the Port prior to the start of construction. All such buildings shall also comply with all local laws, codes, and regulations pertaining to their construction. In the event of any construction, the Port of Shelton may, at its discretion, require an appropriate bond to guarantee the completion of the construction in accordance to the Port of Shelton's approval.
- **Authorized Operations Area:** No person authorized to operate or conduct any business activities on the Airport shall conduct any business or activity in any area except as specified by the Port of Shelton or the Executive Director, or as approved in any applicable lease or use agreement.
- **Personnel:** The Lessee shall employ adequate and competent personnel. Personnel positions which require certification by the FAA will not be filled other than by individuals who have such certification which is both valid and current. The Lessee shall ensure that personnel have received proper training for their duty assignments, including the operation of necessary equipment.

- **Working hours:** Businesses shall be staffed and open for business as is customary for the trade and the area, with their hours of operation conspicuously posted at their premises.
- **Business Name and Signs:** No Lessee shall conduct business operations on the Airport under a business name that is the same as or deceptively similar to the business name of any tenant previously established on the Airport. Each business shall be identified by a sign or signs at one's facility, and must be approved by the Executive Director. Signs which are no longer appropriate, due to a change in service, product line, or other reason, shall be removed by the Lessee. Please refer to the Port of Shelton Sign Policy for further information, which is available from the Port office.
- **Liability Insurance:** The Lessee shall secure public liability and property damage insurance on which the Port of Shelton shall be named as an additionally insured. Such policies of insurance shall be maintained in full force and effect during all terms of existing leases, use agreements, or renewals or extension thereof, for a period of not less than ninety (90) days after termination.
- **No Discrimination:** The Lessee shall fully comply with all federal, state, and local laws, regulations, and ordinances pertaining to non-discrimination and equal employment.
- **No Discrimination in Service:** The Lessee shall furnish all services authorized by the Port of Shelton on a fair, equal, and nondiscriminatory basis to all users thereof, and shall charge fair, reasonable, and nondiscriminatory prices for each unit or service; provided that the Lessee may make reasonable non-discriminatory discounts, rebates, or other similar type of price reductions to volume purchasers, as permitted by law.
- **Cooperation with Port Management:** The Lessee shall cooperate with the Port Management in operation and control of the airport. The Lessee shall do all things reasonable to advance or promote the Sanderson Field Airport and aeronautical activities thereon, and to develop the airport into an attractive, efficient, and modern airport.
- **Snow, Ice, and Weed Removal:** The Lessee shall be responsible for the removal of snow and ice from all his/her leased areas and areas in which he/she is authorized to operate. The Lessee shall keep leased areas and areas in which he/she operates, free and clear of all weeds, rocks, debris, and other material which could cause damage to aircraft, buildings, persons, or property as the result of aircraft engine operation. The Port may, at the request of the operator, and at the discretion of the Executive Director, assist the Lessee in snow, ice, and weed removal, provided such operator shall assume the liability of the Port's actions in this regard, and shall indemnify and hold the Port, its officers, agents, and employees harmless from all liability in connection with all things done by the Port pursuant hereto and in connection with such snow, ice, and weed removal.
- **Inspection by the Port:** To the extent necessary to protect the rights and interests of the Port of Shelton, or to investigate compliance with the terms of these Minimum Standards and Rules and Regulations, the Executive Director, or designated employee of

the Port of Shelton, and any other agent of the Port shall have the right to inspect, at all reasonable times, all Airport premises, together with all structures or improvements, and all aircraft, records and books, equipment, and all licenses, and registrations.

4. WAIVER of MINIMUM STANDARDS

The Port of Shelton may, in its discretion, waive all or any portion of the Minimum Standards and Rules and Regulations for the benefit of any government or governmental agency or department, or person performing nonprofit public services to the aircraft industry, or performing air search and rescue operations, or performing fire prevention or firefighting operations.

5. ACCEPTANCE of AIRPORT RULES

The use of the Airport or any of its facilities in any manner shall constitute an acceptance by the user of these Airport Minimum Standards of General Aviation as well as the Airport Rules and Regulations adopted by the Port Commission, and shall create an obligation on the part of the user to abide by such Rules and Regulations.

All persons allowed to conduct business or operations of any kind on the Airport shall keep a current copy of these Minimum Standards and the Rules and Regulations in its office or place of business and make it visually available to all persons. Further, it shall be the responsibility of each tenant to fully acquaint its clients and/or employees with the Minimum Standards and the Rules and Regulations. Failure to abide by and enforce the Minimum Standards and Rules and Regulations will be grounds for default of lease or use agreement and possible expulsion from and denial of further use of the airport and/or the Port facilities.

Flight instructors shall have the duty to fully acquaint their students with the Airport Rules and Regulations and shall be responsible for the conduct of students under their direction.

6. USE OF FACILITIES

Permit for use of Facilities: No person shall use the Airport as a base or terminal for commercial aviation activities or conduct any public business, commercial activity or concession upon the airport or upon any land acquired by the Port for use in connection with the Airport, or upon or in any of the buildings, structures, land, parking places, walkways, roadways, easement, or other facilities used or operated in connection with said Airport, without first obtaining the written permission of the Executive Director. Public business or commercial activity or concession includes but is not limited to any soliciting of data or statistical information, any advertisement or promotion of goods or services, any offer to sell, rent or lease goods or

service, or an offer to buy, rent or lease goods or services to the public, whether by profit, non-profit or charitable organization.

Compliance: All fixed base and non-commercial operations shall be subject to and comply with all ordinances established by the Port concerning operations at Sanderson Field.

Soliciting: No person shall solicit funds or distribute information for any purposes on the Airport without the permission of the Executive Director.

Advertisements: No person shall post, distribute, or display signs, campaign signs, advertisements, circulars, printed or written matter, at the Airport including within Lessees' boundaries and building exterior. Any signs erected on the Airport must conform to municipal ordinances and Port resolutions. No signs shall be erected unless prior written approval is obtained from the Executive Director.

No Firearms or Hunting: No person shall hunt for game nor carry firearms, slingshots, bows and arrows, explosives, or incendiary materials, or discharge same on Airport property except authorized law enforcement officers and members of the armed forces of the United States, on official duty. Persons transporting hunting weapons, or maintaining weapons in aircraft survival kits, and those persons lawfully permitted to carry firearms or those persons with written approval from the Executive Director are exceptions from the prohibition to carry firearms.

Delinquent Payments: Any person delinquent in payment for the use of Airport facilities may be removed from the Airport facilities and denied further usage until such delinquency is corrected.

Pets on Leash: All pets are required to be on a leash. Any domestic animal(s) found to be roaming free on Airport property will be subject to impounding by the County.

Intoxication: No persons under the influence of liquor or drugs shall operate a motor vehicle or aircraft of any kind on the Airport.

Gambling: No person shall conduct gambling in any form, or operate gambling devices anywhere on the Airport.

Unlawful Entry: Persons entering into or upon Airport runway, taxiways, buildings or land adjacent to these facilities within the Airport perimeter fence without authorization will be subject to arrest as provided by RCW 9A.52.070 (buildings) and RCW 9A.52.080 (land).

Preservation of Property: No person shall:

- a. Dispose of garbage, refuse or other waste material on the Airport except in the manner prescribed and in the receptacles approved for that purpose.
- b. Burn trash or refuse on the Airport at any time.
- c. Destroy, injure, deface, or disturb in any way any buildings, signs, equipment, markers or other structures, flowers, lawn or other public property on the Airport.

- d. Trespass on lawns and seeded areas of the Airport.
- e. Abandon any personal property on the Airport.
- f. Interfere or tamper with an aircraft or start the engine of such aircraft unless authorized to do so. (Cost of repairs for above-related damages will be borne by offender.)

Ultralight Vehicles and Light Sport Aircraft: All provisions of these Minimum Standards for General Aviation shall apply to all Ultralight operations and Ultralight and Light Sport Aircraft pilots.

Repair of Aircraft: Prior to initiating repairs to an aircraft engine, airframe, or accessory, the aircraft shall be moved to a safe location and away from areas subject to movement by other aircraft or vehicles.

Vehicles and Traffic: No persons or vehicles, except as authorized by the Executive Director, shall be permitted on the landing areas.

For the purpose of these regulations, vehicles shall be defined as all conveyances, except aircraft, used on the ground to transport persons, cargo, or equipment, including construction equipment and mowers. All vehicles shall be operated on the Airport in accordance with the following general rules, except when given special instructions by the Executive Director or in cases of emergency following danger to life or property.

- a. Ground vehicles operating in the runway and taxiway areas require a vehicle to be equipped with an operating amber beacon or airport construction flag.
- b. No motor vehicles, other than support vehicles shall be permitted on ramp areas except for the loading of aircraft passenger or baggage, or for the loading or unloading of cargo in designated areas. The drop zone pickup vehicle is considered to be a support vehicle.
- c. Vehicles on ramps or in the Terminal area shall be driven at a safe and reasonable speed, but not to exceed 15 mph.
 - 1. Vehicles operating within aviation use areas shall yield to all moving aircraft within a 100-foot radius.
 - 2. Vehicles encountering aircraft in motion shall be halted and remain so until said aircraft has cleared its position by a 50-foot radius.
 - 3. To prevent unnecessary vehicle traffic in the airport operations area, hangar tenants shall enter the airport via the south gate nearest the hangars, unless the hangar gate is inoperable.
- d. Vehicles operated elsewhere on the Airport shall be driven at a reasonable and safe speed, but not to exceed 25 mph or as posted.
- e. Vehicles and bicycles are a common form of transportation between the hangars, ramp, and the pilot lounge; however their use should be restricted to that purpose. The airport

operations area is not to be used for any non-aviation related uses without written consent from the Executive Director. No horses, snowmobiles, go-carts, all-terrain vehicles, or similar vehicles shall be permitted on the ramps, runways, or improved areas.

7. APPLICABLE LAWS

All penal laws of the State of Washington and Mason County are applicable to the area of the Airport, and any violators thereof are subject to arrest by authorized law enforcement officers.

8. FIRE AND SAFETY

Cleaning of Aircraft and/or Accessories: No person shall use flammable or volatile materials in the cleaning of aircraft or accessories unless such cleaning operations are conducted in open air or in facilities specifically equipped for this purpose. Said facilities, if constructed, must be properly fireproofed and/or mechanically ventilated and equipped with adequate, readily accessible fire extinguishing apparatus, and meet all Code requirements.

Open Flame Operations: No person shall conduct any open flame operations in any building unless specifically authorized in writing by the Executive Director. Spark producing devices such as grinders or welders are prohibited. Propane and kerosene heaters are open flame devices and are prohibited inside T-Hangars.

Transportation of Flammable Materials: Any bulk fuels or other flammable material transported to the airport must be contained in tank trucks or other acceptable containers approved by the fire underwriters code.

Storage of Flammable Materials:

- a. A maximum quantity of ten (10) gallons of fuel, other than that contained in proper aircraft or other vehicle fuel tanks may be stored only in UL approved and labeled containers.
- b. All fluid containers, whether full or empty, are considered full.
- c. One case of quart cans of motor oil (24 cans), stored in the oil company's sealed original containers, is permitted.
- d. Small quantities of other flammable lubricants in closed appropriate containers (up to one gallon) used for routine maintenance of aircraft are permitted.
- e. Solvents and flammable cleaners must be stored in approved flammable liquid storage cabinets.
- f. Rags used for cleaning oily surfaces must be stored in metal receptacles with covers.

Refuse and Waste: Lessee shall provide suitable metal receptacles with covers for the storage of oil, waste, rags, and other rubbish.

Floor Care: All lessees shall keep floors of hangars, aprons, pits, and adjacent areas free from oil, grease, and other flammable materials.

Painting: Painting and associated processes shall only be conducted in compliance with all laws, codes, and regulations and in properly designated, fireproof, and ventilated rooms or buildings in which all illumination, wiring, heating, ventilating equipment, switches, outlets, and fixtures are spark and vapor proof. No spray painting or doping operations shall be conducted in T-hangars.

Compressed Gas Cylinders: The storage and/or use of compressed gas for welding and/or heating (i.e., propane bottles) are prohibited in all T-hangars. Certified aircraft oxygen bottles are exempt.

Fueling Operations:

All persons using the airport or the facilities of the airport in any way must exercise the utmost care to guard against fire and injuries to persons and property. Fueling shall be done in strict accordance with International Fire Codes (IFC), NFPA 407 requirements, Port of Shelton and/or other applicable fire or hazardous materials regulations. The sale of fuel for aviation purposes shall be administered only by an authorized Fixed Base Operator (FBO) that adheres to the Airport Minimum Standards for General Aviation Operations.

9. PORT EXEMPT FROM LIABILITY

- **Port Exempt from Liability:** The Port of Shelton assumes no responsibility for injury to persons using the Airport facilities or for damage to property stored in facilities by reason of fire, theft, vandalism, weather, storm, flood, earthquake, or collision. Nor does it assume any liability by reason of injury to persons while on the Airport or while using the facilities of same.
- **Hold Harmless:** Airport tenants further covenant and agree that they will not hold the Port, or any of its agents, employees, or Commission members responsible for any loss occasioned by fire, theft, rain, windstorm, hail, or from any cause whatsoever, whether said cause be the direct, indirect, or merely a contributing factor in producing the loss to any aircraft, vehicle, personal property, parts, or surplus that may be located or stored in any parking lot, hangar, plane port, office, ramp, tie-down area, or any other location of the Airport; and tenants agree that aircraft and vehicles and their contents stored either inside or outside buildings are stored at tenant's risk.
- **Indemnification:** Airport tenants agree to indemnify, defend, and save the Port, its agents, Commission members, representatives and employees harmless from and against any and all liability or loss resulting from claims or court action arising directly or

These regulations, being created in accordance with FAA guidelines, are in addition to any FAA requirements. In the event of any conflicting ordinances or guidelines, the more restrictive provisions will apply.

indirectly out of the acts of tenants, their agents, servants, or guests under that tenancy or by reason of any act or omission of such person, unless claim is caused by the sole negligence or willful misconduct of the Port of Shelton.

10. RESPONSIBILITY for DAMAGES

The person or persons responsible for such destruction, injury, or damage shall pay for any and all Airport property destroyed, injured, or damaged.

11. SEVERABILITY

If any section, sentence, clause or phrase of these Airport Minimum Standards is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses, or phrases of these Airport Minimum Standards or the Airport Minimum Standards as an entirety, it being the legislative intent that these Airport Minimum Standards shall stand notwithstanding the invalidity of such section, sentence, clause, or phrase.

12. ENFORCEMENT

The Port Executive Director has been authorized by the Port Commission to interpret and enforce these regulations.

In addition to any penalties otherwise provided by Port resolution, law, and the Federal Aviation Regulations, any person violating these Minimum Standards, or failing or refusing to comply with these Minimum Standards, may be promptly removed or ejected from the Airport by or under the authority of the Executive Director, or such person may be temporarily deprived of the further use of the Airport and its facilities pending presentation of the matter to the Commission.

Further violation and refusal to abide will be regarded as trespassing and the Port reserves the right to pursue enforcement through law enforcement action, up to and including criminal prosecution.

Such matters shall be presented to the Commission as soon as practicable and at least by the next regular meeting of the Commission, at which time the violator may appear before the Commission and show cause, if any, why he should not be deprived of the further use of the Airport and its facilities. Upon the order of the Commission, such person may be deprived of the further use of the Airport and its facilities for such length of time as may be deemed necessary by the Commission to insure the safeguarding of the Airport, its operations and the public use thereof and the Port's interest therein.

13. GOVERNMENT AGREEMENTS

During time of war, or national emergency, the Port shall have the right to lease the Airport, or the landing area, or any part thereof to the United States Government for military use, and any authority granted under these rules and any lease or agreement executed pursuant thereto, shall be subject to such Government lease, and the provisions of the Government lease shall control insofar as they are inconsistent with the said operator's agreement, lease or authority.

Any authority, lease, or agreement entered into pursuant to these regulations shall be subject and subordinate to the provisions of any existing or future agreement between the Port of Shelton and the United States, relative to the operation or the maintenance of the airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal funds for the development of the Airport.

14. NON-AERONAUTICAL COMMERCIAL ACTIVITY

Any specialized non-aeronautical services shall meet such requirements as may be prescribed by the Port of Shelton, including but not limited to, a use agreement that provides a level of regulation and compensation satisfactory to the Port, and proof of insurance.

15. FIXED BASE OPERATIONS

The category of a fixed base operation was developed to facilitate the competent promotion of aeronautical activity through a separate business venture. The Port may at its sole discretion determine the need for a specialty service at the airport and if such a service is not being furnished by the fixed base operator, the Port then reserves the right to arrange for such a specialty service on the airport by someone other than the fixed base operator.

All proposals for fixed base operations shall include sufficient land lease areas to accommodate the required services and suitable buildings in which to conduct proposed activity. In addition, they shall have sufficient personnel with appropriate certifications to properly perform their contracted services, and demonstrate the continuing ability to meet the requirements by the FAA.

16. COMMERCIAL AVIATION OPERATIONS

No person shall use the Airport for any of the following activities, until such person has met the qualifications, standards, and requirements of these Minimum Standards for General Aviation Operations and the Rules and Regulations.

- **Aircraft Sales**
- **Aircraft Parts and Accessories Sales:** Shall provide an adequate sales counter, storage facilities, and administrative office space for such operations.
- **Air Charter Operations:** Shall provide the Port of Shelton with a copy of their FAA operating certificate as well as aircraft and liability insurance.
- **Aircraft Rental, Flight Instruction, or Ground Schools**
- **Aircraft Maintenance**, which shall include one or more of the following:
 - Airframe overhaul and repair
 - Engine overhaul, repair, and installation
 - Instrument repair and installation
 - Radio and electrical repair and installation
 - Aircraft interior work
 - Refinishing and painting
 - Other specialties
- **Line Services**, which include supplying fuel, oil, and other fluids, or interior and exterior cleaning: Shall construct and maintain tanks in compliance with all Federal, State, County and Local safety and environmental guidelines. In addition, training shall be provided for their employees in emergency procedures including fire or spill response, as well as spill prevention, control, and countermeasures in accordance with FAA standards.
- **Aircraft Storage**, inside and/or outside
- **Specialized Aeronautical Service**, such as aerial photography, agricultural spraying, banner towing, etc.: Shall supply the Port with proof of insurance.

- **Skydiving / Sport Parachute Jumping:** Shall meet or exceed the Basic Safety Requirements (BSR) of the United States Parachute Association (USPA), FAR 105, and related FAA Advisory Circulars. The jump plane pilot must hold an FAA Commercial Pilot Certificate and be appropriately rated for the aircraft being operated. The operator shall confine its activities to a designated location on the airport, and the drop zone shall be outside Class D airspace.
- **Car Rental**
- **Food and Beverage Catering Service:** Shall meet all state and county laws pertaining to such facilities.
- **Non-aeronautical Commercial Activity,** consisting of any other wholesale, retail, or service business enterprise.

17. NON-COMMERCIAL AVIATION OPERATIONS

- Areas for non-commercial operations will be provided by the Port of Shelton in the general aviation areas at the airport.
- Corporations or companies shall have the right to erect certain aesthetically approved hangars for the housing and maintenance of their executive aircraft; however, the Port reserves the right to approve the architectural design of such buildings in advance of their construction.
- At no time shall a non-commercial aviation operation engage in aircraft leasing, flight instruction, or otherwise compete in anyway with the fixed base operation on the airport.

18. ACTION ON APPLICATION

The Port of Shelton may deny an application if, in its opinion, it finds any one or more of the following:

- **Qualifications:** The Applicant, for any reason, does not meet the qualifications, standard, and requirements established by these Minimum Standards;
- **Safety Hazard:** The Applicant's proposed operations or construction will create a safety hazard on the Airport;

- **Expenditures of Port Funds:** The granting of the application will require the expenditure of Port funds or the furnishing of labor and/or materials to an operation which will result in a financial loss to the Port;
- **Available Space:** There is no appropriate, adequate, or available space or building on the Airport to accommodate the entire activity of the applicant at the time of the application;
- **Airport Layout Plan:** The proposed operation or airport development or construction does not comply with the FAA approved Airport Master Plan or Airport Layout Plan;
- **Adverse Impacts on Existing Businesses:** The development or use of the area requested by the applicant will result in depriving existing tenants of portions of the area in which they are operating, or will result in a congestion of aircraft or buildings, or will result in unduly interfering with the operations of any existing tenant on the Airport through problems in connection with aircraft traffic or service or preventing free access to the tenant's area;
- **False Information:** Any party applying or interested in the business has supplied the Port of Shelton with any false information, has misrepresented any material fact in their application or in supporting documents, or has failed to make full disclosure on their application or in supporting documents;
- **Record of Violation of Rules:** Any party applying or interested in the business has a record of violating these Minimum Standards or Port Commission adopted Airport Rules and Regulations, or the rules and regulations of any other airport, or any FAA Regulations, or any other rules and regulations applicable to the Airport;
- **Default:** Any party applying, or interested in the business has defaulted in the performance of any lease, or any other agreement with the Port;
- **Credit Report:** Any party applying or interested in the business has a credit report which contains adverse credit information, and does not appear to be a person of satisfactory business responsibility and reputation;
- **Finances:** The applicant does not have, or have access to, the finances necessary to conduct the proposed operation;
- **Protection of Health:** There is a question regarding the protection of the health, welfare, safety, or morals of the inhabitants of Mason County that would require a denial;
- **Non-Aviation or Non-Profit Use:** Nothing contained herein shall be construed to prohibit the Port of Shelton from granting or denying, for any reason it deems sufficient, an application for the purpose of selling, furnishing, or establishing non-aviation products and supplies or any service or business of a non-aeronautical nature, or the application for use of an area on the Airport for non-profit use.

19. PORT OF SHELTON COMMISSION'S RIGHTS AND OBLIGATIONS

The Port of Shelton Commission reserves at all times the right to approve the application of the proposed fixed base operation or non-commercial aviation operation. Such approval shall take into account the aforementioned standards along with an analysis of the business background, financing and proposed plans for the development of a fixed base or non-commercial operation. Final approval by the Port Commission shall thus be based on an appraisal of the application in regard to the purposes and intent as set forth above and based on a commonly accepted business analysis.

FIXED BASE OPERATOR APPLICATION THE PORT OF SHELTON

General

The fixed base operator must provide a general service for all users of his facility. The facility must be so staffed and so equipped that the fixed base operator will be able to render complete proposed service independent of any other operator.

An application for a term lease to conduct fixed base operations shall be in the form of a written proposal which shall include:

1. Complete financial statements, in detail, showing assets, liabilities, and net worth.
 - a. If Individual: Complete and accurate list of the names and addresses of all persons having a financial interest in the proposed operation.
 - b. If Partnership: Complete and accurate list of the names and addresses of the members of the partnership.
 - c. If Corporation: Complete and accurate list of the names and addresses of the officers, directors, and shareholders of the corporation.
2. Statement setting forth, in detail, the proposed overall investment.
3. Source of financing and proof that sufficient financing will be available for proposed construction of facilities and initial operation of business.
4. Plot plans, building blueprints, fuel storage plans, material list, and equipment list.
5. Proposed structures must be planned in detail; space for each activity must be set forth.
6. A complete list of services to be provided and an approximate time in which those services will be available to the public after the beginning date of the lease agreement.

Financial

The following information must be included in the statement setting forth the proposed overall investment:

General Area:

- Site Preparation
- Auto Parking
- Landscaping
- Other General Costs

Buildings:

- Basic Building Costs
- Furniture
- Fueling Equipment
- Fuel Storage Equipment
- Line Equipment
- Shop Equipment: Aircraft/Engine

Inventories:

- General Supplies
- Parts & Accessories
- Fuel & Oil
- Aircraft

Staff Estimates:

- Management
- Office
- Flight Operations
- Line Operations
- Aircraft Shop Operations
- Engine Shop Operations
- Total Staff

Fixed Base Operation

LEASE REQUIREMENTS

Listed below are some of the lease requirements which may apply to a Fixed Base Operator:

1. A minimum of a five year lease.
2. Minimum business hours will be eight consecutive hours a day seven days a week for those providing primary service(s). Business hours for those providing a specialty service(s) will be established by the Commission.
3. Proof of liability insurance initially in the amount of \$2,000,000 with the Port of Shelton named as additional insured for those providing any of the primary services.
4. Rent shall be secured by rental insurance, bond, or other security satisfactory to the Port Commission pursuant to RCW 53.08.085.
5. The necessary personnel must be available during regular business hours and must be properly qualified to conduct activity in accordance with all Federal Aviation Administration requirements.
6. Plans, specifications and designs for all proposed buildings and other facilities must be submitted to the Port for approval prior to construction. No construction shall begin without prior written approval from the Port.