

TWEED-NEW HAVEN AIRPORT AUTHORITY

MINIMUM STANDARDS for the Development and Operation of Aviation Facilities at Tweed-New Haven Regional Airport In the State of Connecticut

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1.0 INTRODUCTION

The Airport is a public use facility owned by the City of New Haven and operated by the Tweed-New Haven Airport Authority [the "Authority"]. The Authority is subject to numerous Federal obligations including those imposed by the Federal Aviation Administration ("FAA") pursuant to Grant Agreements. Applicable laws and regulations include:

- Federal Aviation Act of 1958, as amended, and its precedent, Civil Aeronautics Act of 1938.
- Civil Rights Act of 1964
- FAA Order 5190.6A, Airport Compliance Requirements
- Advisory Circular 150/5100-16A, Airport Improvement Program Grant Assurance Number One – General Federal Requirements
- Advisory Circular 150/5190-6 Exclusive Rights at Federally – Obligated Airports
- Advisory Circular 150/5190-7 Minimum Standards For Commercial Aeronautical Activities

Under each Grant Agreement, the Authority has agreed to assume certain obligations pertaining to the operation, use and maintenance of Tweed-New Haven Regional Airport. These obligations remain in full force and effect throughout the useful life of facilities developed under the funded projects, not to exceed 20 years. Failure to meet its obligations could result in the Authority becoming ineligible for federal funding or other sanctions.

The FAA encourages airport operators to develop and publish minimum standards to be met by all who use or occupy the airport property. It is the prerogative of the Authority to impose conditions on users of the airport to ensure its safe and efficient operation. Such conditions must be fair, equal, and not unjustly discriminatory. They must be relevant to the proposed activity, reasonably attainable, and uniformly applied. A fair and reasonable opportunity will be afforded to all applicants to qualify, or otherwise compete, for available airport facilities and the furnishing of selected aeronautical services; subject to the Minimum Standards and Requirements as established by the Authority.

2.0 AUTHORITY

This document was originally approved on March 7, 1983 by the New Haven Board of Airport Commissioners (hereinafter called the "Airport Commission") pursuant to the City Charter. Effective July 1, 1998, oversight and enforcement of this document became the responsibility of the Authority, which may amend it from time to time. These provisions shall be applied uniformly to all prospective developers and operators. No development of aviation facilities or operations will be permitted except in compliance with the provisions set forth herein.

In order to foster, encourage, and insure the economic health and orderly development of aviation and related aeronautical activities at Tweed-New Haven Regional Airport, the Authority has established certain policies, standards and requirements for Commercial Aeronautical Operators, (hereinafter referred to as "Operators").

Any operator of a commercial aeronautical venture based on the Airport will be subject to applicable Federal, State, and local laws, codes, ordinances, and other regulatory measures, including Airport rules and regulations. The Authority reserves the right to change these standards at its discretion. Any adjustments by Operators necessitated by such changes will be negotiated as to time of implementation.

A written agreement, permit or lease executed by the Authority and the Operator is a prerequisite to tenancy or any entity conducting business on the Airport and the commencement of any operations thereon. The agreement, permit or lease provisions must be compatible with these Minimum Standards. The Minimum Standards are included as part of all leases between the Authority and any person or persons, firm or corporation based on the Airport and engaged in any commercial aeronautical services or activities. Information relative to rentals, fees, and charges applicable to aeronautical services included herein will be made available to all prospective commercial aeronautical operators by the Airport Manager.

Benefits derived from Minimum Standards include:

- Promotion of safety in airport activities
- Maintenance of high quality service for all airport users
- Providing financially equitable treatment to all tenants
- Defining the minimum operating threshold for prospective commercial operators
- Protection of airport users from unlicensed and unauthorized products and/or services
- Promotion of orderly development of airport property
- Fostering mutually beneficial tenant-landlord relationships

Minimum Standards establish a template for safe operations, address environmental liability issues, minimize exposure to claims of discrimination or unfair treatment by providers of aeronautical services, and minimize accident exposure. Minimum Standards set the format for which Airport Management can measure requests for business activity on the airport and allow providers of aeronautical services to make sound business decisions concerning the future of their business.

The details for construction of structures and other facilities are not included in the Minimum Standards. In accordance with the continuing aesthetic and environmental improvement of the Airport, Airport Management shall review and approve all site plans, new construction, remodeling projects, signage and color schemes proposed by a Lessee prior to such improvements by the Lessee. Construction proposed by a prospective Lessee must be in accordance with Local Building Codes or such other revised code as may subsequently be adopted.

3.0 DEFINITIONS

As used in these Minimum Standards, the following terms shall have the following meanings:

Aeronautical Activity - Any activity that involves, makes possible, or is required for the operation of aircraft or that contributes to or is required for the safety of such operations.

Note: Activities within this definition commonly conducted on airports include, but are not limited to, the following: air taxi and charter operations, scheduled and nonscheduled air carrier services, pilot training, aircraft rental and sightseeing, aerial photography, aerial advertising and surveying, aircraft sales and services, aircraft storage, sale of aviation petroleum products, repair and maintenance of aircraft, airframes and power plants, sale of aircraft parts, air ambulance services, avionics sales and repairs, aircraft storage and any other activities that, because of their direct relationship to the operation of aircraft, can appropriately be regarded as aeronautical activities.

Air Charter or Taxi - the commercial operation of providing non-scheduled air transportation, under FAR Part 135, of person(s) or property for hire on demand. Air Charter services can be offered on any size aircraft, however, air taxi services are limited to aircraft with fewer than 60 seats.

Aircraft - any device used or designed for navigation or flight in the air including, but not limited to, an airplane, sailplane, glider, helicopter, gyrocopter, ultra-light, balloon, or blimp.

Aircraft Fuel - all flammable liquids composed of a mixture of selected hydrocarbons expressly manufactured and blended for the purpose of effectively and efficiently operating an internal combustion, jet, or turbine engine.

Aircraft Maintenance - inspection, overhaul, repair, preservation, alteration, and the replacement of parts by individuals or companies operating under 14 CFR Part 43 or Part 145 but excludes preventive maintenance.

- (1) Major Repair means a repair which, if improperly done, might appreciably affect weight, balance, structural strength, performance, power plant operation, flight characteristics, or other qualities affecting airworthiness.
- (2) Minor Repair means a repair other than a major repair.
- (3) Major Alteration means an alteration not listed in aircraft, aircraft engine, or propeller specifications which might appreciably affect weight, balance, structural strength, performance, power plant operation, flight characteristics, or other qualities affecting airworthiness.
- (4) Minor Alteration means an alteration other than a major alteration.

Aircraft Movement Area - all paved airfield surfaces (except for the designated general aviation, terminal, and cargo aprons) which includes all runways, taxiways, and non-marked aircraft maneuvering areas of the airport. The Aircraft Movement Area is defined under formal agreement with the Airport Traffic Control Tower (ATCT) chief, airport owner, airlines, and other major aviation users of the airport. When in operation, the Airport Traffic Control Tower has direct and positive control of activities within the Aircraft Movement Area. The Aircraft Movement Area is considered a "restricted area" requiring access authorization by the Authority.

Aircraft Non-Movement Area - means all airfield pavement other than those areas designated as the Aircraft Movement Area. Includes aprons designated as General Aviation Apron and Terminal Apron.

Aircraft Operation - the taxi, takeoff, or landing of an aircraft within the designated Aircraft Movement Areas or Aircraft Non-Movement Areas.

Aircraft Operator - an operator which pilots, controls, owns, leases or maintains an aircraft.

Aircraft Owner - a person or entity holding legal title to an aircraft, or having exclusive possession of an aircraft.

Aircraft Parking and/or Storage Areas - those hangar and apron locations of the airport designated by the Authority for the parking and storage of aircraft. These areas include "tiedown" aprons equipped with three-point rope or chain devices used to secure aircraft.

Aircraft Rental - the commercial operation of renting or leasing aircraft to the public for compensation.

Aircraft Sales - the sale of new or used aircraft through brokerage, ownership, franchise, distributorship, or licensed dealership.

Airfield – includes both the Aircraft Movement Area and the Aircraft Non-Movement Area, as previously defined in this section.

Airport - the entirety of the Tweed-New Haven Regional Airport.

Airport Layout Plan - also ALP Sheet or ALP Set. A graphic presentation to scale of existing and proposed airport facilities, their location on the airport and the pertinent clearance and dimensional information required to show conformance with applicable FAA airport planning and design standards. A current FAA-approved ALP is a prerequisite to issuance and receipt of federal funding in support of any airport capital improvement project.

Airport Master Plan - the FAA-approved concept of the ultimate development of the airport. It presents the research and logic underlying the plan and displays the plan in written and graphic forms.

Airport Minimum Standards - the document adopted and formally approved by the Authority within which are detailed provisions defining the minimum standards acceptable by the Authority for entities aspiring to conduct commercial or non-commercial operations or activities on the airport.

Airport Owner - Tweed-New Haven Airport Authority, by lease from the City of New Haven.

Airport Property - all airport real estate and other material assets owned, leased or controlled by the Authority through a legal agreement.

Airport Traffic Control Tower (ATCT) – the structure known as the airport traffic control tower and its personnel, equipment, facilities, and services as sanctioned and certified by the FAA for the control, separation, and movement of aircraft in the air or on the ground.

Approval - the written approval of the Authority.

Apron - also Ramp. Those areas of the Airport, both public and private/leased, designated by the Authority for the parking or storage of aircraft. These areas are usually restricted access and involve aeronautical activities such as enplaning and deplaning passengers, aircraft servicing, aircraft parking and tie-down, and the handling of air cargo transfer.

Assurance - a provision contained in a Federal grant agreement to which the recipient has voluntarily agreed to comply in consideration of the assistance provided.

Based Aircraft - any aircraft whose "home base" or "permanent residence" is Tweed.

Building - the main portion of each structure plus all projections or extensions therefrom and any additions or changes thereto, including wall and roof fixtures, garages, outside platforms, docks, carports, canopies, eaves, and porches.

CFR - Code of Federal Regulations. 14 CFR pertains to Aeronautics and Space.

Commercial Aeronautical Activity - any commercial activity which relates to aviation activities in general. Such activity includes, but is not limited to: charter operations, pilot training, aircraft rental, sightseeing, aerial photography, crop dusting, aerial advertising, aerial surveying, air taxi operations, aircraft sales, service, sale and storage of aviation petroleum products, repair and maintenance of aircraft, and the sale of aircraft parts.

Commercial Aeronautical Service - a service which involves, makes possible, or is required for the operation of aircraft, or which contributes to, or is required for the safe conduct and utility of such aircraft operations, and includes those services provided by either a Fixed Base Operator (FBO) or a Specialized Aviation Service Operator (SASO).

Commercial Aeronautical Operator - a person or persons, partnership, firm, or corporation engaging in an activity which involves, makes possible, or is required for the aircraft operation, or which contributes to or is required for the safety of aircraft operations, with the objective of securing earnings, income or compensation, whether or not such objective(s) are accomplished. Authorized activities shall include any one, or a combination of the following aeronautical services performed in full compliance with the specific activity standards, hereinafter, set forth:

- Aircraft Sales (New and/or Used)
- Airframe and Power Plant Repair Facilities
- Aircraft Rental, Charter, and Air Taxi
- Flight Training
- Specialized Aircraft Repair Service - radios, propellers, instruments, and accessories
- Specialized Commercial Flying Services
- Multiple Services

Operation by scheduled air carriers and scheduled air taxi services, as defined by the FAA, or any other activities not specifically provided for in the minimum standards, will be subject to negotiation.

Commercial Self-Service Fueling - fueling of an aircraft by the pilot using commercial fuel pumps installed by for that purpose.

Equipment - all machinery, together with the necessary supplies, tools, and apparatus necessary to properly conduct the activity or services being performed.

Exclusive Right - the power, privilege or other right excluding or debarring another from enjoying or exercising a like power, privilege or right or by other means. An exclusive right can be conferred by express agreement, by the imposition of unreasonable standards or requirements, or by any other means. Such a right conferred on one or more parties but excluding others would be an exclusive right.

Note: Granting an exclusive right to conduct activities on an airport developed or improved with federal funds is expressly prohibited by law; however, the law does not preclude the Authority from reserving such exclusive rights unto itself.

FAA - the Federal Aviation Administration of the United States Department of Transportation.

Fixed-Base Operator (FBO) - any operator which maintains facilities defined herein at the airport for the purpose of engaging in the retail sales of aviation fuels and associated line service, aircraft airframe and power plant repair and maintenance, and a minimum of three (3) of the following: flight instruction/aircraft rental, aircraft sales, air taxi and aircraft charter operation, avionics, instrument, propeller repair, aircraft storage, or aircraft parking (tie-down).

Fueling Agent - any FBO business licensed and authorized to dispense fuel into aircraft or to accept delivery of fuel from a major oil company or fuel wholesaler at the fuel tank storage facility or fuel farm or dispensing fuel into fuel servicing vehicles.

Fuel Servicing Vehicle - also Fuel Tanker Vehicle, or Refueling Truck/Vehicle. Any motor vehicle used for transporting, handling or dispensing aviation fuel, oils, and lubricants on the airport.

Fuel Storage Area - also Fuel Farm. Facilities where AVGAS, Jet-A, automobile gasoline (Mogas), or other hazardous materials are stored. These facilities must be designated, inspected and approved by the Authority for safe storage and handling of fuels in accordance with these minimum standards.

General Aviation - all categories and types of aviation activities and/or commercial operations other than those for certified air carriers defined under FAR Parts 121 or 135 or the Department of Defense.

Hangar - any fully or partially enclosed storage space for one or more aircraft.

Hazardous Material - a substance or material in a quantity or form that may pose an unreasonable risk to health, safety, or property when stored, transported, or used in commerce as defined by the U.S. Department of Transportation, the Environmental Protection Agency.

Improvements - all buildings, structures, and facilities, including pavement, fencing, signs, and landscape constructed, installed or placed on, under or above any leased area by or with the

concurrence of a lessee. Plans and specifications for all improvements must be approved by the Authority for conformity with its buildings and construction standards.

International Aircraft Operation - operations outside the mainland U.S., including operations between the U.S. and foreign countries and between the U.S. and its territories or possessions; including both combination passenger/cargo carrier and the all-cargo carriers engaged in international operations.

Itinerant Aircraft - also Transient Aircraft. Any aircraft not "home-based" at the Airport, but transiting the Airport, obtaining fuel service or other service at the Airport, or on-loading or off-loading passengers or cargo. Itinerant aircraft are "home-based" elsewhere and may park or hangar at the Airport for short periods of time.

Itinerant Mechanic - an individual or business that conducts aviation mechanical repairs at the Airport for profit, but is not a tenant or located on the Airport property. The mechanic is responsible for acquiring all required Licenses and Insurance Policies that may be required.

Lease - a contract in writing between the Authority and an operator that transfers rights or interests in property, or otherwise authorizes the conduct of certain activities, enforceable under Connecticut law.

Leased Premises - the entirety or portions of a ground area under lease by the Authority to one or more entities; including all or parts of buildings, improvements, and structures.

Lessee - any operator having a valid lease with the Authority.

Non-Aeronautical-Related Commercial Operation - commercial activity by entities that, by nature of the operation or service, are not directly associated with aeronautical activities. Any such permitted activities shall not adversely affect the usefulness, operation, or safety of the airport. Examples of non-aeronautical-related commercial operations typically include: car rentals, taxi service, restaurants, bars/lounges, vending machines and retail stores.

Non-Aeronautical-Related Commercial Operator - means any operator that through lease and/or agreement with the Authority conducts on-airport commercial activities which, by nature of the operation or service, are not directly associated with aeronautical activities.

Non-Commercial Aeronautical Activity - activity by any operator conducting general aviation service(s) solely for its own benefit, not for the benefit of the public, or for hire.

Non-Commercial Aeronautical Operator - any operator who through lease and/or agreement with the Authority maintains a facility or provides a general aviation service solely for its own benefit, and not for the benefit of the public. Such non-commercial aeronautical operators are specifically prohibited from offering aeronautically related products or services for sale to the public.

Operating Agreement - a written contract enforceable by law between the Authority and an operator granting a concession or otherwise authorizing certain activities.

Operator - also Commercial Aeronautical Operator. Any operator engaged in any business on the Airport authorized and licensed to conduct such business by virtue of a contract, lease or agreement with the Authority, whether or not directly associated with aircraft and aeronautical activities.

Permittee - any operator having a valid permit from the Authority.

Public-Use Airport: any airport, whether owned and operated by public or private entities, which is open for public use.

Repair Facility - any facility properly designed and equipped as specified herein to be utilized for the repair of aircraft to include airframe, power plant, propellers, radios, instruments, and accessories. Such facility will be operated in accordance with pertinent FAA regulations.

Self-Fueling - the fueling of an aircraft by the aircraft owner or pilot or the owner's employee, subject to a fuel flowage fee as established by the Authority.

Self-Service - includes activities such as adjusting, inspecting, repairing, cleaning, and otherwise providing service to an aircraft, provided the aircraft owner or his/her employees perform the self-service with resources supplied by the aircraft owner.

Self Service Fueling - fueling accomplished by the owner, owner's employee, or operator of an aircraft at a facility authorized by the Authority to conduct Self Service Fueling operations.

Specialized Aviation Service Operation (SASO) - an aeronautical business that offers a single or limited service. Examples of these specialized services may include aircraft flying clubs, flight training, aircraft, airframe and power plant repair/maintenance, aircraft charter, air ambulance, aircraft sales, avionics, instrument or propeller services, or other specialized commercial flight support business.

Sublease - means, with specific permission from the Authority, a subordinate lease granted by a lessee to another operator for specified use of all or part of the airport property defined within the original lease.

Tie-down - means the designated paved or turf area suitable for parking of aircraft wherein a minimum of three suitable tie-down points are available.

4.0 REQUIREMENTS FOR COMMERCIAL AERONAUTICAL OPERATORS

The standards and requirements set forth in this Section are applicable to each category of Operator described in Sections 5.1 – 5.17. These requirements are part of the Minimum Standards for each such operation, whether or not specifically recited in Sections 5.1 – 5.17.

4.1 APPLICATION. Each prospective operator shall submit the following information in writing to the Airport Manager at the time of application, and thereafter shall submit such additional information as may be requested by the Authority.

The prospective Operator may select one or more aeronautical services covered by these minimum standards. Where more than one activity is proposed, the minimum requirements will vary (dependent upon the nature of individual services in such combination) but will not necessarily be cumulative in all instances. Because of these variables, the applicable minimum standards on combinations of services will be discussed with the prospective Operator at the time of its application.

As a condition precedent to the granting of an operating privilege on the Airport, each prospective operator must submit a detailed description of the intended operation and the means and methods proposed to comply with these standards in order to provide high-quality service to the aviation and general public, including the following:

1. The name, address, and telephone/FAX number of the applicant. If the applicant is a corporation, name, address and telephone/FAX number of registered agent of the corporation. If the applicant is a partnership, name, address and telephone number of all general partners.
2. The services to be offered.
3. The proposed date for commencement of operations.
4. The amount of land to be leased and building to be constructed or leased, if any.
5. The number of aircraft to be provided, if applicable.
6. The number of persons to be employed and hours of proposed operation.
7. The number and types of insurance coverage maintained.
8. Evidence of financial capability to perform and provide the proposed services and facilities.
9. Copies of all licenses, certifications, and permits possessed by the applicant or its key employees that are necessary or required to perform the proposed services.
10. Description of the methods to be used to assure compliance with fire, sanitation, health and safety codes.
11. Layout Site Plan of proposed facilities including utilities, drainage, and landscaping.
12. Designated Professional Engineer that the prospective operator will use to design the facilities.
13. Proposed development construction schedule and engineering cost estimates.
14. Guarantee Check - Each prospective operator will submit a cashier's check payable to the Authority. If the prospective operator's proposal is rejected, the check will be returned without interest. In no case will a check be held longer than 90 days. If the prospective operator's proposal is accepted, the check will be applied to the first month's agreed-upon fee. If the prospective operator refuses to execute an agreement after acceptance of the proposal the entire check will be retained by the Authority as liquidated damages.

4.2 FINANCIAL RESPONSIBILITY. Each proposal must be accompanied by a certified statement from a C.P.A., bank or other financial institution licensed in the State of Connecticut which indicates that the prospective operator currently has assets of such an amount as to successfully finance, equip and supply the facilities being proposed. In lieu of such statement, a performance bond may be considered by the Authority.

The prospective operator must also demonstrate financial capability to initiate operations and to construct improvements and appurtenances that may be required for the proposed operation, and shall also indicate its ability to provide working capital to carry on the contemplated operations once initiated.

4.3 EXPERIENCE. The prospective Operator shall furnish the Authority with a statement of its past experience in the specified services proposed to be furnished, together with a statement setting forth personnel to be used for the operations and the experience of said personnel.

4.4 REQUIREMENT OF A WRITTEN AGREEMENT. Prior to the commencement of operations, the prospective Operator will be required to enter into a written agreement with the Authority setting forth the terms and conditions for its business on the Airport, including, but not limited to, the term of agreement; the rentals, fees, and charges; the rights, privileges and obligations of the respective parties; and other relevant covenants. The conditions set forth in the Minimum Standards and Requirements do not represent a complete recitation of the provisions to be included in the written agreement. Such contract provisions, however, may not change or modify the Minimum Standards and Requirements or be inconsistent therewith.

4.5 INSURANCE. The prospective Operator shall procure and maintain insurance of the types and in the minimum limits set forth in the agreement (lease, permit, etc) The insurance company, or companies, writing the required policy, or policies, shall be licensed to do business in the State of Connecticut. In all cases, the Operator must comply with Connecticut Statutes with respect to Workmen's Compensation and Unemployment Insurance.

Such policies will name the following as insured parties, and all agreements will contain a clause wherein the Operator indemnifies and holds harmless the Authority, AvPORTS, the City of New Haven, and the Town of East Haven for any and all claims, damages, costs or judgments arising as a result of the Operator's conduct of any operations on the Airport. Insurance coverage must be approved by the Authority and certificates must be provided to the Airport Manager and maintained in full force and effect at all times.

Insurance required by the Authority shall include coverage of: Premises and operations, Independent contractors and subcontractors liability, real property (fire), personal injury, worker's compensation, employer's liability, builder's risk, and product/completed operations coverage. The applicable insurance coverages shall be in force during the construction of the Operator's facilities and/or prior to entry upon the airport for the conduct of business.

4.6 MOTOR VEHICLES ON AIRPORT. The Operator may make provisions for the transportation of pilots and passengers of transient general aviation aircraft (using the Operator's facilities and services and in the conduct of the Operator's business) to and from the Operator's office to the Operator's aircraft parking or tie-down areas, etc.

Operators performing this service shall do so only in strict accordance with Airport Rules and Regulations, applicable federal, state, and municipal laws, ordinances; codes, or other regulatory measures now in existence or hereinafter adopted. All drivers assigned by the Operator must complete the airport's on-airport driving training course. The Operator shall be required to equip these motor vehicles with two-way radio capable of communicating with the FAA Airport Traffic Control Tower (ATCT) as well as with appropriate rotating beacons, and must comply strictly with the orders and instructions by radio, light signal or other communications from the FAA Air Traffic Control Tower. No vehicle allowed on any paved or treated aircraft movement or parking area shall have dual wheeled axle loadings greater than that provided for in construction plans, certified by a professional engineer, or subsequently approved by the FAA.

4.7 MISCELLANEOUS. Each Operator shall keep and maintain its leased premises in a safe, neat, and orderly manner to the extent necessary to meet or exceed good housekeeping/HAZMAT containment practices in conformance with the Airport's Stormwater Pollution Prevention Plan (SWPPP) as required by the U.S. Environmental Protection Agency NPDES Stormwater Program and in accordance with regulations of the Connecticut Department of Environmental Protection.

The Operator shall maintain in good condition any pavement or other site work constructed by the Operator, as well as the exterior and interior of buildings. Utility service, trash removal, and all grass mowing and landscape maintenance within the Operator's leased premises shall be the Operator's responsibility.

Unless specifically addressed by lease terms or written agreement, all leasehold improvements constructed or installed by the Operator become the property of the Authority at the end of the lease term without charge or cost to the Authority.

All Operators shall keep the sound level of their operations as low as reasonably possible, particularly during the hours of 10 p.m. to 7 a.m. All Operators will comply with the City of New Haven Noise Ordinance. Operators will comply with specific noise abatement procedures specified in the Airport Regulations. Operators will endeavor to avoid and eliminate annoyances to others on or off the airport as may be caused by noise, dust, fumes, vibrations, lighting, or other characteristics of the lessees operation as much as possible and consistent with safe operations.

5.0 AVIATION SERVICE PROVIDERS

5.1 AIR CARGO PROVIDERS

STATEMENT OF CONCEPT. An Air Cargo Provider is a person or persons, firm or corporation engaged in the transport of cargo or freight, including express packages and mail, using either passenger or all-cargo aircraft. An air cargo carrier is certificated in accordance with FAR Part 121 to provide scheduled air freight, express, and mail transportation over specific routes, as well as to conduct nonscheduled operations that may include passengers. Air cargo providers are classified as either major carriers or feeder carriers. Major carriers are those that use aircraft capable of accommodating 60 or more passenger seats (even though they are not carrying passengers) and feeders are all other carriers.

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1. Self-fueling or fuel storage shall be permitted so long as the individual performing the fueling meets all Authority standards for aircraft fueling. All fuel must be brokered through an Authority approved FBO operator.
2. All aircraft must be compliant with FAR Part 36. The Operator shall provide the Authority with proof that all aircraft being used for air cargo service meet the requirements of FAR Part 36 with regard to noise generation.

5.2 AIR PASSENGER CARRIERS

STATEMENT OF CONCEPT. An air passenger carrier is a person or persons, firm or corporation engaged in the business of providing air transportation (persons or property) to the general public for hire, on a scheduled basis as defined in the Federal Aviation Act of 1958, or as said Act may be supplemented or amended from time to time.

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1. The Operator shall lease from the Authority an area of sufficient size and location with space for passenger and baggage services, offices, departure lounge, and other facilities for customer use. The Operator shall provide sufficient automobile parking to accommodate employees and customer parking either on or off-airport, with no on-street parking. Paved walkways with all points of access conforming to the criteria specified in the Americans with Disabilities Act (ADA) will be provided by the Operator. If the Operator utilizes existing facilities which do not meet minimum size requirements, minimum square footage requirements may be determined by the availability of facilities and through written agreement with the Authority.
2. The Operator shall provide the Authority with proof that all aircraft being used for air service meet the requirements of FAR Part 36 with regard to noise generation.
3. The Operator shall have its premises open and services available to adequately meet its flight schedule and shall provide on-call service during hours other than the aforementioned.
4. The Operator shall have in its employ and on duty during the required operating hours, trained personnel in such numbers as are required to meet the minimum standards set forth in this category. The Operator shall also have available sufficient qualified operating crews and a satisfactory number of personnel for checking in passengers, handling of luggage, ticketing and for furnishing or arranging for suitable ground transportation.

5.3 AIRCRAFT SALES (NEW AND/OR USED)

STATEMENT OF CONCEPT. An aircraft sales operator is a person or persons, firm or corporation engaged in the sales of new and/or used aircraft through franchises, or licensed dealership or distributorship (either on a retail or wholesale basis) of an aircraft manufacturer or otherwise; and provides such repair, services, and parts as necessary to meet any guarantee or warranty on new and/or used aircraft sold by the operator.

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1. The Operator shall lease from the Authority or FBO an area of sufficient size and location to provide for the display and storage of aircraft in a building providing sufficient floor space for aircraft storage, parts, repairs and maintenance, and at least 700 square feet of floor space for office, restrooms, customer lounge and customer telephone facilities. The Operator shall provide sufficient automobile parking to accommodate employees and customers, with no on-street parking. Paved walkways with all points of access conforming to the criteria specified in the Americans with Disabilities Act (ADA) will be provided by the Operator. Adequate hard-surface aircraft ramp must be provided within the leased area to accommodate the Operator's activities, operations, and adequate tie-down facilities. If the Operator utilizes existing facilities which do not meet minimum size requirements, the minimum square footage requirements may be determined by the availability of facilities and through written agreement with the Authority.
2. The Operator shall employ or have available on call a sufficient number of pilots with instrument and instructor ratings who shall be current (in type) in all aircraft makes and models offered.
3. The Operator shall provide necessary and satisfactory arrangement for repair and service of aircraft but only for the duration of the guarantee or warranty period. Servicing facilities may be provided through a written agreement with any authorized repair station operating at the Airport.

5.4 AIRFRAME AND POWER PLANT REPAIR FACILITIES

STATEMENT OF CONCEPT. An aircraft engine and airframe maintenance and repair operator is a person(s), firm or corporation providing one (or a combination of) airframe and power plant overhaul and repair services, by a person(s) currently certified by 14 CFR Part 43 or Part 145 with ratings appropriate to the work being performed. (This category of aeronautical services shall also include the sale of aircraft parts and accessories, but such is not an exclusive right.)

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1. The Operator shall lease from the Authority or FBO an area of sufficient size and location upon which shall be erected a building providing at least 4,500 square feet of floor space for airframe and power plant overhaul and repair services and at least 1,000 square feet of floor space for office, restrooms, customer lounge and customer telephone facilities, properly heated and lighted. The Operator shall provide sufficient automobile parking to accommodate employees and customers, with no on-street parking. Paved walkways with all points of access conforming to the criteria specified in the Americans with Disabilities Act (ADA) will be provided by the Operator. Adequate hard-surface aircraft ramp must be provided within the leased area to accommodate the Operator's activities, operations, and adequate tie-down facilities. If the

Operator utilizes existing facilities which do not meet the minimum size requirements, the minimum square footage requirements may be determined by the availability of facilities and through written agreement with the Authority.

2. The Operator shall provide sufficient equipment, supplies, and parts for certification as a FAA approved repair station. The Operator's premises shall be open and services available eight (8) hours daily, five (5) days a week. The Operator shall employ (and have on duty or readily available on call during required operating hours), sufficiently uniformed, efficient, and trained personnel in numbers required to meet the minimum standards set forth in this category currently certified by the FAA with ratings appropriate to the work being performed and holding an airframe and power plant (A&P) rating.
3. The Operator shall have an employee in the office at all times during required operating hours, who may be the same person as required above.

5.5 AIRCRAFT RENTAL

STATEMENT OF CONCEPT. An aircraft rental, operator is a person(s), firm or corporation engaged in the rental of aircraft to the public.

MINIMUM STANDARDS

1. The Operator shall lease from the Authority an area of sufficient size and location to accommodate the Operator's activities and operations including at least 5,000 square feet of floor space for storage and maintenance of aircraft, office, shop, restrooms, customer lounge and customer telephones, all properly heated and lighted. The Operator shall provide sufficient automobile parking to accommodate employees and customers, with no on-street parking. Paved walkways with all points of access conforming to the criteria specified in the Americans with Disabilities Act (ADA) will be provided by the Operator. Adequate hard-surface aircraft ramp must be provided within the leased area to accommodate the Operator's activities, operations, and adequate tie-down facilities. If the Operator utilizes existing facilities which do not meet the minimum size requirements, the minimum square footage requirements may be determined by the availability of facilities and through written agreement with the Authority.
2. The Operator shall have available for rental, either owned or under written lease to the Operator, a sufficient number of aircraft properly certificated to handle the proposed scope of its operation, but not less than two (2) certified and currently air worthy aircraft, at least one (1) of which must be a four-place aircraft, and at least one (1) of which must be equipped for and capable of flight under instrument conditions. The Operator shall employ at least one person having current FAA certified flight instructor ratings for each of the aircraft models offered for rental. The Operator shall develop and implement written policies to ensure that only qualified and licensed persons may rent aircraft and shall provide a copy of said policies to the Authority.
3. The Operator shall have its premises open at least eight (8) hours a day, six (6) days a week. The use of an adequate telephone service will be considered as being "open" if such service has immediate access to the Operator or its local representative. The Operator shall provide an employee in attendance in the facility office at all times during operating hours.

5.6 FLIGHT TRAINING

STATEMENT OF CONCEPT. A flight training operator is a person(s), firm or corporation engaged in instructing pilots in dual and solo flight training, in fixed wing or rotary wing aircraft, and provides such related ground school instruction as is necessary for preparation to taking an FAA written examination and flight check ride for various category or categories of pilot's licenses and ratings.

MINIMUM STANDARDS

1. The Operator shall lease from the Authority (or sublease from an FBO or commercial aeronautical operator with the approval of the Authority) an area of sufficient size and location to accommodate Operator's activities and operations including at least 15,000 square feet of floor space for storage and maintenance of aircraft, office, shop, restrooms, customer lounge and customer telephones, all properly heated and lighted. The Operator shall provide at a minimum an office, classroom, and a briefing room space as required by 14 CFR Part 61 or Part 141 (with adequate mockups, pictures, slides, filmstrips, and other visual aids) to support flight-training activities. The Operator need not be certified under 14 CFR Part 61 or Part 141. The Operator shall provide sufficient automobile parking to accommodate employees and customers, with no on-street parking. Paved walkways with all points of access conforming to the criteria specified in the Americans with Disabilities Act (ADA) will be provided by the Operator. Adequate hard-surface aircraft ramp must be provided within the leased area to accommodate the Operator's activities, operations, and adequate tie-down facilities. If the Operator utilizes existing facilities which do not meet the minimum size requirements, the minimum square footage requirements may be determined by the availability of facilities and through written agreement with the Authority.
2. The Operator shall have available for use in flight training, either owned or under written lease to the Operator, a sufficient number of aircraft properly certificated to handle the proposed scope of its student operation, but not less than three (3) properly certificated aircraft, at least one (1) of which must be equipped for and capable of use in instrument flight instruction. The Authority reserves the right to require one (1) twin-engine aircraft in addition to the above if it feels this is necessary to insure full training availability on the airport. The Operator may engage in aircraft maintenance of only those aircraft either owned or under written lease.
3. The Operator shall have its premises open and services available at least eight (8) hours daily, six (6) days a week and shall have an employee in the facility at all times during the required hours. The Operator shall have on duty at least one (1) full-time flight instructor currently certificated by the FAA to provide the type of flight training offered and shall have available on call at least one (1) additional part-time flight instructor currently certificated by the FAA to provide the type of flight training offered; and shall provide a currently-certificated ground school instructor, at least four (4) days per week, three (3) hours per day, available as needed.

5.7 FIXED BASED OPERATOR (FBO)

STATEMENT OF CONCEPT. A Fixed Based Operator (FBO) is an operator that maintains major facilities at the airport for the purpose of conducting retail sales of aviation fuels, lubricants, other

related petroleum products, and providing associated aircraft line services. The Operator shall provide aircraft maintenance and at least five (5) of the following services: flight instruction (either Part 61 or 141), aircraft rental, aircraft sales, aircraft charter operations, avionics, instrument, or propeller repair, aircraft storage (tiedowns or hangars), airplane cleaning, ground services and/or other commercial operations that are construed by the Authority as complementary and/or supportive of Airport/aviation activities. The Operator shall remain responsible for compliance with this standard in the event that a sub-lessee of its facility duly authorized by the Authority, provides any required service on its behalf.

MINIMUM STANDARDS

The Operator shall lease from the Authority an area of sufficient size and location to accommodate the Operator's activities and operations. The leased space shall include a minimum of 120,000 square feet of land area, 33,000 square feet of hangar space including not less than 22,000 square feet dedicated to the storage of FBO tenant and transient aircraft, and not less than 3,000 square feet dedicated to aircraft repair and maintenance services and spare parts storage. The Operator shall provide a minimum of 3,200 square feet of heated, lighted, and air conditioned terminal and office space that will include space for crew and passenger lounges, public restrooms and telephones, flight training, and flight planning. The Operator shall provide sufficient automobile parking to accommodate employees and customers, with no on-street parking. Paved walkways with all points of access conforming to the criteria specified in the Americans with Disabilities Act (ADA) will be provided by the Operator. Adequate hard-surface aircraft ramp must be provided within the leased area to accommodate the Operator's activities, operations, and adequate tie-down facilities. If the Operator utilizes existing facilities which do not meet the minimum size requirements, the minimum square footage requirements may be determined by the availability of facilities and through written agreement with the Authority.

The provision of services other than agreed upon in the initial contract will require a lease amendment, and the requirements of the "additional aeronautical activities" as set forth by the Authority must be met prior to the to the Operator's engaging in any such activities.

5.7.1 FBO FUELING OPERATIONS REQUIREMENTS

FUELING PERMISSION REQUIRED. An FBO shall not engage in fueling operations at Tweed without having first been issued fueling operations permission by the Authority; such permission being granted by execution of an FBO lease. The Authority will not grant additional FBOs the right and privilege under better rates, terms and conditions than those already granted.

5.7.2 FUEL PERMITTEE RESPONSIBILITIES

1. All into-plane delivery of fuels shall be performed only on leased premises unless written permission is granted from the other tenants or the Authority. All into-plane delivery of fuels will be done in accordance with NFPA 407 that requires that fueling be performed outdoors and not inside of hangars or within 25 feet of any building.
2. A permittee shall obtain the written approval of the Authority prior to the construction or installation of any fuel-related improvements on the permittee's leased premises.

3. A permittee shall maintain all fueling facilities in a safe and clean condition equal in appearance and character to other similar airport improvements. A permittee shall promptly repair any damage caused by the permittee, its employees, agents, patrons, and guests.
4. A permittee shall commence replacement of any fuel facility improvement on its leased premises which is destroyed by fire, explosion, weather conditions, or disaster within sixty (60) days of such destruction.
5. Upon written notice, a permittee shall perform any non-emergency reasonable fuel facility maintenance that the Authority determines is necessary. If a permittee fails to undertake such maintenance within three (3) days of receipt of the written notice, the Authority may perform the maintenance and/or revoke or suspend the permit. If maintenance is performed by the Authority, the permittee shall reimburse the Authority for all cost related to the maintenance performed. The Authority reserves the right to order any fuel facility be placed out of service immediately if Authority determines in its best reasonable judgment that an unsafe condition exists. In such case, operator is obligated to take appropriate corrective action immediately.
6. The permittee shall demonstrate that satisfactory arrangements have been made with an aviation petroleum distributor for the delivery of fuel and oil in such quantities as are necessary to meet the requirements set forth herein. Aviation fuel and oil delivered to the permittee by a distributor will be considered by the Authority to be fuel and oil dispensed by the permittee under the purview of the minimum rates established in the agreement with the Authority.

RECORDS AND MONTHLY REPORTS

1. A permittee shall maintain accurate records of all fuel received and dispensed. Each month, a permittee shall submit to the Authority a copy of the original report received from the permittee's suppliers showing the amount of fuel delivered, regardless of the amount.
2. A permittee shall allow its records of fueling operations to be audited at any time by a representative of the Authority or by an independent certified public accountant selected by the Authority.
3. Each month, a permittee shall submit a reconciled inventory report of fuel to the Authority upon which monthly fuel flowage fees will be calculated.

5.7.3 REVOCATION OR SUSPENSION OF PERMISSION. The Authority may revoke or suspend fueling operations permission if it is determined that:

1. The permittee has violated any provision of these regulations and has not made needed corrections in a reasonable and timely manner following written notice by the Authority;
2. The permittee has intentionally or knowingly impeded a lawful inspection by the Authority or other operator authorized to inspect the fueling operations of the permittee, or;
3. The permittee has demonstrated an inability or willingness through repeated (defined as more than two in any given 90 day period) violations of these regulations and/or failure to take

appropriate or adequate corrective actions, in the manner and time frame reasonably and timely directed in writing by the Authority.

5.7.4 FBO FUELING OPERATIONS MINIMUM STANDARDS. A permittee shall, as required to meet local conditions as appropriate, develop, enforce, and maintain minimum standards for the storage, handling, and dispensing of fuels and lubricants on the airport as prescribed in:

- Reference No. IV: FAA Advisory Circular 150/5230-4 Changes 1 and 2, Aircraft Fuel Storage, Handling, and Dispensing on Airports, Appendix 7 Minimum Standards for Fuel Storage, Handling, and Dispensing on Airports.,
- NFPA 30, Flammable and Combustible Liquids Code 2000 Edition.
- Air Transport Association Specification 103, Standards for Jet Fuel Quality at Airports, 1998 Revision – 2000.1.,
- NFPA 407 - Standard for Aircraft Fuel Servicing (2001 Edition), NFPA Standard 415, Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways (1997 Edition), and
- American Petroleum Institute Standard 1542, Airport Equipment Marking for Fuel Identification (Fifth Edition, January 1991).

5.7.5 FBO PERSONNEL AND TRAINING. All personnel involved in the handling of fuel and lubrication products for aviation use at the Airport shall be trained and qualified for the duties of the position held, as specified in FAR Part 139. FBO Operators shall document the initial training and testing of supervisors and line personnel involved in servicing aircraft. These training records shall be provided to representatives of the Authority or the FAA, as specified in FAR Part 139.

5.7.6 FBO FUEL STORAGE LOCATIONS, EQUIPMENT AND FACILITIES, FUELING VEHICLES, FUEL DISPENSERS AND QUALITY CONTROL. Fuel storage equipment, vehicles, facilities and quality control procedures shall meet standards or requirements of the Authority, fuel supplier, NFPA 407, or as specified by the local Fire Marshal, whichever is more stringent.

5.7.7 FBO FUELING INSTALLATION AND EQUIPMENT REQUIREMENTS

1. A fuel storage tank for each type of fuel stored shall be installed by a permittee in a location approved by the Authority. The minimum capacity of each tank shall be ten thousand (10,000) gallons. Combinations of tanks may be used to comply with this requirement provided that any new tank installations must have a minimum capacity of ten thousand (10,000) gallons.
2. Each new Operator (or current Operator expanding its fueling facilities) shall show compliance with these standards by submission of plans and specifications to the Airport Manager, and shall receive written approval prior to starting any construction, installation, or modification.
3. All equipment, installations and training shall continuously meet these standards, and all facilities and records pertaining to fueling shall be made available to representatives of the Authority at all times during normal business hours.

4. A representative of the Airport Manager will inspect each fueling operator's facilities, equipment, and procedures on a quarterly basis. Completed inspection forms will be kept on file in the office of the Airport Manager; copies of these will be made available to the fueling tenant. The fueling tenant will be notified of any items that are not in compliance with these standards, and will be given 21 days to correct these deficiencies.
5. Requirements for "On-Hand" fuel in the specified fuel farm or available on the Airport property are to be kept within the following:
 - a. Avgas (100LL) – Three days supply.
 - b. Jet Fuel – Three days supply.

5.7.8 OTHER FBO SERVICES

MINOR REPAIR SERVICES. The Operator shall provide such minor repair services, not requiring a certified mechanic rating, and cabin services to general aviation aircraft as can be performed efficiently in its hangar, on the ramp or other apron parking area, but only within the premises leased to the Operator or upon such other areas as the Airport Manager may authorize.

1. **Equipment Needed.** The FBO shall provide proper and approved equipment for repairing and inflating aircraft tires, servicing struts, washing aircraft and aircraft windows, and recharging or energizing discharged aircraft batteries and starters or other minor repair services not necessarily requiring an FAA certified mechanic rating. All safety equipment, such as fire extinguishers, ladders, jacks, etc. that is required should be maintained in these areas as well as in other areas where similar services may be performed.
2. **Hours of Operation.** The FBO shall have its minor repair services open and available on site during normal business hours, and on call at least one hour prior to the first scheduled commercial passenger airline departure to one hour after the last scheduled commercial passenger airline arrival, seven (7) days per week, and have service available on a prearranged basis at all other times.
3. **Employee Requirements.** The FBO shall have in its employ and on duty during the required operating hours trained personnel in such numbers as are reasonably required to meet the needs for such services.

5.8 SPECIALIZED AIRCRAFT REPAIR SERVICES

STATEMENT OF CONCEPT. A specialized aircraft repair services operator is a person or persons, firm, or corporation engaged in a business capable of providing a FAA-certificated shop or combination of shops for the repair of aircraft radios, propellers, instruments, and accessories for general aviation aircraft. This category shall include the sale of new and/or used aircraft radios, propellers, instruments, and accessories, but such is not an exclusive right.

MINIMUM STANDARDS

1. The Operator shall lease from the Authority or FBO an area of sufficient size and location as mutually agreed upon for a building providing at least 5,000 square feet of floor space for airframe and power plant overhaul and repair services and at least 1,200 square feet of floor space for office, restrooms, customer lounge, and telephone facilities for customer use. All office/lounge space shall be properly heated and lighted. The Operator shall provide sufficient automobile parking to accommodate employees and customers, with no on-street parking. Paved walkways with all points of access conforming to criteria specified in the Americans with Disabilities Act (ADA) will be provided by the Operator. Adequate hard surfaced aircraft ramp must be provided within the leased area to accommodate the Operator's activities, operations, and tie-down facilities. If the Operator utilizes existing facilities which do not meet the minimum sizes outlined in this section, the minimum square footage requirements may be determined through written agreement with the Authority.
2. The avionics portion of the services offered must maintain a current qualification of Class I and Class II FAA-designated repair station or such other minimums determined by the Authority.
3. Operator may sublease from an FBO through written agreement between the Authority, the Operator, and the FBO.
4. The Operator shall obtain and maintain current 14 CFR Part 145 Class I and Class II repair station certification for the operation or the operations contemplated.
5. The Operator shall have its premises open and services available eight (8) hours daily, five (5) days each week.
6. The Operator shall have in its employ and on duty during the required operating hours trained personnel in numbers sufficient to meet the minimum standards set forth in this category, but never less than one (1) person currently certificated as FAA-rated radio, instrument or propeller repairman, and one (1) other repairman, not necessarily rated. The Operator shall have personnel available on two hours notice on an on-call basis at all times outside of the Operator's regularly scheduled business hours for emergency service.

5.9 AIRCRAFT CHARTER AND AIR TAXI

STATEMENT OF CONCEPT. An aircraft charter and an air taxi operator is a person(s), firm or corporation engaged in the business of providing commercial air transportation (persons or property) to the general public for hire under FAR Part 135 and as further defined in the Federal Aviation Act of 1958, or as said Act may be supplemented or amended from time to time.

MINIMUM STANDARDS

1. The Operator shall lease from the Authority or FBO an area of sufficient size and location as mutually agreed upon wherein at least 2,000 square feet of floor space will be provided for office, restrooms, customer lounge, and telephone facilities for customer use. All office/lounge space shall be properly heated and lighted. The Operator shall provide sufficient automobile parking to accommodate employees and customers with no on-street parking. Paved walkways with all points of access conforming to the criteria specified in the Americans with Disabilities

Act (ADA) will be provided by the Operator. Adequate hard surfaced aircraft ramp must be provided within the leased area sufficient to accommodate the Operator's activities, operations, and tie-down facilities. If the Operator utilizes existing facilities which do not meet the minimum sizes outlined in this section, the minimum square footage requirements may be determined by written agreement with the Authority.

2. The Operator shall provide not less than one (1) single-engine (four-place), and one (1) multi-engine aircraft, one of which shall be equipped for and capable of use under instrument conditions, either owned or under written lease to Operator, all of which must meet the requirements of the FAA and the FAR Part 135 certificate held by the Operator. The Authority reserves the right to waive the requirement of a single engine aircraft at its sole discretion, but may not waive the requirement for the Operator to provide at least two aircraft total.
3. The Operator shall have its premises open and services available eight (8) hours daily, six (6) days per week; and shall provide on-call service during all other hours.
4. The Operator shall have in its employ trained personnel in numbers required to meet the minimum standards set forth in this category, but never less than two current FAA-certificated commercial pilots appropriately rated to conduct the flight activity offered by Operator. The Operator shall have available sufficient qualified operating crews and a satisfactory number of personnel for checking in passengers, handling luggage, ticketing and furnishing or arranging for suitable ground transportation.
5. **SPECIAL PROVISIONS FOR AIR TAXI COMPANIES NOT BASED AT TWEED-NEW HAVEN AIRPORT:** Air Taxi Companies not based at Tweed who are providing air taxi service to and from the Airport must make arrangements with a local FBO for use of aircraft parking, passenger lounge area and auto parking facilities, or enter into an agreement with the Authority to use the main passenger terminal and its auto parking area.

5.10 SPECIALIZED COMMERCIAL FLYING SERVICES

STATEMENT OF CONCEPT. A specialized commercial flying services-operator is person(s), firm, or corporation engaged in air transportation for hire for the purpose of providing the aircraft for the activities listed below:

- a) Nonstop sightseeing flights that begin and end at HVN.
- b) Banner towing and aerial advertising.
- c) Aerial photography or survey work.
- d) Fire fighting.
- e) Power line or pipeline patrol.
- f) Aerial applications of agricultural dust, spray or similar material.
- g) Any other operations specifically excluded from Part 121 and 135 of the Federal Aviation Regulations.

MINIMUM STANDARDS

1. The Operator shall lease from the Authority or FBO an area of sufficient size and location as mutually agreed upon for a building providing at least 1,200 square feet of floor space for office, restrooms, customer lounge, and telephone facilities for customer use. All office/lounge space shall be properly heated and lighted. The Operator shall provide sufficient automobile parking to accommodate employees and customers with no on-street parking. Paved walkways with all points of access conforming to the criteria specified in the Americans with Disabilities Act (ADA) will be provided by the Operator. Adequate hard surfaced aircraft ramp must be provided within the leased area sufficient to accommodate the Operator's activities, operations, and tie-down facilities. If the Operator utilizes existing facilities which do not meet the minimum sizes outlined in this section, the minimum square footage requirements may be determined by written agreement with the Authority.
2. The Operator shall provide and have based on its leased area, either owned or under written lease to Operator, not less than one (1) airworthy aircraft suitably equipped for, and meeting all the requirements of the FAA and applicable regulations of the State of Connecticut with respect to the type of operations to be performed. In the case of crop dusting or aerial application, the Operator shall provide tank trucks for the safe handling of liquid spray and mixing liquids. The Operator shall also provide adequate ground equipment for the safe handling and loading of dusting materials.
3. The Operator shall have in its employ and on duty during the required operating hours sufficient trained personnel for its operation, but not less than one (1) person holding a current FAA pilot certificate, properly rated for the aircraft to be used and the type of operation to be performed.

5.11 MULTIPLE SERVICES

STATEMENT OF CONCEPT. A multiple services operator is a person(s), firm or corporation engaged in any two (2) or more of the aeronautical services for which minimum standards have been hereinbefore provided. The Operator shall meet the Minimum Standards set forth for each type of service offered.

MINIMUM STANDARDS (Combinations not including Line Services)

1. The operator shall lease from the Authority an area of sufficient size and location for aircraft storage, parking and other use in accordance with the services to be offered, for a building approved by the Authority suitable for aircraft storage, plus at least 1,500 square feet of floor space for office, restrooms, customer lounge, and telephone facilities for customer use. Auto parking space for employees and customers with no on-street parking, a paved walkway meeting ADA requirements, and a paved aircraft apron, all within the leased area and sufficient to accommodate the Operator's activities and operations shall be provided.
2. Space requirements are not necessarily cumulative, and will be decided upon on a case-by-case basis. If Flight Training is one of the multiple services offered, the Operator shall provide classroom and briefing room facilities in the aforementioned building.
3. Unless it is performing combinations of multiple services for which aircraft are not required, the Operator, shall have available and based at the Airport, either owned by the Operator or under

written lease to Operator, not less than five (5) certified and currently airworthy aircraft, suitably equipped to meet the minimum standards and requirements as hereinbefore provided for each aeronautical service to be performed. The Operator shall provide the equipment and services required to meet the minimum standards as hereinbefore provided for each aeronautical service the Operator is performing.

4. The Operator shall comply with the on-site aircraft equipment requirements for each aeronautical service to be performed except as hereinafter provided. Multiple uses can be made of all aircraft except aircraft used for crop-dusting, aerial application, or other commercial use of chemicals.
5. The Operator shall adhere to the hours of operation required for each aeronautical service being performed.
6. The Operator shall have in its employ and on duty during the required operating hours, trained personnel in numbers required to meet the minimum standards and requirements for each aeronautical service being performed by the Operator. Minimum employee requirements are not necessarily cumulative, and will be determined on a case-by-case basis.

5.12 COMMERCIAL AVIATION OPERATORS SUBLEASING FROM ANOTHER COMMERCIAL OPERATOR

STANDARDS FOR SUBLEASE OPERATIONS. Such operators shall meet all of the minimum standards established by the Authority for the category, or categories of services, to be furnished by the Operator, except for the lease of land and construction of facilities.

MINIMUM STANDARDS. In the event a Commercial Aviation Operator desires to sublease space from another Commercial Operator to provide one or more of the above activities, the following conditions will apply:

1. Obtain written approval from the Authority to sublease the space and function.
2. There can be no sublease of a leaseholder's entire premises without the express written consent of the Authority.
3. In the event that the lessee sublets any portion of their lease, the sub-lessee must assume the full obligations of the lease and agree to fully comply with these Minimum Standards. The sub-lessee shall immediately comply with any reasonable request or direction of the Authority in connection with enforcement of these Standards. The lessee shall remain responsible for sub-lessee's compliance with any obligation under the lease or these minimum standards and approval of sublease shall in no way waive the lessee's responsibilities.
4. An Operator subleasing its commercial area from an FBO may use the FBO's facility to meet the requirements for operational space, customer lounges, restrooms, telephones, and paved aircraft apron, as set forth in the appropriate section in these Minimum Standards.

5.13 COMMERCIAL FLYING CLUB

STATEMENT OF CONCEPT. A commercial flying club is an operator engaged in the ownership or lease of aircraft and providing flying services for its members.

MINIMUM STANDARDS

1. The Operator shall lease from the Authority or FBO an area of sufficient size and location as mutually agreed upon on for a building providing sufficient space for the Operator's activities. Floor space requirements will be determined by the Authority. The Operator shall provide sufficient automobile parking to accommodate employees and customers with no on-street parking. Paved walkways with all points of access conforming to the criteria specified in the Americans with Disabilities Act (ADA) will be provided by the Operator. Adequate hard surfaced aircraft ramp must be provided within the leased area, sufficient to accommodate the Operator's activities, operations, and tie-down facilities. If the Operator utilizes existing facilities which do not meet the minimum sizes outlined in this section, the minimum square footage requirements may be determined by written agreement with the Authority.
2. The Operator shall have available for use in its service, either owned or under written lease to the Operator, one (1) certificated and currently airworthy aircraft. If the Operator conducts flight training, it shall have in its employ or as members, sufficient flight instructors properly certified by the FAA. The Operator shall have its premises open and available to provide services at least eight (8) hours a day, five (5) days a week. The operator shall have an employee in the facility office or readily on call at all times during required operating hours. The operator may engage in maintenance of only aircraft either owned or under written lease.

5.14 EXEMPT FLYING CLUBS

STATEMENT OF CONCEPT. To be exempt from the commercial requirements of the minimum standards, the following conditions must exist. Violation of such conditions shall be grounds for the termination of exempt status:

1. The club must be a nonprofit Connecticut corporation or partnership.
2. Each member must be a bona fide owner of the aircraft or be a member of the corporation or a partner in the partnership.
3. The club may not derive a profit from the operation, maintenance, or replacement of its aircraft.
4. Club aircraft will not be used by other than bona fide members for rental and by no one for commercial or paid operations.
5. Flight instruction may not be given in club aircraft except when given by an operator based on the airport and authorized to provide flight training or by an instructor who does not receive remuneration in any manner for such service.
6. The Operator shall file a copy of its bylaws, articles of association, partnership or other documentation supporting its existence and shall keep current with the Authority a complete list

of the club's membership, including names of officers and directors; evidence that ownership of club aircraft is vested in the club; and operating rules of the club. The books and other records of the club shall be available for review at any reasonable time by the Authority or a designated representative.

5.15 COMMERCIAL AIRCRAFT HANGAR OPERATOR

STATEMENT OF CONCEPT. An aircraft hangar operator is an operator engaged in the ownership or lease of aircraft hangars providing aircraft storage for its tenants.

MINIMUM STANDARDS

1. The Operator shall lease from the Authority land sufficient for a building (or sublease same from an FBO or other Operator with the approval of the Authority) to accommodate the Operator's activities and operations. Minimum hangar sizes for aircraft storage shall be as follows:
 - a. T-Hangars 1,200 square feet, with a depth of 40 feet, and
 - b. Conventional or Box Hangars 6,400 square feet, with a depth of 80 feet.

Paved walkways and points of access will conform to criteria specified in the Americans with Disabilities Act (ADA). The operator shall provide a paved aircraft apron within the leased area to accommodate the movement of aircraft from its facility to the taxiway complex. The operator shall provide adequate tie-down facilities with paved access to taxiways. If the Operator utilizes existing facilities which do not meet the minimum sizes outlined in this section, the minimum square footage requirements may be determined by written agreement with the Authority.

2. The Operator shall have its premises open and services available to meet the demand for its services at least eight (8) hours a day, five (5) days a week. The Operator shall have an employee in the facility office or readily on-call and available at all times during the required operating hours.
3. The Operator may sublet hangar space for aircraft storage without the specific approval of the Authority; however, any such subletting shall be subject to all Minimum Standards herein set forth. The sub-lessee must agree to assume the full obligations of the lease and to comply with these Standards. The sub-lessee shall immediately comply with any reasonable request or direction of the Authority related to the enforcement of these standards. The lessee shall remain responsible for sub-lessee's compliance with obligation under the lease or these Minimum Standards and the sublease shall in no way waive the lessee's responsibilities.

5.16 SELF SERVICE FUELING

STATEMENT OF CONCEPT. Any entity operating aircraft on the airport from a non commercial hangar of a minimum size of 12,000 square feet may dispense aircraft fuel and oil into aircraft they own, lease or exclusively operate for their own non commercial purposes under FAR Part 91, subject to the provisions of this section. The Self-fueler lessee may hangar, repair, refuel, clean and otherwise service their own aircraft, provided they do so with their own employees in accordance with the

established standards relating to such work. Lessee shall not dispense aircraft fuel to another airport user. Dispensing aircraft fuel is limited to lessee's use in owned aircraft or leased for their exclusive use. All fuel must be brokered through an Authority approved FBO operator.

5.16.1 FUELING PERMISSION REQUIRED. No person or entity shall engage in fueling operations at the Airport without having first been issued fueling operations permission by the Authority.

5.16.2 SELF FUELING PERMITTEE RESPONSIBILITIES

1. All into-plane delivery of fuels shall be performed only on leased premises unless written permission is granted to the other property by Authority.
2. A permittee shall obtain the written approval of the Authority prior to the construction or installation of any improvement on the permittee's leased premises.
3. A permittee shall maintain all fueling facilities in a safe and clean condition equal in appearance and character to other similar airport improvements.
4. A permittee shall promptly repair any damage caused to the facilities or the Airport by the permittee, the permittee's employees, agents, patrons, and guests.
5. A permittee shall replace any fueling facility improvement on its leased premises which has been destroyed by fire, explosion, weather conditions, or disaster within sixty (60) days of such destruction.
6. Upon written notice, a permittee shall perform any non-emergency reasonable facility maintenance that the Authority determines is necessary. If a permittee fails to undertake such maintenance within three (3) days of receipt of the written notice, the Authority may perform the maintenance and/or revoke or suspend the permit. If maintenance is performed by the Authority, the permittee shall reimburse the Authority for the cost of the maintenance performed. The Authority reserves the right to order any fuel facility be placed out of service immediately if the Authority determines in its best reasonable judgment that an unsafe condition exists. In such case, operator is obligated to take appropriate corrective action immediately.
7. A permittee shall require any prime contractor it hires for the construction of a permanent improvement to provide 100% performance bonds acceptable to the Authority in the full amount of the construction contract for all contracts of fifty thousand dollars (\$50,000.00) or more and 50% payment bonds for contracts of twenty five thousand dollars (\$25,000.00) or more, naming the permittee and the Authority as joint obligees.
8. The permittee shall have in force General and Environmental Liability and Products Liability Insurance as specified in its lease or operating permit with the Authority.
9. A fueling log shall be presented to the Authority no later than the 5th day of each month to reflect the previous calendar month. This shall include the amount of fuel dispensed. If no fuel is dispensed, the report shall so state.

5.16.3 CANCELLATION BY PERMITTEE, ASSIGNMENT AND TRANSFER. A permittee may cancel its fueling operations permission upon thirty (30) days written notice to the Authority. Fueling operations permission is not assignable or transferable.

5.16.4 REVOCATION OR SUSPENSION OF PERMISSION. The Authority may revoke or suspend fueling operations permission if it is determined that:

1. The permittee has violated any provision of these regulations and has not made needed corrections in a timely manner as directed by the Authority;
2. The permittee has given false or misleading information to the Authority during the application process;
3. The permittee has intentionally or knowingly impeded a lawful inspection by the Authority or other operator authorized to inspect the fueling operations of the permittee, or
4. The permittee has demonstrated an inability or willingness through repeated violations of these regulations and/or failure to take appropriate or adequate corrective actions, in the manner and time frame as directed by the Authority within a twelve-month period, committed one (1) or more violations of these regulations and has failed to make needed corrections in a timely manner as directed by the Authority; and
5. The permittee has failed to provide the Authority with an up-to-date (monthly) Self Fueling Report of fuel dispensed and flowage fees paid, or maintained inspections of the Self Fueling equipment and the retention of a log of the activity.

5.16.5 SELF FUELING OPERATIONS MINIMUM STANDARDS

Entities desiring to operate from privately owned hangars and/or to dispense aviation fuels and oil and provide other related services for its own aircraft, such as aircraft tie-down and parking, shall meet the following minimum operating standards.

1. A permittee shall, as required to meet local conditions as appropriate, develop, enforce, and maintain minimum standards for the storage, handling, and dispensing of fuels and lubricants on the airport as prescribed in:
 - a. Reference No. IV: FAA Advisory Circular 150/5230-4 Changes 1 and 2
 - b. Aircraft Fuel Storage, Handling, and Dispensing on Airports, Appendix 7
 - c. Minimum Standards for Fuel Storage, Handling, and Dispensing on Airports
 - d. NFPA 30, Flammable and Combustible Liquids Code 2000 Edition
 - e. Air Transport Association Specification 103, Standards for Jet Fuel Quality at Airports, 1998 Revision – 2000.1
 - f. NFPA 407 - Standard for Aircraft Fuel Servicing (2001 Edition), NFPA
 - g. Standard 415, Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways (1997 Edition), and
 - h. American Petroleum Institute Standard 1542, Airport Equipment Marking for Fuel Identification (Fifth Edition, January 1991).

2. Self-fueling operations must be conducted in compliance with all applicable Federal, State, and local rules and regulations.
3. Self-fueling operations may be conducted only by the aircraft owner, or their employees.
4. Self-fueling operations may be conducted only on premises the aircraft owner has leased or subleased from the Authority at the airport.
5. No fuel may be dispensed into any aircraft other than those listed on the permit.
6. The current applicable fuel flowage fee shall be paid on all fuel dispensed under this category.

PERSONNEL. Permittee shall submit to the Airport Manager evidence of the training in safety procedures received by each person who will conduct fuel dispensing operations on its premises.

5.16.6 SELF FUELING FACILITIES

1. Permittee shall construct and maintain its facilities and conduct fueling operations in compliance with all applicable Authority, State and Federal laws and regulations, currently in effect or hereinafter enacted.
2. A self-fueling Lessee shall provide at least one metered filter-equipped fixed dispenser for dispensing 100 octane or turbine fuels from above ground storage facilities having a minimum capacity of five thousand (5,000) gallons. Lessee shall maintain all fueling facilities in a safe and clean condition.

5.17 COMMERCIAL SELF-SERVICE FUELING

STATEMENT OF CONCEPT. A concept in which an FBO exercising its right to sell fuel makes aircraft fuel available commercially to the general public by a fuel pump.

MINIMUM STANDARDS

The Operator shall lease from the Authority land sufficient for a structure to accommodate the Operator's activities and operations. The Operator shall provide adequate tie-down facilities and a paved aircraft apron within the leased area to accommodate the movement of aircraft from its facility to the taxiway complex. Paved tie-down facilities shall be provided or leased from Authority with public access for the number of aircraft expected to be accommodated in operator's business plan. If the Operator utilizes existing facilities which do not meet the minimum sizes outlined in this section, the minimum square footage requirements may be determined by written agreement with the Authority. To reduce the hazard of static electricity, an adequate number of grounding rods will be installed in aprons and parking areas or other locations where aircraft fueling will be performed. All points of access will conform to criteria specified in the Americans with Disabilities Act (ADA).

5.17.1 FUELING PERMISSION REQUIRED. An FBO shall not engage in fueling operations at HVN without having first been issued fueling operations permission by the Authority.

5.17.2 COMMERCIAL SELF SERVICE FUELING PERMITTEE RESPONSIBILITIES

1. All into-plane delivery of fuels shall be performed only on leased premises unless written permission is granted to the other property by the Authority or lessor.
2. A permittee shall obtain the written approval of the Authority prior to the construction or installation of any improvement on the permittee's leased premises.
3. A permittee shall maintain all fueling facilities in a safe and clean condition equal in appearance and character to other similar airport improvements.
4. A permittee shall promptly repair any damage caused to the facilities or the Airport by the permittee, the permittee's employees, agents, patrons, and guests.
5. A permittee shall replace any fueling facility improvement on its leased premises destroyed by fire, explosion, weather conditions, or disaster within sixty (60) days of such destruction.
6. Upon written notice, a permittee shall perform any non-emergency reasonable facility maintenance that the Authority determines is necessary. If a permittee fails to undertake such maintenance within three (3) days of receipt of the written notice, the Authority may perform the maintenance and/or revoke or suspend the permit. If maintenance is performed by the Authority, the permittee shall reimburse the Authority for the cost of the maintenance performed. The Authority reserves the right to order any fuel facility be placed out of service immediately if the Authority determines in its best reasonable judgment that an unsafe condition exists. In such case, operator is obligated to take appropriate corrective action immediately.
7. A permittee shall require any prime contractor it hires for the construction of a permanent improvement to provide 100% performance bonds acceptable to the Authority in the full amount of the construction contract for contracts of fifty thousand dollars (\$50,000.00) or more and 50% payment bonds for contracts of twenty five thousand dollars (\$25,000.00) or more, naming the permittee and the Authority as joint obligees.
8. The permittee shall demonstrate that satisfactory arrangements have been made with a recognized aviation petroleum distributor for the delivery of fuel and oil in quantities necessary to meet the requirements set forth herein. Aviation fuel and oil delivered to the operator by a vendor will be considered by the Authority to be fuel and oil dispensed by the permittee under the purview of the rates and charges established by the Authority.

5.17.3 CANCELLATION BY PERMITTEE, ASSIGNMENT AND TRANSFER. A permittee may cancel its fueling operations permission upon thirty (30) days written notice to the Authority. Fueling operations permission is not assignable or transferable.

5.17.4 REVOCATION OR SUSPENSION OF PERMIT. The Authority may revoke or suspend a fueling operations permit if it is determined that:

1. The permittee has violated any provision of these regulations and has not made needed corrections in a timely manner as directed by the Authority;
2. The permittee has given false or misleading information to the Authority during the application process;
3. The permittee has intentionally or knowingly impeded a lawful inspection by the Authority or other operator authorized to inspect the fueling operations of the permittee, or;
4. The permittee has demonstrated an inability or unwillingness to comply through repeated (defined as more than twice during any 90 day period) violations of these regulations and/or failure to take appropriate or adequate corrective actions, in the manner and time frame as reasonably directed in writing by the Authority.
5. The permittee has failed to provide the Authority with an up-to-date (monthly) Self-Service Fueling report of fuel dispensed and flowage fees paid, or maintained inspections of the Self Fueling equipment and the retention of a log of activity.

5.17.5 COMMERCIAL SELF SERVICE FUELING OPERATIONS MINIMUM STANDARDS

A permittee shall develop, enforce, and maintain minimum standards for the storage, handling, and dispensing of fuels and lubricants on the airport as prescribed in:

- a) Reference No. IV: FAA Advisory Circular 150/5230-4Changes 1 and 2, Aircraft Fuel Storage, Handling, and Dispensing on Airports, Appendix 7
 - b) Minimum Standards for Fuel Storage, Handling, and Dispensing on Airports
 - c) NFPA 30, Flammable and Combustible Liquids Code 2000 Edition
 - d) Air Transport Association Specification 103, Standards for Jet Fuel Quality at Airports, 1998 Revision – 2000.1
 - e) NFPA407 - Standard for Aircraft Fuel Servicing (2001 Edition)
 - f) NFPA Standard 415, Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways (1997 Edition), and
 - g) American Petroleum Institute Standard 1542, Airport Equipment Marking for Fuel Identification (Fifth Edition, January 1991).
1. Commercial Self-Service fueling operations must be conducted in compliance with all applicable Federal, State, and local rules and regulations.
 2. Commercial Self-Service fueling operations may be conducted only by the aircraft owner.
 3. Commercial Self-Service fueling operations may be conducted only on leased premises from the Authority at the airport.
 4. No fuel may be dispensed into any aircraft other than those owned or controlled by the aircraft operator.
 5. The current applicable fuel flowage fee shall be paid on all fuel dispensed under this category.

PERSONNEL. The Operator shall provide properly trained persons to be on-call during all hours of operation. Lessee shall submit to the Airport Manager evidence of the training in safety procedures received by each person who will directly manage the self-service fueling operation.

5.17.6 COMMERCIAL SELF SERVICE FUELING FACILITIES

1. All fuel storage locations shall be designated by the Authority and identified on the FAA approved Airport Layout Plan;
2. Individual tank sites shall be leased by the Authority to the Commercial Self-Service Fueling Operator subject to availability and compliance with all airport and fueling regulations.
3. Lessee shall construct and maintain its facilities and shall provide commercial self-service fueling operations in compliance with all applicable Authority, State and Federal laws and regulations whether presently in effect or enacted hereafter.
4. A commercial self-service fueling Lessee shall provide at least one metered filter equipped fixed dispenser for dispensing 100 octane or turbine fuels from storage facilities having a minimum capacity of ten thousand (10,000) gallons. Lessee shall maintain all fueling facilities in a safe and clean condition.

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