

**CITY OF CHARLEVOIX  
RESOLUTION 2012-02-03  
RESOLUTION REVISING AND ADOPTING AIRPORT MINIMUM STANDARDS**

WHEREAS, the Federal Aviation Administration encourages the adoption of Minimum Standards that apply to commercial activities at an airport; and

WHEREAS, the proposed Minimum Standards are in the best interests of the City and its airport;

NOW, THEREFORE, BE IT RESOLVED that the Minimum Standards, which are attached, are hereby adopted and shall be effective immediately and, further, that all existing commercial activities at the Charlevoix Municipal Airport shall be brought into compliance with these Minimum Standards as soon as permitted by law.

RESOLVED, this 20<sup>th</sup> day of February, A.D. 2012

Resolution was adopted by the following yea and nay vote:

Yeas: Cole, Kusina, Picha, Stevens, Vollmer

Nays: None

Absent: Gennett

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**Minimum Standards  
Charlevoix Municipal Airport (KCVX)  
Charlevoix, Michigan  
(Revised 02/2012)**

1. **Per-Seat Federal Aviation Regulations (FAR) Part 135 and Scheduled FAR Part 121 Operators.** Businesses in this category shall, at a minimum:
  - (a) Subject to the provisions at the end of this standard, rent counter space and airline operating space if available in the City-owned passenger terminal building at Charlevoix Municipal Airport, and pay expenses associated with shared public spaces in the passenger terminal building. The City acknowledges that, at the time these Minimum Standards are adopted, an existing operator within this category may have real estate interests outside of City-owned facilities. In circumstances where pre-existing non-leasehold real estate interests exist, the City will work with such existing operators to either purchase their real estate interests or otherwise make the operator financially whole before requiring rental of spaces within the City-owned passenger terminal building; provided, however, when such an operator merely has a leasehold interest in premises which serve the purpose of counter space and airline operating space which otherwise would be required to be located in the City-owned passenger terminal building, then the operator shall comply with this standard upon the termination of the operator's existing lease. The terms of such a real estate transition plan will be addressed in the contract between the City and the operator for this commercial activity or by an amendment to that contract subject to reaching mutually agreeable economic terms.
  - (b) Provide, at a minimum, the following services to the general public:
    - (1) Uniformed personnel on duty to meet the seasonal demands of the traveling public. Uniform to be approved by the Airport Manager.

- (2) Aircraft that are well maintained and kept in good service, clearly displaying air taxi or airline markings to FAA standards.
  - (3) Ground support equipment, either owned by the operator or provided through a service/equipment provider, to include ground power unit(s), aircraft tug(s), and compressed air dispenser(s) necessary to properly operate the aircraft per applicable FAA certificate(s).
  - (4) A reliable communication system, whereby the flying public can access pricing and aviation flight services offered.
- (c) Maintain all required FAA certifications for all operator certificates, airworthiness certificates and flight crew certificates.
  - (d) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (e) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
  - (f) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable licenses, lease(s) and/or operating agreement(s).
  - (g) Develop a Ramp Safety Plan that provides for the protection of the traveling public against dangers associated with an operating aircraft within the ramp and/or movement areas, sets out security practices to insure unauthorized access to aeronautical areas is prevented, and sets operating practices for escorted access to aircraft and aircraft parking areas. The plan should include protocols for properly ramping parked aircraft and for positioning safety cones, signs, markings, striping, and/or other visual guidance that facilitates the safe passage of passengers across the aircraft parking ramp. The plan shall also address manning of gates and doors that would be locked and secured except for those times when passengers are boarding and deplaning aircraft. The plan should also address the operator's use, placement and parking of all automobile support vehicles, fueling equipment and any other apparatus used by the operator on the ramp or movement areas. The Ramp Safety Plan shall be reviewed and approved by the Airport Manager before being scheduled for implementation.

## 2. Specialized Aviation Services.

- (a) Aircraft Charter. Businesses in this category shall, at a minimum:
  - (1) Provide, by renting, leasing, or constructing, indoor space with public lounge and restrooms. All buildings or structures to be constructed or modified must be approved by the City as to location, design, and type of construction, and comply with Chapter 26 of the Charlevoix City Ordinance regarding Charlevoix Municipal Airport Rules and Regulations.
  - (2) Provide, full time, at least one FAA-certified and instrument rated pilot with appropriate ratings for the type of services being offered, and be open and/or available during advertised business hours, as may seasonally change, to meet the needs of the aviation public.
  - (3) Provide, and at all times maintain, at least one FAA-certified and airworthy aircraft or other aircraft approved by the City. Aircraft may be owned or leased but must be under absolute control of the specialized aviation service provider and listed on the FAA Part 135 Air Taxi certificate. The intent of this section is not to exceed FAA requirements, but to ensure that aircraft charter operators comply will all applicable FAA certification standards applicable to aircraft charter. Specialized aviation services provider must maintain a current FAA air taxi certificate and meet all FAA requirements.

- (4) Develop a Ramp Safety Plan that provides for the protection of the traveling public against dangers associated with an operating aircraft within the ramp and/or movement areas, sets out security practices to insure unauthorized access to aeronautical areas is prevented, and sets operating practices for escorted access to aircraft and aircraft parking areas. The plan should include protocols for properly ramping parked aircraft and for positioning safety cones, signs, markings, striping, and/or other visual guidance that facilitates the safe passage of passengers across the aircraft parking ramp. The plan shall also address manning of gates and doors that would be locked and secured except for those times when passengers are boarding and deplaning aircraft. The plan should also address the operator's use, placement and parking of all automobile support vehicles, fueling equipment and any other apparatus used by the operator on the ramp or movement areas. The Ramp Safety Plan shall be reviewed and approved by the Airport Manager before being scheduled for implementation.
  - (5) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (6) Pay to the City, in addition to any land, building, and percentage rentals, a landing fee in accordance with the schedule of rates and charges in effect, or by direct negotiation between City and the specialized aviation services provider.
  - (7) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
  - (8) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable licenses, lease(s) and/or operating agreement(s).
- (b) Aircraft Painting and Interior Fitting. Businesses in this category shall, at a minimum:
- (1) Provide, by renting, leasing, or constructing, a building with floor area of not less than 2,000 square feet with public restrooms. All buildings or structures to be constructed or modified must be approved by the City as to location, design, and type of construction, and comply with Chapter 26 of the Charlevoix City Ordinance regarding Charlevoix Municipal Airport Rules and Regulations.
  - (2) Provide facilities, tools, and equipment for painting and aircraft interior fitting, and do all that is necessary to satisfy FAA requirements for an approved certificate.
  - (3) Employ at least one FAA-certified technician to conduct complete aircraft painting and interior fitting and installation that meets all FAA requirements to make repairs and alterations to certificated aircraft, and be open during advertised business hours, as may seasonally change, to meet the needs of the aviation public.
  - (4) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (5) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
  - (6) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable licenses, lease(s) and/or operating agreement(s).

- (c) Aircraft Rental and Leasing. Businesses in this category shall, at a minimum:
- (1) Provide, at all times, a minimum of one aircraft properly licensed and FAA-certified, for rental and flight instruction, and employ personnel sufficient to be responsive during published business hours, as may seasonally change, to meet the needs of the aviation public.
  - (2) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (3) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
- (d) Aircraft Sales. Businesses in this category shall, at a minimum:
- (1) Provide, by renting, leasing, or constructing, adequate office space for operations. All buildings or structures to be constructed or modified must be approved by the City as to location, design, and type of construction, and comply with Chapter 26 of the Charlevoix City Ordinance regarding Charlevoix Municipal Airport Rules and Regulations.
  - (2) Provide at least one FAA-certified pilot with appropriate ratings for any aircraft being demonstrated, and be open during advertised business hours, as may seasonally change, to meet the needs of the aviation public.
  - (3) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (4) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
- (e) Authorized Repair Station for Avionics. Businesses in this category shall, at a minimum:
- (1) Provide, by renting, leasing, or constructing, a building with floor area of not less than 2,000 square feet with public restrooms. All buildings or structures to be constructed or modified must be approved by the City as to location, design, and type of construction, and comply with Chapter 26 of the Charlevoix City Ordinance regarding Charlevoix Municipal Airport Rules and Regulations.
  - (2) Provide facilities, tools, and equipment for avionics repairs and do all that is necessary to satisfy FAA requirements for an approved shop certificate.
  - (3) Employ at least one FAA-certified technician to conduct complete avionics repair and installation, and maintain a FAA-approved repair station certificate, and be open during advertised business hours, as may seasonally change, to meet the needs of the aviation public.
  - (4) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (5) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.

(6) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable licenses, lease(s) and/or operating agreement(s).

(f) Flight Instruction. Businesses in this category shall, at a minimum:

(1) Be a FAR Part 141/Pilot School and/or a FAR Part 142/Training Center. These Minimum Standards, however, shall not apply to FAR Part 61/Flight Instruction.

(2) Provide a minimum of one FAA-certified instructor pilot.

(3) Maintain FAA and state approvals for schools, services and flight operations offered to the public.

(4) Provide, at all times, a minimum of one aircraft properly licensed and FAA-certified, available for flight instruction.

(5) Employ at least one FAA-certified flight instructor accessible to the aviation public through advertised business hours and/or other approved means.

(6) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.

(7) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.

(g) Flying Club. Businesses in this category shall, at a minimum:

(1) Organize and operate as a not-for-profit venture in concurrence with the Michigan Aeronautics Commission Rules and Regulations pertaining to flying clubs. Flying Clubs shall not collect fees in excess of their expenses, engage in charter or air taxi activities, or provide the ability to rent aircraft to persons that are not members of the Flying Club. Officers shall register with the Airport Manager, furnish membership lists upon request, and be responsible for the club's activities.

(2) Ensure that all persons belonging to the flying club and acting as either flight or ground school instructors are licensed by the FAA as same, and maintain current registrations with the Michigan Department of Aeronautics.

(3) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.

(4) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.

(h) Aircraft Maintenance Facility – Businesses in this category shall, at a minimum:

(1) Be available to service aircraft at the Charlevoix Municipal Airport. All activities shall fully comply with Chapter 26 of the Charlevoix City Ordinance regarding Charlevoix Municipal Airport Rules and Regulations.

(2) Provide customary tools and equipment necessary for the servicing of aircraft.

- (3) Have at least one FAA-certified mechanic for all types of work to be performed and who is able to mobilize personnel and equipment to the site of the aircraft, during hours adequate to meeting the needs of the aviation public.
  - (4) Be accessible to provide maintenance services within a reasonable period of time.
  - (5) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (6) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
- (i) Parachuting and Jump Schools. Businesses in this category shall, at a minimum:
- (1) Provide, at all times, a minimum of one aircraft properly licensed and FAA-certified, for parachuting activities, and employ personnel sufficient to be responsive during published business hours, as may seasonally change, to meet the needs of the aviation public.
  - (2) Provide a minimum of one FAA-certified pilot during advertised hours of business.
  - (3) Maintain FAA and state approvals for schools, services and flight operations offered to the public.
  - (4) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (5) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
- (j) Repair Station for Aircraft, Engines, Propellers and Accessories. Businesses in this category shall, at a minimum:
- (1) Provide, by renting, leasing, or constructing, a hangar with floor space of not less than 2,000 square feet, including public restrooms and office space. All buildings or structures to be constructed or modified must be approved by the City as to location, design, and type of construction, and comply with Chapter 26 of the Charlevoix City Ordinance regarding Charlevoix Municipal Airport Rules and Regulations.
  - (2) Provide facilities, tools, and equipment for aircraft, engine, and propeller repairs, and do all that is necessary to satisfy FAA requirements for an approved shop certificate.
  - (3) Employ, full time, at least one FAA-certified mechanic for all types of work to be performed, and be open during advertised business hours, as may seasonally change, to meet the needs of the aviation public.
  - (4) Provide minor repairs on a standby basis during daylight hours that the repair station is closed.
  - (5) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.

- (6) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
  - (7) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable lease(s) and/or operating agreement(s).
- (k) Self-Fueling. Businesses in this category shall, at a minimum:
- (1) Store all aviation fuels in the City's fuel storage tanks.
  - (2) Utilize fuel dispensing vehicles/equipment of no less than 250 gallons to refill aircraft. All such vehicles/equipment and their fuel dispensing systems shall comply with and be maintained according to aviation industry safety regulations and protocols.
  - (3) Permit the Airport Manager or another designee of the City Manager to periodically inspect all motor vehicles, and all associated fuel delivery systems, to ensure that adequate safety, regulatory compliance has been met with these Minimum Standards.
  - (4) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable lease(s) and/or operating agreement(s).
  - (5) Make regular and timely payments to the City as defined by the Self-Fueling Dispensing License, in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (6) Carry comprehensive general liability insurance and environmental impairment liability insurance to protect against spills or releases associated with motor vehicles used by the self-fueling operator, as defined by the Self-Fueling Dispensing License and quantified in the City's Schedule of Insurances approved by City Council, which may be updated and revised from time to time. The City shall be named as an additional insured on all insurance policies, and policies shall be issued by an insurance company with at least an "A" rating by the AM BEST Insurance rating system.
- (l) Through-the-Fence (TTF) Operations. Businesses in this category shall, at a minimum:
- (1) Own and hold fee simple title to property contiguous with the Charlevoix Municipal Airport of not less than 20,000 square feet. All buildings or structures must be for commercial aeronautical use. All construction or modification must be approved by the City as to location, design, and type of construction, and comply with Chapter 26 of the Charlevoix City Ordinance regarding Charlevoix Municipal Airport Rules and Regulations.
  - (2) Provide approved connectivity to aeronautical infrastructure, at the TTF operator's expense, in a manner consistent with industry standards and the City of Charlevoix's standards for construction. Airfield security shall be maintained at all times by the TTF operator.
  - (3) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
  - (4) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
  - (5) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable lease(s) and/or operating agreement(s).

### 3. Airport Passenger Services.

(a) On-Airport Car Rental. Businesses in this category shall, at a minimum:

- (1) Rent counter space and/or operating space in the City-owned passenger terminal building at Charlevoix Municipal Airport, and pay applicable expenses associated with shared public spaces in the passenger terminal building.
- (2) Provide, at a minimum, the following services to the general public:
  - a. Uniformed personnel on duty to meet the seasonal demands of the traveling public. Uniform will be approved by the Airport Manager.
  - b. Late model rental vehicles that are well maintained, regularly inspected, serviced and kept in overall good condition.
  - c. Service personnel that either work for the operator or a service provider under contract to the operator, to clean, refuel and move vehicles as required.
  - d. Reliable reservation system or other mechanism whereby the general public can access pricing, check rental car availability, and obtain a confirmation.
- (3) Make regular and timely payments to the City as defined by the lease(s) and any operating agreement(s), in addition to applicable rates and charges imposed by the City, which may be updated and revised from time to time.
- (4) Carry comprehensive general liability insurance per the Schedule of Insurances approved and updated by the City Council from time to time or as required in applicable lease(s) and/or operating agreement(s), if any.
- (5) Provide a fidelity bond or other acceptable security instrument to the City, consistent with applicable licenses, lease(s) and/or operating agreement(s).