

Exhibit A

# **PRINEVILLE** **CROOK COUNTY AIRPORT**



## Crook County/Prineville Airport Rules, Regulations, and Minimum Standards

November 2023

# Contents

1.	Introduction.....	2
1.01.	Purpose.....	2
1.02.	Applicability.....	2
1.03.	Authority.....	2
1.04.	Variance or Waiver.....	2
1.05.	Severability.....	2
2.	Rules and Regulations.....	3
2.01.	Crook County Code.....	3
2.02.	General.....	3
2.03.	Aircraft and Vehicle Operations.....	5
2.04.	Airport Access, Control, and Security.....	6
2.05.	Vehicle Parking.....	7
2.06.	Aircraft Fueling.....	9
2.07.	Aircraft Run-up Areas and Use.....	9
2.08.	Safety and Environmental Hazards.....	10
2.09.	Enforcement.....	13
3.	Commercial Minimum Standards.....	14
3.01.	Introduction and Purpose.....	14
3.02.	Minimum Standards for All Commercial Providers.....	14
3.03.	Minimum Standards for Fixed Base Operators.....	17
4.	Definitions.....	19

## 1. INTRODUCTION

### *1.01. Purpose*

The purpose of these Crook County/Prineville Airport Rules, Regulations, and Minimum Standards (collectively, “these Rules”) is to protect the public health, safety, interest, and general welfare of the Crook County/Prineville Airport (hereafter referred to as the “Airport”) and to set guidelines for Airport-approved operating procedures for the safety and security of the Airport operators, tenants, and users. Nothing in these Rules shall limit or constrain the legitimate authority of the County or Airport Manager. These Rules are subordinate to applicable Federal and State law.

### *1.02. Applicability*

These Rules apply to any person accessing or using the Airport, unless a rule is expressly limited a specific subgroup. Each person or entity shall be responsible for their actions and all actions of any person to whom they provide or facilitate access, whether directly or indirectly. Entry upon the Airport by any person shall be deemed to constitute an agreement by such person to comply with these Rules.

### *1.03. Authority*

These Rules are adopted by Crook County, Oregon (hereafter referred to as the “County”). The County specifically grants the Airport Manager (the County and Airport Manager may be collectively referred to hereafter as simply the “County”) the authority to operate, manage, maintain, and secure the Airport and take such actions as may be necessary to enforce these Rules. These Rules may be supplemented, amended, or modified from time to time and in such manner and to such extent as the County determines to be appropriate. The County may also issue special ordinances, rules, regulations, notices, memorandums, or directives when necessary.

In cases where two or more provisions of these Rules are in conflict, the more stringent or restrictive shall prevail.

### *1.04. Variance or Waiver*

The County may grant relief from the literal requirements of these Rules when strict enforcement would result in practical difficulty or unnecessary hardship. Any such relief may be subject to reasonable conditions necessary to maintain safety of flight operations, fulfill the intent of these Rules, and to protect the public interest.

### *1.05. Severability*

Should any paragraph or provision of these Rules be declared by any court of competent jurisdiction to be unconstitutional or invalid, such decision shall not affect the validity of any other rule or regulation hereunder.

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## 2. RULES AND REGULATIONS

### *2.01. Crook County Code*

A violation of these Rules is a violation of the Crook County Code and may be punishable by a civil infraction fine of up to \$500.00 per day.

### *2.02. General*

#### 2.02.01. Commercial Use Authorization

No person shall utilize any portion of the Airport or any building, facility, or structure for revenue producing commercial activities or to solicit business or funds for any business or activity, except by conducting said business operations or activities under the terms specifically authorized by a lease, sublease, permit, license or temporary permission of the County and in full compliance with the Commercial Minimum Standards, below. An activity is considered commercial activity regardless of whether the business is nonprofit, charitable, or tax-exempt. This section shall not apply to itinerant military or government aircraft operations.

#### 2.02.02. General Conduct

The following rules govern general conduct at the Airport:

- No person shall destroy, injure, damage, deface, disturb, or tamper with any building, vehicle, sign, equipment, landscaping, fixture, or any other structure or property on the Airport.
- No person shall interfere or tamper with any aircraft or put in motion the engine of such aircraft, or use any aircraft, aircraft parts, instruments, or tools without permission of the owner/operator or under the specific direction of the County in an emergency.
- No person shall abandon any personal property at the Airport.
- Any person finding lost articles in Airport public areas shall deposit them with the Airport's administration office.
- Any property damaged or destroyed by the negligence or willful conduct of any person shall be paid for in full by the person(s) responsible for such destruction or damage.
- No person shall commit any disorderly, obscene, lewd, indecent, or unlawful act; commit any act of nuisance (including the use of abusive or threatening language); or act in such a manner as to disturb the peace while at the Airport.

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### 2.02.03. Animals

The following rules apply to all animals at the Airport:

- Excluding Americans with Disabilities Act (ADA) and law enforcement requirements, no person shall enter any public Airport building with any animal unless being transferred or shipped.
- No animals (excluding ADA requirements and law enforcement) are allowed within the Airport Operations Area (AOA) unless being transferred, shipped, or under the control of their owner by leash, harness, restraining straps, or cage. Leashes, harnesses, and straps shall not exceed twelve feet in length.
- Owners are responsible for the immediate removal and proper disposal of animal waste.
- No owner/person in charge of a dog or other animal shall permit the animal to wander unrestrained on any portion of the Airport property. Owners are responsible for the control and conduct of their animal(s) at all times.

### 2.02.04. Smoking

No smoking shall be permitted:

- On an aircraft parking ramp, within fifty feet of an aircraft, fuel truck, and/or fuel storage area;
- Where specifically prohibited by City, County, State, or Federal laws;
- In any public building or within ten feet of any business entry door located on Airport property, or at any other location through which public movement may be anticipated; and
- At any other place on Airport property where the County specifically prohibits smoking.

### 2.02.05. Waste

No person shall leave any waste, refuse, or garbage on the Airport property. All waste, refuse, or garbage shall be placed and kept in closed garbage cans or containers, and all operating areas shall be kept in a safe, neat, clean, and orderly manner at all times and in such manner as to minimize any hazards. At no time will outside storage of oil, fuel, or chemical drums be permitted. No outside storage of any hazardous items is permitted.

### 2.02.06. Liability

The Airport assumes no responsibility for loss, injury, or damage to persons or property by reason of fire, theft, vandalism, wind, earthquake, or other acts of God, collisions, or strikes; nor does it assume any liability for injury to persons or property while at the Airport. Additionally, any person, as a condition for the use of the Airport or any of the facilities thereof, shall release, hold harmless, and indemnify the County and all other officers and employees of the County and Airport, from any

and all responsibility, liability, loss or damage resulting to it or them, or caused by, or on their behalf and incident to the manner in which the Airport or its facilities shall be used. Notwithstanding the foregoing, Airport users shall not be required to indemnify the County for damage occasioned by the sole gross negligence or willful misconduct of the City, County, Airport, or their employees or representatives.

### *2.03. Aircraft and Vehicle Operations*

#### 2.03.01. General

No person shall operate or maintain any aircraft except in strict conformity with all state and local ordinances, these Rules, and the regulations of the Federal Aviation Administration (FAA) and Transportation Security Administration (TSA). All aircraft shall be operated in accordance with air traffic patterns established by the Airport and the FAA. Unusual performance tests of aircraft may be conducted only upon prior permission of the County, and then only upon such conditions as it may impose.

#### 2.03.02. Vehicle Operations in the Air Operations Area

No person shall drive a vehicle in any Air Operations Area (AOA) unless that person has received permission from the County or designee and only for the purpose of assisting aircraft operations, Airport maintenance, or construction related requirements. At all times and under all conditions, aircraft shall have the right-of-way. No person shall drive a vehicle across the immediate path of a taxiing aircraft. All vehicles shall pass to the rear of an aircraft whose engine(s) is running. No person shall drive a vehicle, other than those vehicles being used for aircraft servicing functions, in such a manner as to create a hazard to the fuel truck or aircraft during fuel-servicing operations. Vehicles traveling from one location on the ramp to another shall do so by using the perimeter road unless such travel is confined to and associated with the immediate servicing of aircraft operations.

#### 2.03.03. Disabled Aircraft

Any pilot, owner, operator, or other person having the control, or the right of control, of any abandoned or disabled aircraft at the Airport shall be responsible for its prompt removal and all parts thereof, subject, however, to any requirements of, or direction by, the National Transportation Safety Board (NTSB), the FAA, or the County that such removal or disposal be delayed pending an investigation of an accident. The County has the authority to direct removal or relocation of a disabled aircraft from any location at the Airport except authorized aircraft storage spaces.

#### 2.03.04. Landings and Takeoffs

All fixed-wing aircraft shall land and takeoff only on designated runways except in emergency situations or as specifically authorized by the County.

#### 2.03.05. Taxiing Operations

Aircraft taxiing operations are restricted to the designated paved runways, taxiways, taxi lanes, aprons, and ramps. Aircraft shall not be taxied into or out of any hangar.

It is recommended that all aircraft operate with navigation lights and landing lights on during low visibility conditions. No aircraft shall be taxied or engines operated at the Airport where propeller or rotor and/or jet blast will cause injury to persons or damage to property. If it is not possible to taxi in compliance with the above, then the engine must be shut down and the aircraft towed to the desired location.

#### 2.03.06. Securing Aircraft

No person shall leave an aircraft unattended in any area of the Airport, including a Leased Premises, unless properly secured. The securing of aircraft shall be the sole responsibility of the owner and/or operator of the aircraft.

#### 2.03.07. Based Aircraft Registration

Aircraft based at the Airport (commercial or non-commercial) are encouraged to be registered with the County or an authorized FBO. Registration information includes the following: aircraft make and model, registration number, and aircraft owner name, address, and phone number. Based aircraft operators must have a tie-down agreement with either the County or an authorized FBO or have a written lease or agreement with the County at the Airport or an Airport Manager-approved sublease with an existing Airport tenant.

#### 2.03.08. Accident Reporting

All accidents on Airport property, whether to aircraft, motor vehicle, or personal injury shall be reported immediately to the Airport Manager. All accidents will be investigated, and reports filed with the proper authorities as outlined by 49 CFR 830.5(a).

### *2.04. Airport Access, Control, and Security*

#### 2.04.01. Airport Closure

The Airport Manager shall have the authority to close the Airport or any portion of the Airport as appropriate whenever the Airport or any portion thereof is unsafe for aeronautical activity.

#### 2.04.02. Access to Air Operations Area

Only the Airport Manager may grant unescorted access to the AOA. The granting of access does not give any person or persons the privilege of unrestricted use of the space within the airfield boundary fence. Access privileges are confined to the times and areas required for the purpose access is granted.

### 2.04.03. Tenant Security

Tenants and tenant employees are responsible for safeguarding doors, gates, and other access control devices between the AOA, Airport airside, and landside areas. Tenants and tenant employees are an important part of the Airport security team and are encouraged to be alert for, and report to authorities, suspicious or unauthorized personnel and activities at the Airport.

### 2.04.04. Special Events

Special events, such as air shows, fly-ins, skydiving, balloon operations or other similar events or activities requiring the general use of the Airport, shall be held only after formal approval has been granted by the County and/or the Airport Manager. The Airport Manager will be notified not less than thirty days in advance of any planned or promoted event by the event requestor. Approval shall specify the areas of the Airport for such special use, dates, and such other terms and conditions (such as liability insurance) as the County may require.

### 2.04.05. Exterior Advertising, Signage and Murals

No signs, advertising, or exterior painting shall be placed or constructed upon any building, structure, or improvements on Airport property in violation of County standards or without having first obtained approval from the Airport Manager. Signs facing adjacent non-county owned property must meet County sign codes and be approved by the County Building Dept. Signs placed on County property must be removed upon request by the Airport Manager. Only signs that pertain to aircraft operations and required by the FAA are allowed within runway/taxiway/taxilane/apron areas in accordance with FAA guidelines.

## 2.05. *Vehicle Parking*

### 2.05.01. Airport Parking

The following rules apply to all Airport parking:

- No person shall stop, park, or leave any vehicle along the terminal curbside at the Airport except while in the immediate process of passenger pick up or drop off.
- No person shall park a vehicle at the Airport other than in a designated parking area and in a manner that does not obstruct the safe and orderly movement of aircraft.
- Individuals with parking permits issued by the Airport shall park only in compliance with the issued parking permits.
- Where parking is allowed at the Airport, a person shall park a vehicle only within a dedicated parking space.
- No person shall park at the Airport in violation of a parking limitation, parking restriction, or other parking regulation sign posted for the parking area.



- No person shall stop, park, or leave standing any vehicle at the Airport, whether attended or unattended, in those areas designated in ORS 811.550, except when necessary to avoid conflict with other traffic or in compliance with the directions of a peace officer or official traffic control device.
- In addition to the above provisions, all other provisions of the Crook County Code and/or City of Prineville Code shall continue to apply to the Airport.

#### 2.05.02. Aircraft Parking and Storage

Aircraft shall be parked only in those areas designated for such purpose by the Airport Manager and shall not be positioned in such a manner that will block a runway, taxiway, taxi lane, or obstruct access to hangars, parked aircraft, and/or parked vehicles. Unless otherwise provided in an agreement with the County or authorized FBO, no person shall use any area of the Airport for the parking and storage of aircraft, other than transient parking, without prior written permission of the Airport Manager. Should a person use such areas for aircraft parking or storage without first obtaining the prior written permission of the Airport Manager, the Airport Manager may remove and store the aircraft at the expense of the aircraft operator without liability for damage that may arise from or out of such removal or storage.

#### 2.05.03. Abandonment: Vehicles, Aircraft, and Equipment

No person shall park or store any vehicle, equipment, or aircraft in non-operational or unattended condition on Airport property for a period of over thirty days, without a written permit from the County. Non-flyable aircraft may be stored in a hangar with other flyable aircraft.

Whenever any vehicle, aircraft or equipment is parked, stored, or left in non-operational condition at the Airport in violation of the provisions of this section 2.05, the Airport Manager shall so notify the owner or operator thereof by certified or registered mail, requiring removal of said vehicle, aircraft, or equipment within fifteen days of receipt of such notice, or if the owner or operator be unknown or cannot be found, the Airport Manager shall conspicuously post and affix such notice to the said vehicle, aircraft, or equipment requiring removal within fifteen days from date of posting. Upon the failure of the owner or operator to remove the vehicle, aircraft, or equipment within the period provided, the Airport Manager shall have it removed from the Airport. All costs incurred by the County in the removal of any vehicle, aircraft or equipment as set forth herein shall be recoverable against the owner or operator thereof.

#### 2.05.04. Authority to Move Vehicles

The County has the discretion to remove, or cause to be removed at the owner's expense, from any restricted or reserved area, any roadway or right-of-way, or any other area on the Airport any vehicle which is disabled, abandoned, or illegally or improperly parked, or which creates a safety, security, or

operations problem. The County shall not be liable for damage to any vehicle or loss of personal property which might result from the act of removal.

#### 2.05.05. Tenant and Employee Parking

All employees of companies, organizations, or agencies having a leasehold interest at the Airport shall park only in designated parking areas.

#### 2.05.06. Motorhomes, Boats, Trailers, Equipment, and Recreational Vehicles

Motor homes, boats, trailers, equipment, and recreational vehicles shall not be stored or used for overnight use anywhere at the Airport, unless in accordance with a valid Lease Agreement or with the written consent of the Airport Manager.

### *2.06. Aircraft Fueling*

#### 2.06.01. Self-Fueling

Self-fueling is permitted at the Airport only in designated areas. No person may conduct self-fueling at the Airport without complying with all applicable codes and regulations and only after executing a self-fueling agreement with the Airport Manager or FBO. Fuel flowage fees may apply to this activity. Fuel delivery and fuel transfer to or from third parties is prohibited without prior written permission from the Airport Manager.

#### 2.06.02. Self-Servicing of Aircraft

Aircraft operators are permitted to fuel, wash, repair, or otherwise service their own based aircraft (utilizing their own equipment), provided there is no attempt to perform such services for others and further provided that such right is conditioned upon compliance with these Rules and Regulations and all other applicable regulatory measures.

#### 2.06.03. Open Flames

Open flames on aircraft fuel servicing ramps, within fifty feet of any aircraft fuel servicing operation, or fueling equipment shall be prohibited.

### *2.07. Aircraft Run-up Areas and Use*

#### 2.07.01. Engine Starting/Run-up

The following rules apply to all engine starting and run-up operations:

- Operational checks requiring high-power settings shall be performed only in designated areas.
- A competent person shall attend to the engine and aircraft controls during engine start and run-up.

- Aircraft engines shall not be operated within any aircraft storage structure.
- Aircraft brakes shall be applied, or the aircraft shall be appropriately secured, before and during engine start and run-up.
- Minimum power shall be used when operating an aircraft in the vicinity of people, hangars, buildings, and other aircraft.

## *2.08. Safety and Environmental Hazards*

### 2.08.01. Flammable Solids and Liquids

The use and storage of all flammable materials (solid and liquids) shall be in compliance with all DEQ, local, state and federal regulations, the Uniform Fire Code, and other rules and regulations included herein.

### 2.08.02. Fire Extinguisher and Equipment

The tenant of any hangar or building at the Airport shall be responsible for the furnishing and maintaining of adequate first aid and fire equipment meeting the minimum requirements of applicable local, state, or federal regulations. All extinguishers and other such equipment shall be inspected annually as required by law.

### 2.08.03. Material Storage

The following rules apply to all storage of hazardous and potentially hazardous materials:

- No person shall keep or store material or equipment in such manner as to constitute a fire hazard or be in violation of applicable NFPA codes, standards, and recommended practices, or local or state law.
- Gasoline, kerosene, ethyl, jet fuel, ether, lubricating oil, or other flammable gases or liquids, including those used in connection with the process of "doping" shall be stored in accordance with the applicable codes, standards, and recommended practices of NFPA. Buildings shall be provided with suitable fire appliances and first aid equipment.
- No person shall keep, transport, or store lubricating oils on the Airport except in containers and receptacles designed for such purpose and in areas specifically approved for such storage in compliance with the applicable codes, standards, and recommended practices of NFPA, FAA regulations, and local law.

### 2.08.04. Prohibited Wastewater Discharge

In order to protect the sewage system from damage, destruction, deterioration, or malfunction and to guard against hazards to health and safety:

- No person shall cause the discharge of any polluted water into the storm sewers or into watercourses that traverse the Airport. Persons who allow contaminants to enter the stormwater system, either intentionally or unintentionally, shall be liable for the cleanup of such spill and any fines levied.
- No user shall increase the use of processed water or in any way attempt to dilute a discharge as a partial or complete substitute for adequate treatment to achieve compliance with pollutant specific limitations developed by law.

#### 2.08.05. Aircraft Maintenance

Any aircraft owner may perform Federal Aviation Regulation (FAR) Part 43 authorized operator maintenance on their owned aircraft, provided such maintenance or service is performed by the aircraft owner or their employee. Any owner or approved employee who performs such maintenance shall do so in the Airport designated self-maintenance area; within the confines of an individual private hangar; in a joint-use hangar, provided such activity does not pose a fire or safety hazard and does not impede the ingress/egress of other hangared aircraft; or on the aircraft owner's leased apron area except in individual tie-down spaces. Any aircraft owner utilizing an employee to perform aircraft maintenance shall be required to provide the Airport Manager evidence of employment in a form acceptable to the Airport Manager. Maintenance other than FAR Part 43 authorized owner maintenance performed on the aircraft by the aircraft owner or their employee will be at the Airport designated self-maintenance area or another location at the Airport approved by the Airport Manager. Use of the tie-down areas for maintenance shall be prohibited unless otherwise approved by the Airport Manager.

An aircraft owner shall not contract with a second party, such as an aircraft maintenance company or contractor, to perform "scheduled" maintenance on their aircraft at the Airport unless said company or contractor is a Commercial Operator leasing space on the Airport and licensed by the County to provide such aeronautical services to the public. "Unscheduled" aircraft maintenance by a non-based maintenance company or contractor is permitted, provided the aircraft owner notifies the Airport Manager of this activity in advance and the company or contractor presents to the Airport Manager proof of proper FAA license and certificates to perform aircraft maintenance, proof of public liability insurance, and the Airport Manager can identify a satisfactory area at the Airport where the unscheduled maintenance service can be performed. Unscheduled maintenance notification shall consist of the aircraft owner contacting the Airport Manager and providing written documentation supporting the above requirements. Unscheduled maintenance is limited to the following:

- Warranted maintenance work that requires repair or additional attention by the warranting company.
- A malfunction that prevents the aircraft from being taken to another airport for maintenance.

- Maintenance work requiring a specialty service which is not being provided by an existing FBO operating at the Airport.

All aircraft maintenance shall be conducted strictly in accordance with these Rules and all federal, state, and local regulations, laws, and directives.

#### 2.08.06. Negligent Aircraft Operation

No person shall operate an aircraft in a public aircraft parking and storage area, public landing area, taxiway, or public ramp and apron area in a careless or negligent manner or in disregard of the rights and safety of others.

#### 2.08.07. Spill Cleanup Procedures

Proper procedures regarding any material or debris clean-up are as follows:

- The immediate cleanup and removal of materials used to clean spilled or dripped fuel, oil, grease, or other material is the responsibility of the aircraft operator or the tenant causing the spill. The operator will be responsible for all costs, including any Airport expenditures.
- Each loading/unloading station and each fueler shall have a supply of absorbent cleaning materials on hand to sufficiently clean fuel spills less than six feet in any dimension or to initially control a fuel spill in excess of six feet in any dimension.
- Any spill or dripped fuel, oil, grease, or other material which is flammable or detrimental to the pavement shall be cleaned immediately.
- Spilled fuel, oil, grease, or other material shall not be washed, flushed, or allowed to flow into any storm drain system.
- Materials utilized to clean up spilled fuel, oil, grease, or other material shall not be disposed of in any container used for disposal of other non-contaminated trash, garbage, or waste. Materials used to clean up fuel, oil, grease, or other material shall be disposed of by approved methods in accordance with all local, state, and federal laws.

#### 2.08.08. Duty to Notify

Primary responsibility for prevention and cleanup of spills rests with the individual, FBO, or other entity causing the spill. Persons involved with any hazardous material or chemical spill, regardless of the size or amount, shall immediately notify the Airport Manager. Notifications should include the type of material spilled, amount, time, location, if contained, and any other pertinent information available. Additionally, if any claim, demand, action, or notice is made against the person regarding the person's failure or alleged failure to comply with any environmental laws, the person shall immediately notify the Airport Manager and, within twenty-four hours, submit a written report to the Airport Manager, and shall provide copies of any written claims, demands, actions, or notices so made.

#### 2.08.09. Aircraft Accident and Incident Reporting

Operators of aircraft involved in accidents or incidents occurring at the Airport requiring notification to the FAA, NTSB, or insurance company shall notify the Airport Manager as soon as practical and make a full written report of the accident or incident to the Airport Manager within twenty-four hours. The report shall include the names and addresses of those involved, all details of the accident, and the aircraft involved. When a written report of an accident or incident is required by the FAA, a copy of such report shall be submitted to the Airport Manager at the same time.

#### *2.09. Enforcement*

The County and Airport Manager reserve the right to take any actions they deem necessary or appropriate in the event of any violation of these Rules, including, but not limited to prohibiting or restricting the use of the Airport and its facilities by the person committing such violation. Persons or entities found in violation of these Rules, or any order or directive of the Airport Manager related thereto and duly notified in writing of such violation, may be subject to remedial measures (e.g., warning, eviction, or denial of access to all or portions of the Airport) or enforcement under the Crook County Code and punishable as a civil infraction.

### 3. COMMERCIAL MINIMUM STANDARDS

#### *3.01. Introduction and Purpose*

As an Airport Improvement Program Sponsor, Crook County is required to operate the Airport for the use and benefit of the public and to make it available for all types, kinds, and classes of aeronautical activity. Part of that means the Airport and its facilities must be available to the public under terms that are reasonable and applied without unjust discrimination. For those members of the public seeking to engage in commercial activities at the Airport (“Commercial Operators”), these Commercial Minimum Standards are being implemented and enforced to ensure that a safe, efficient, and adequate level of operation and services is provided to the general public.

As these Commercial Minimum Standards are being implemented with the goal of protecting the level and quality of services offered to the public, the County will strive to apply them objectively and uniformly to all similarly situated. Adherence to these standards will enhance the value of the Airport to the public and, ultimately, benefit the Airport and those subject to these standards. As such, the County thanks all Commercial Operators for their efforts to meet and exceed the following minimum standards.

#### *3.02. Minimum Standards for All Commercial Providers*

The following general requirements shall apply to all commercial aeronautical activities at the Airport. Commercial Operators, including all SASOs and FBOs, engaging in commercial aeronautical activities at the Airport must comply with the general requirements of this section.

##### 3.02.01. License Required

Written authority from the County is required before any person or entity may offer or perform a commercial aeronautical activity, operation, or service at the Airport. The written authority from the County will typically be provided through a license, permit, FBO lease, or operating agreement (collectively referred to hereafter as a “License” for the purposes of these Minimum Standards). Aeronautical activities of governmental entities shall be regulated under separate rules, laws, or agreements with the County.

##### 3.02.02. Insurance Requirements

Commercial Operators shall be responsible for any and all property damage insurance for their hangar, aircraft, and other property at Airport. Commercial Operators shall protect the public generally, all customers, the County, the City of Prineville, and the Airport, including officers, employees, and agents of each from any and all lawful damages, claims, or liability. Commercial Operators, at their sole cost and expense, shall procure and maintain at all times, in full force and effect during all times in which aeronautical services are provided, a policy or policies of insurance, naming Crook County and the City of Prineville as additional insureds and covering all risks arising directly or indirectly out of the Commercial Operator’s activities at the Airport, including but not

limited to (1) coverage for hangar premises liability of others; (2) aircraft liability; and (3) hangar keeper's liability coverage with limits adequate to cover the potential damage. The limits for all such policies shall be the current statutory limit of liability under the Oregon Tort Claims Act or \$1,000,000 per occurrence and \$2,000,000 in the aggregate, whichever is higher. Evidence of the required insurance coverages issued by an insurance company satisfactory to the County shall be provided to the County by way of a County-approved certificate of insurance upon commencement of services and annually thereafter. The certificate of insurance shall contain a requirement that the insurance company notify the County thirty days prior to any cancellation or material change in coverage. If the approved insurance company will not provide this 30-day notice, the Commercial Operator shall provide written notice to the County within two calendar days after the Commercial Operator becomes aware that its coverage has been cancelled or has been materially changed. Regardless of what circumstances caused the Commercial Operator's insurance coverage to cease or be modified, it is their responsibility to notify the County.

### 3.02.03. Assurance of Financial Responsibility

Upon request and at any time, a Commercial Operator shall satisfy the Manager that the Commercial Operator is technically and financially able to perform the services mentioned in their License. The demonstration of financial responsibility may include submission of the latest balance sheet, credit references, and any other proof requested.

### 3.02.04. Facilities

Commercial Operators shall lease, sublease, or construct sufficient ground space, facilities, and accommodations for the proposed aeronautical activity. A Commercial Operator shall be a full-time, financially sound enterprise, with an adequately staffed and equipped facility, including ample office space. Hours may vary based on conditions such as weather, parts availability, and customers' schedules.

### 3.02.05. Rates

Rates or charges for any and all activities and services of a Commercial Operator shall be determined by the Commercial Operator, subject to the requirements that all such rates or charges shall be reasonable and equally and fairly applied to all Airport customers.

### 3.02.06. Operations

All Commercial Operators shall provide consistently high quality, responsive, and professional services that meet or exceed the needs of Airport users. Each Commercial Operator shall employ the quantity of trained, on-duty management and personnel necessary to meet or exceed the needs of Airport users. Each Commercial Operator shall provide the County with names, addresses, and contact information for all personnel responsible for the operation and management of the commercial operation. Additionally, all personnel employed by a Commercial Operator shall meet all



federal, state, and local training requirements and hold all relevant certifications required for their duties.

#### 3.02.07. Inspections

For the purpose of protecting the rights and interest of the County or to investigate a Commercial Operator's compliance with their License and the Airport's Rules, the Airport Manager or any authorized agent of the County shall have the right to inspect at all reasonable times all Airport property, including all structures and improvements, aircraft, equipment, and licenses and registrations.

#### 3.02.08. Subordination

Any rights granted through a License to conduct commercial operations at the Airport shall be subordinate to the provisions of any existing or future agreements between the County and the United States Government that relate to the operation or maintenance of the Airport and are required as a condition for the expenditure of federal funds for the development, maintenance, or repair of Airport infrastructure.

#### 3.02.09. Assignment

A Commercial Operator License is not assignable or transferable in any way without the express written consent of the County.

#### 3.02.10. Relationship of the Parties

A Commercial Operator License shall in no way be deemed or construed to create a relationship of principal and agent or to create any partnership, joint venture, or other association between County and a Commercial Operator.

#### 3.02.11. Compliance with All Laws

All Commercial Operators are required to comply with all local, state, and federal laws, ordinances, sponsor assurances, rules, and regulations as they may exist or be enacted in the future.

#### 3.02.12. Non-Exclusive

No rights or privileges granted with a Commercial Operator license shall be construed to be exclusive. At all times the Airport shall be available on reasonable terms to all types, kinds, and classes of aeronautical users and Commercial Operators without unjust discrimination. The County may grant a License to any Commercial Operator for the performance of services as provided in these Minimum Standards, provided that said Commercial Operator adheres to these Minimum Standards and the License.

### 3.02.13. Non-Discrimination

All Commercial Operators covenant that they will furnish all commercial services on a reasonable basis to all users thereof, charge reasonable prices for each unit or service, and not unjustly discriminate in any manner thereof. Moreover, no person on the grounds of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination by a Commercial Operator.

### 3.02.14. Indemnification

All Commercial Operators agree to indemnify, defend, and hold the County and City, their authorized agents, officers, representatives, and employees from and against any and all actions, penalties, liability, claims, demands, damages, or loss resulting from claims or court actions, whether civil, criminal, or in equity and arising directly or indirectly out of acts or omissions of the Commercial Operator, its agents, employees, guests, or business visitors.

### 3.02.15. Environmental Compliance

All Commercial Operators shall manage and conduct their activities at the Airport (a) in compliance with federal, state, and local environmental law; (b) in a manner designed to protect the environment; (c) in adherence to best management practices applicable to each respective Commercial Operator's activities; and (d) in cooperation with the County's efforts to comply with environmental laws and best environmental management practices.

## *3.03. Minimum Standards for Fixed Base Operators*

### 3.03.01. Primary Aeronautical Services

A Fixed Base Operator (FBO) is an entity engaged in the business of providing multiple services to aircraft. To qualify as an FBO, the entity must provide primary aircraft fueling services, as described in section 3.03.04 below, aircraft line services, pilot services, as well as at least two secondary services. Only FBOs or the Airport Manager are permitted to provide fueling services at the Airport. With the written approval of the County, FBOs may subcontract for secondary services provided such subcontractors meet these Commercial Minimum Standards. Each FBO shall conduct its business and activities from its Leased Premises in a professional manner consistent with the degree of care and skill exercised by experienced FBOs providing comparable market products, services, and activities from similar airports in like markets.

### 3.03.02. FBO Facilities

All FBOs shall lease or construct sufficient space to serve the public. Such sufficient space must include a public use terminal, customer lobby, office, pilot's lounge, restrooms, and a flight planning/weather briefing area. Moreover, all FBOs shall provide adequate parking for vehicles and

aircraft. All FBOs must be open for business seven days per week during appropriate business hours, excluding official holidays and Airport closures, and on-call at all other times.

### 3.03.03. Staffing and Employee Qualifications

Each FBO shall have a minimum of one employee on duty during all hours of operation. The FBO shall be staffed such that the FBO will meet or exceed the service level requirements of these Minimum Standards for each service offered, with the understanding that some employees may perform multiple responsibilities where feasible. All FBO employees must have the licenses or certifications required by law to perform any service for the public.

### 3.03.04. Fuel Services

An FBO providing fuel services shall develop and maintain Standard Operating Procedures (SOP) for refueling and ground handling operations, ensuring compliance with applicable fire codes and FAA Advisory Circular 00-34A, *Aircraft Ground Handling and Servicing* and FAA Advisory Circular 150/5230-4, *Aircraft Fuel Storage, Handling, and Dispensing on Airports*, FAR Part 139, and all other applicable laws related to aircraft fuel handling, dispensing, and storage. The SOP shall address bonding and fire protection, public protection, control of access to the fuel storage area, and marking and labeling of tanks and fuel-dispensing equipment. The SOP shall be delivered to the Airport Manager prior to commencing fueling activities. Additionally, the FBO shall obtain all applicable fueling certifications and permits and receive periodic refresher training as appropriate or required.

Each FBO must provide the sale and into-plane delivery of ASTM-rated aviation fuels, lubricants, and other aviation related petroleum products. In addition, the FBO shall provide, store, and dispense either 100LL Avgas or Jet A fuel or both. The FBO must provide a stationary fuel storage system that meets all FAR Part 139, Air Transport Association (ATA) 103 requirements, and all applicable regulations and standards, as well as sufficient and properly located fire extinguishers and safety equipment in accordance with the Uniform Fire Code.

#### 4. DEFINITIONS

**Abandonment** – Abandoned or unclaimed means an aircraft, vehicle, machinery, or other personal property that has not been utilized, flown, or worked on for an excessive period, whether located, stored, or parked inside a hangar or on a tie-down, and/or has not been maintained in flyable condition.

**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, such as air taxi, cargo and charter operations, scheduled or nonscheduled air carrier services, pilot training, aircraft rental, flying clubs, aerial photography, crop dusting, aerial advertising and surveying, aircraft sales and service, aircraft storage, sale of aviation petroleum products, repair and maintenance of aircraft, sale of aircraft parts, avionics, parachute activities, ultralight activities, etc.

**Aeronautical Service** – Any service which involves, makes possible or is required for the operation of aircraft, or which contributes to or is required for the safety of aircraft operations commonly conducted on the Airport by a person who has a lease, license, or permit from the County to provide such service.

**Air Operations Area (AOA)** – That area of the Airport used or intended to be used for landing, takeoff, or surface maneuvering of aircraft. The AOA includes the active runways, taxiways, taxi lanes, apron, ramp, and turf areas. Part of the AOA may be within restricted and/or secured areas.

**Aircraft (also Airplane, Balloon, Ultralight, Helicopter)** – Any device or contrivance now known or hereinafter invented, that is used or intended to be used for flight in the air.

**Aircraft Maintenance** – The repair, adjustment, or inspection of an aircraft by a pilot, owner or mechanic other than the routine cleaning, upkeep, and servicing of an aircraft in preparation for flight. Minor repairs are characterized as normal, routine annual inspection with maintenance, repair, calibration, adjustment or repair of aircraft and their accessories. Major repairs are characterized as major alterations to the airframe, power plant, propeller and accessories as defined in Title 14 CFR Part 43.

**Aircraft Operation** – An aircraft takeoff, landing, touch and go, stop and go, low approach, and/or missed approach.

**Aircraft Ramp** – See Apron.

**Aircraft Support and Service Vehicles** – Those motor vehicles routinely used on the AOA for service, maintenance, and aircraft support such as maintenance trucks, fuel trucks, and aircraft towing vehicles. Privately owned vehicles operated by persons with based aircraft are excluded.

**Airplane** – See Aircraft.

**Airport** – All areas of the County facilities designed and used for aviation purposes.

**Airport Manager** – The Manager of the Crook County Prineville Airport or their designee. The term Airport Manager as used herein, shall include Airport personnel duly designated to represent the Airport Manager and to act on behalf of the Airport Manager for the enforcement of these Rules to ensure the efficient, proper, and safe operation of the Airport, but only to the extent authorized by law or properly delegated by the Airport Manager.

**Apron** – An area of the Airport designated for aircraft surface maneuvering, parking, fueling, servicing, and enplaning/deplaning of passengers.

**Aviation Related Activity** – Any activity conducted on Airport property that provides service and support to Airport users. The following examples are considered aviation related activities as opposed to aeronautical activities: ground transportation, rental cars, and auto parking lots.

**AVGAS** – Any FAA approved aviation fuel for non-diesel reciprocating engine powered aircraft.

**AVJET** – Any FAA approved aviation fuel for turbine engine or diesel-powered aircraft.

**Balloon** – See Aircraft.

**Based Aircraft** – Any aircraft which has a primary storage location identified with a specific airport.

**Business Aviation** – Use of aircraft in the furtherance of corporate or business interests.

**CFR** – Code of Federal Regulations.

**City** – The City of Prineville, Oregon, operator of the Airport, acting by or through the Prineville City Council or any duly authorized employee, agent or instrumentality of the City of Prineville, Oregon.

**Commercial Operator** – Any person or entity engaged in the transfer of goods, operations, or services performed for compensation, monetarily or otherwise, which is conducted on or based at the Airport, excepting those activities specifically designated herein as noncommercial activities. An activity is considered commercial activity regardless of whether the business is nonprofit, charitable, or tax-exempt.

**Corporate Aviation** – Use of aircraft in the furtherance of corporate or business interests.

**County** – Crook County, Oregon acting by and through its County Court or designee.

**County Code** – The Crook County Code, as adopted by the Crook County Court.

**DEQ** – The Oregon Department of Environmental Quality.

**DMV** – State of Oregon Department of Motor Vehicles.

**Emergency Vehicles** – Vehicles that are painted, marked, lighted or escorted and used by law enforcement (police, highway patrol or sheriff) or security officers, fire department, ambulance, military, or other Airport officials to carry out their daily duties or used in response to an emergency situation.

**Engine Run-Up** – The operation of an engine at power settings in excess of those needed for normal taxiing of the aircraft. Engine run-ups are usually conducted at relatively high power settings in order to determine the performance of an aircraft engine.

**Engine Run-Up Areas** – Areas designated by the Airport Manager where high power settings of an aircraft engine are approved.

**FAA** – Federal Aviation Administration.

**Fixed Base Operator (FBO)** – A commercial aviation business entity, which maintains facilities on the Airport for the purpose of engaging in the retail sale of, or providing one or more of the following: aviation fuel, oil or lubricants; the sale, brokerage or storage of aircraft; rental of aircraft; flight instruction and training; aircraft charter services; airframe and power plant (engine) repair; avionics sales and service, and/or aircraft line services. Fundamentally, an FBO is also defined as an airport-based aircraft service organization which operates under a lease or use agreement with an airport sponsor or operator for the specific purpose of providing a full variety of aviation services. Typically, a full-service FBO would offer aircraft retail fuel service, transient aircraft services, airframe and power plant repair, charter services, aircraft rental, and pilot training.

**Flying Club** – A non-commercial organization established to promote flying, develop skills in aeronautics, including pilot training, navigation, and awareness and appreciation of aviation requirements and techniques.

**Fuel Flowage Fee** – A fee paid to the County or FBO for each gallon of fuel distributed at the Airport as outlined in the current County's schedule of fees and service charges.

**Fuel Handling** – The storage, transportation, delivery, dispensing, fueling, de-fueling, and draining of aviation or motor vehicle fuel or waste aviation or motor vehicle fuel products.

**Fuel Storage Area** – Those locations on the Airport designated in writing by the Airport Manager as areas in which aviation or motor vehicle fuels or any other type of fuel may be stored and used for the delivery of bulk fuels by a wholesaler or reseller of fuels.

**Hangar** – An enclosed storage space for one or more aircraft.

**Hazardous Material** – Any substance or material which has been determined to be capable of posing risk of injury to health, safety or property, including petroleum products, and including all of those materials and substances designated as hazardous or toxic, presently or in the future, by the U.S. Environmental Protection Agency, the Water Quality Control Board, the U.S. Department of

Labor, the U.S. Department of Transportation, the U.S. Department of Agriculture, the U.S. Consumer Product Safety Commission, the U.S. Department of Health, Education and Welfare, the U.S. Food and Drug Administration, DEQ, and any other governmental agency authorized to regulate materials and substances in the environment. Without limiting the foregoing, the term “Hazardous Materials” shall include all of those materials and substances defined as “Toxic Materials” by the DEQ.

**Landside** – All buildings and surfaces on the Airport used by surface vehicular and pedestrian traffic that are located outside of the Airport security area.

**Lease** – An agreement granting occupation or use of property during a certain period in exchange for a specified rent.

**Leased Premises** – The area in which a lessee will have a property interest. Typically, the Leased Premises is the footprint of a present or planned hangar, but will also include any portion of the Airport in which a lessee wishes to have exclusive use and control. A survey is required to establish the precise dimensions of the Leased Premises.

**Lessee** – Any person, firm, general or limited partnership, corporation, company, organization, trust, or association leasing or using any land or facility at the Airport under a written agreement with the County.

**License** – The legal agreement between the County and a Commercial Operator that authorizes the Commercial Operator to conduct business on the Airport and identifies the parameters, conditions, rates, and charges due to the Airport for that right.

**MOGAS** – Any approved grade of fuel for an aircraft with a reciprocating engine and having an appropriate Supplemental Type Certificate (STC) authorized by the FAA.

**Noncommercial Operator** – Any person or entity engaged in an activity which does not involve the providing of goods or services for compensation, monetarily or otherwise. This includes the lawful use and maintenance of aircraft by its registered owner(s) or employees and the following activities specifically designated as noncommercial:

- Use of privately owned aircraft for noncommercial transportation.
- Use of corporately owned aircraft for noncommercial transportation.
- The use of aircraft from a noncommercial flying club by its registered owner/members.
- Flight instruction provided to a noncommercial flying club owner/member by another owner/member provided that the instructor shall not receive remuneration in any manner for such service.
- Maintenance performed on an aircraft owned by a noncommercial flying club by an owner/member of that flying club, provided that the mechanic shall not receive remuneration in any manner for such service.

**NTSB** – National Transportation Safety Board.

**Park/Parking** – The standing of an aircraft or vehicle, whether occupied or not.

**Person** – Also referred to as responsible party, shall mean an individual, firm, general or limited partnership, corporation, company, trust, limited liability corporation, association, or any trustee, receiver, assignee or similar representative thereof leasing, subleasing, making application for, or using any land or facility at the Airport.

**Ramp** – See Apron.

**Restricted Area** – Those portions of the Airport closed to access by the general public.

**Self-Fueling** – Fueling of an aircraft on Airport property, performed by the aircraft owner or operator in accordance with the Airport's standards or requirements and using fuel obtained by the aircraft owner from the source of their preference.

**SASO** – Specialized Aviation Services Operators are single-service providers or special fixed-base operators performing less than full services. SASO services frequently include such services aircraft airframe engine maintenance and repair, independent flight instruction, aircraft rental, and aircraft charters.

**Sublease** – A lease of a property by a tenant to a subtenant.

**TSA** – Transportation Security Administration.

**Taxi Lane** – The portion of the Airport apron area, or any other area, used for access between taxiways and aircraft parking and storage areas.

**Taxiway** – An area of the Airport developed and improved for the purpose of maneuvering aircraft and used for access between runways, ramps, aprons, and aircraft parking positions.

**Tenant** – See Lessee.

**Terminal** – The primary facility or facilities at an airport through which pilots and passengers transition between aircraft and local transportation modes.

**Transient Aircraft** – Any aircraft not permanently based at the Airport.

**Tie-Down (or Open Tie-Down)** – An open-air aircraft storage space.

**Vehicle** – All motorized and non-motorized conveyances, except aircraft.

**Ultralight** – A lightweight aircraft subject to minimal regulation by 14 CFR Part 103. The FAA defines an ultralight primarily by defining limits on weight, top speed, and fuel capacity. The spirit of the definition requires that an ultralight be a low speed, short range, and lightweight aircraft.