

**MINIMUM STANDARDS
FOR
COMMERCIAL AERONAUTICAL ACTIVITIES
AT THE
PUNTA GORDA AIRPORT**



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DEFINITIONS

For purposes of the Airport Minimum Standards, the following terms shall have the following meanings:

1. **Aeronautical Activity (or “Aeronautical Activities”)** means any activity or service that involves, makes possible, facilitates, is related to, assists in, or is required for the operation of Aircraft or another Aeronautical Activity, or which contributes to or is required for the safety of such operations. Pilot training, Aircraft rental, sightseeing, aerial surveying, air carrier operation (airline passenger and air cargo), Aircraft sales and service, sale of aviation fuel and oil whether or not conducted in conjunction with other included activities, repair and maintenance of Aircraft, sale of Aircraft parts, and any other activities which, in the sole judgment of the Authority, because of their direct relationship to the operation of Aircraft or the Airport, can appropriately be regarded as an Aeronautical Activity. For purposes of the Minimum Standards, all products and services described herein are deemed to be Aeronautical Activities.
2. **Agreement** means a written contract between the Authority and an Entity granting a concession, transferring rights or interest in property, or otherwise authorizing the conduct of certain activities at the Airport which is in writing, executed by both parties, and enforceable by law.
3. **Aircraft** means any contrivance, now known or hereafter designed, invented, or used for powered or non-powered flight in the air.
4. **Aircraft Maintenance** means the repair, maintenance, adjustment, or inspection of Aircraft. Major repairs include major alterations to the airframe, powerplant, and propeller as defined in 14 C.F.R. Part 43. Minor repairs include normal, routine annual inspection with attendant maintenance, repair, calibration, or adjustment of aircraft airframe or powerplant and associated accessories. Preventive maintenance means simple or minor preservation operations and the replacement of small standard parts not involving complex assembly operations, as defined by 14 C.F.R. Part 43. Aircraft Maintenance may also be provided as defined in 14 C.F.R. Part 145.
5. **Airport** means the Punta Gorda Airport located at 28000 Airport Rd, Punta Gorda, FL 33982, Florida.
6. **Authority** means the Charlotte County Airport Authority, the operator of the Airport.
7. **Certificate of Insurance** means a certificate provided by and executed by a Commercial Aeronautical Operator’s insurance company evidencing the insurance coverage types and limits of the Operator.
8. **Commercial Aeronautical Activity** means any Aeronautical Activity conducted at or out of the Airport by any Entity involving:
 1. The exchange, trading, buying, hiring, providing, or selling of commodities, goods, services, or property on the Airport.
 2. Engaging in an activity on the Airport for the purpose of securing revenue, earnings, income, and/or compensation, whether or not such revenue, earnings, income, and/or compensation are ultimately exchanged, obtained, or transferred.
 3. The offering or exchange of any product, service, or facility on the Airport as a part of other revenue, earnings, income, and/or compensation producing activity on or off the Airport.
9. **Commercial Aeronautical Operator (or “Operator”)** means an Entity engaging in a Commercial Aeronautical Activity.

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10. **Employee(s)** means any individual employed by an Entity or employment agency whereby said Entity or employment agency collects and pays all associated taxes on behalf of employee (i.e. social security and medicare).
11. **Entity (or “Entities”)** means a person, persons, firm, partnership, limited liability partnership or corporation; agency; unincorporated proprietorship; association or group, or corporation.
12. **Fuel** means any substance (solid, liquid, or gaseous) used to operate any engine in aircraft or vehicles.
13. **Fuel Flowage Fee** means a fee due and payable to the Authority for fuel that is brought on, delivered to, or dispensed on the Airport or within the Airport boundaries. This fee is applicable to all FBOs and self-fuelers.
14. **Lease** means an Agreement between the Authority and a Commercial Aeronautical Operator which authorizes the use of land or building space at the Airport to conduct Commercial Aeronautical Activities. A Lease is written and enforceable by law.
15. **Leased Premises** means the land and/or improvements leased by a Commercial Aeronautical Operator for the conduct of Operator’s activities.
16. **Lessee** means an entity that has entered into an agreement with the Authority to occupy, use, and/or develop land and/or improvements and engage in aeronautical activities.
17. **Minimum Standards** means those qualifications, standards, and criteria set forth as the minimum requirements to be met as a condition for the right to engage in Commercial Aeronautical Activities at the Airport.
18. **Rules and Regulations** means the Airport Rules and Regulations, as may be adopted and amended from time to time, or any successor ordinance, rule, or regulation adopted by the Authority governing use of the Airport.
19. **Self-Servicing** means the right to tie down, adjust, repair, refuel, clean and otherwise service an aircraft that an Entity owns, has under its exclusive use and operational control pursuant to a long-term lease or other agreement, or is under its care, custody and control during aircraft manufacturing or repair.
20. **Sublease** means an agreement entered into by a lessee under a Lease with another entity transferring rights or interests in property and/or facilities and enforceable by law.
21. **Unmanned Aerial System (“UAS”)** means an aircraft that is operated by a person via a ground control system, or autonomously through use of an on-board computer, communication links and any additional equipment that is necessary for the aircraft to operate.

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SECTION A. INTRODUCTION

I. Authority and Purpose

1. In accordance with Florida law, the Authority's maintenance and operation of the Airport is a public, governmental, and municipal function, exercised for a public purpose, and a matter of public necessity. The Authority is authorized to adopt and amend all needful rules, regulations, and ordinances for the management, government, and use of the Airport.
2. The Authority has adopted the Minimum Standards for the following purposes: to promote safety in all Airport activities, maintain a higher quality of service for Airport users, protect Airport users from unlicensed and unauthorized products and services, enhance the availability of adequate services for all Airport users, promote the orderly development of Airport land, provide a clear and objective distinction between service providers that will provide a satisfactory level of service and those that will not, and prevent disputes between Commercial Aeronautical Operators.

II. Statement of Policy

1. The Minimum Standards set forth the conditions that must be satisfied in exchange for the privilege of conducting Commercial Aeronautical Activities at the Airport.
2. No Entity shall be permitted to engage in Commercial Aeronautical Activities at the Airport without (i) an Agreement with the Authority setting forth the terms by which the Entity will conduct the Commercial Aeronautical Activity, and (ii) demonstration of ability and intention to satisfy the Minimum Standards throughout the term of the Agreement.
3. The standards and requirements of the Minimum Standards are minimums and may be exceeded. The conduct of Aeronautical Activities at the Airport may be limited or restricted by, for example and without limitation, Airport Rules and Regulations, Authority ordinance, an Agreement, or federal or state law or regulation.
4. The grant of a privilege to conduct Commercial Aeronautical Activities at the Airport by an Agreement shall not be considered in any manner as affording the Commercial Aeronautical Operator an exclusive right to conduct an Aeronautical Activity at the Airport, other than the use of premises which may be leased or subleased exclusively to it, and then only to the extent provided in an Agreement.
5. The Authority has determined that "through-the-fence" operations by aircraft have the potential to derogate safety and the efficient use and operation of the Airport. The Authority will not authorize an Entity to conduct a Commercial Aeronautical Activity requiring or involving the taxiing of aircraft between the Airport and adjacent property.
6. The Authority has delegated responsibility for the administration of the Minimum Standards to the Executive Director. The Executive Director is authorized to provide written and verbal interpretations of the Minimum Standards and to issue directives as needed to implement the Minimum Standards. All documents and notices required to be submitted hereunder shall be provided to the Executive Director.
7. The Authority intends for all Commercial Aeronautical Operators to lease space at the Airport in the minimum area prescribed by the Minimum Standards. The purpose of this policy is to ensure that Commercial Aeronautical Operators do not attempt to gain an unfair competitive advantage by operating without the same level of financial investment in the Airport and in their business operation as their competitors. Nevertheless, the Authority recognizes that there may be limited instances in which a Commercial

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Aeronautical Activity may be performed by an Entity that does not lease space at the Airport. Some of those circumstances are reflected in these Minimum Standards. Other than what is stated herein, an Entity may be permitted to conduct Commercial Aeronautical Activities at the Airport without leasing space from the Authority upon demonstrating, to the satisfaction of the Executive Director, that (a) no space exists at the Airport for such Entity to operate and (b) no Commercial Aeronautical Operator leasing space at the Airport has the requisite certificate, certified personnel, or access to equipment and parts to provide the product or perform the service. The Executive Director may approve a request from an Entity meeting these conditions provided that (i) the Entity enters into an Agreement with the Authority identifying the Commercial Aeronautical Activity that may be performed and the rates and charges assessed for the privilege of conducting the Commercial Aeronautical Activity, and (ii) the Entity satisfies all other applicable Minimum Standards prescribed herein for the Commercial Aeronautical Activity authorized by an Agreement.

III. Application of Minimum Standards

1. The Minimum Standards shall apply to any Entity proposing to conduct a Commercial Aeronautical Activity at the Airport and to a Flying Club as defined herein. Commercial Aeronautical Operators subject to the Minimum Standards include Fixed Base Operators (FBOs) and Specialized Aviation Service Operators (SASOs).
2. The Minimum Standards shall apply to the Authority in any instance in which the Authority is conducting a Commercial Aeronautical Activity at the Airport.
3. The Minimum Standards shall not apply to: (i) an air charter or air taxi operator accessing the Airport for the limited purpose of picking up or dropping off passengers in an aircraft that is not based at the Airport, (ii) a flight instructor accessing the Airport for the limited purpose of picking up or dropping off a student pilot in an aircraft that is not based at the Airport, and (iii) an aircraft manufacturer providing parts and services at the specific request of an aircraft owner or operator pursuant to a "rapid response" or similar program. An Entity performing one of the foregoing activities is not a Commercial Aeronautical Operator for purposes of the Minimum Standards.
4. The Minimum Standards shall not apply to non-commercial Aeronautical Activities, including, for example, and without limitation, non-commercial hangar storage. Non-commercial Aeronautical Activities may be subject to Rules and Regulations and the terms of an Agreement.
5. The Minimum Standards shall not apply to Self-Servicing. Self-Servicing, including self-fueling, may occur only in designated areas of the Airport in conformance with Rules and Regulations and the terms of a permit, license, or other Agreement.

IV. Effectiveness and Amendment

1. The Minimum Standards shall be effective upon enactment and shall apply to (i) any new Agreement to conduct a Commercial Aeronautical Activity at the Airport and (ii) any existing Agreement and any amendment to an existing Agreement, to the fullest extent permissible and in the manner provided under any such Agreement. An Entity may request an advisory opinion from the Executive Director as to the application of the Minimum Standards to the Entity.
2. The Authority may amend the Minimum Standards to further promote and advance the purposes and policies set forth herein.

3. Upon the expiration of an Agreement authorizing a Commercial Aeronautical Activity, the party to the Agreement may seek an extension or renewal of the Agreement in accordance with the terms of the Agreement then in effect. Nothing herein shall be construed to convey the right to continue to conduct a Commercial Aeronautical Activity beyond the term of an Agreement.

V. Enforcement

1. The Authority reserves the right to decline to execute an Agreement with any Entity wishing to conduct a Commercial Aeronautical Activity at the Airport if the Authority determines that the Entity refuses or is unable to comply with the Minimum Standards throughout the term of the Agreement.
2. The principal means of enforcing the Minimum Standards will be through an Agreement providing for the lease of Airport property or otherwise authorizing an Entity to conduct a Commercial Aeronautical Activity. Each Agreement shall be made subject to the Minimum Standards.

VI. Waivers and Variances

1. The Executive Director may waive all or any portion of the Minimum Standards for the benefit of any government or government agency performing public or emergency services, including, for example, and without limitation: law enforcement, disaster relief, search and rescue, fire prevention and firefighting.
2. The Executive Director may approve a “**temporary waiver**” of the Minimum Standards upon finding that each of the following conditions is satisfied:
 - (i) the Commercial Aeronautical Operator seeking the waiver will be the only Operator on the Airport to provide a specific product, service, or facility as of the effective date of the Agreement;
 - (ii) the Operator has agreed to come into full compliance with the Minimum Standards within a prescribed schedule;
 - (iii) the schedule is enforceable by the Authority;
 - (iv) the temporary waiver is needed to alleviate the financial burden of initiating a new Commercial Aeronautical Activity at the Airport; and
 - (v) the Executive Director finds that the temporary waiver will not materially interfere with the Commercial Aeronautical Operator’s ability to provide high quality products, services and facilities to Airport users.
3. The Executive Director may approve a “**temporary variance**” of the Minimum Standards upon finding that each of the following conditions is satisfied:
 - (i) a special condition or unique circumstance exists that makes the application of the Minimum Standards unduly burdensome;
 - (ii) the temporary variance is narrowly tailored to address the special condition or unique circumstance;

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- (iii) the Operator has agreed to come into full compliance with the Minimum Standards within a prescribed schedule;
- (iv) the schedule is enforceable by the Authority;
- (v) the temporary variance will not create an unfair competitive relationship among Commercial Aeronautical Operators at the Airport, and
- (vi) the Executive Director finds that the temporary variance will not materially interfere with the Commercial Aeronautical Operator's ability to provide high quality products, services and facilities to Airport users.

4. Prior to issuing a decision on a temporary waiver or variance, the Executive Director shall provide written notice to all other Commercial Aeronautical Operators at the Airport and request comment on the request and its potential effects on the competitive relationship among Operators at the Airport.
5. Any temporary waiver or temporary variance approved by the Executive Director hereunder shall apply only to the specific Commercial Aeronautical Operator and the specific circumstance and shall not serve to amend, modify, or alter the Minimum Standards.
6. The Authority shall not grant itself a waiver or variance from applicable requirements of the Minimum Standards in the event the Authority conducts a Commercial Aeronautical Activity at the Airport.

Reservation of Rights

1. The Authority reserves the right to permit others to conduct Aeronautical Activities at the Airport, pursuant to applicable federal, state and local laws, ordinances, regulations, codes, grant assurances, Minimum Standards and other requirements pertaining to such Aeronautical Activities.
2. The Authority reserves the right to plan and develop the Airport in the best interest of the Authority and Airport tenants and users. The Authority may designate specific areas of the Airport in which specific Commercial Aeronautical Activities may be conducted. The Authority may change these designations from time to time, and may relocate Commercial Aeronautical Operators or decline to extend or renew an Agreement because of a change in designation. Relocation of existing tenants shall be subject to and conducted in the manner provided in an Agreement, by mutual agreement, or by exercise of eminent domain by the Authority.
3. The Authority reserves the right to adopt fees and charges to be assessed against Commercial Aeronautical Operators for use of Airport property and the privilege of conducting a Commercial Aeronautical Activity at the Airport. The Authority may increase rates and charges and assess additional rates and charges from time-to-time, but no more than once in any rolling twelve month period. The rates and charges, and any increases thereto, will be assessed against all Commercial Aeronautical Operators except as may be provided for in an Agreement.
4. The Authority reserves the right to develop and use standard form Agreements for Commercial Aeronautical Activities and to amend its standard form Agreements from time to time. No Entity shall be entitled to enter an Agreement with the Authority on precisely the same terms as an existing Commercial Aeronautical Operator at the Airport.

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5. The Authority reserves the right to inspect facilities used for Commercial Aeronautical Activities and to audit records of Commercial Aeronautical Operators in order to ensure compliance with the Minimum Standards.
6. The Authority reserves the right to install security devices on the Airport, including public access areas of any Leased Premises, as may be deemed necessary by the Executive Director.
7. The Authority reserves the right to engage in any and all Commercial Aeronautical Activities at the Airport, either in competition with private entities or by exercise of a “proprietary exclusive right.”

SECTION B. LEASING AIRPORT PROPERTY

I. Leasing Policy

1. The Authority intends to extend the opportunity to conduct Commercial Aeronautical Activities to an Entity meeting the Minimum Standards, subject to the availability of suitable space, as identified by the Authority, to conduct such activities. The Airport Layout Plan and Master Plan provide the principal bases for determining whether suitable space is available.
2. The Authority intends to provide competitive opportunities to lease Airport property for Commercial Aeronautical Activities, including (i) vacant property designated for Aeronautical Activities, and (ii) developed property upon the expiration of an Agreement. The Authority’s standard practice is to initiate a procurement action in accordance with Authority policies and procedures upon receipt of an expression of interest to lease or re-lease property for a Commercial Aeronautical Activity. The Authority reserves the right to lease property on a first-come-first-served basis if determined to be in the best interests of the Authority and the Airport. The Authority further reserves the right to review and approve any proposed assignment of an Agreement for a Commercial Aeronautical Activity without initiating a procurement process.
3. An Entity wishing to lease property at the Airport for a Commercial Aeronautical Activity must submit sufficient information to demonstrate a present intention and capacity to conduct the proposed Commercial Aeronautical Activity. Information that may aid in this demonstration includes:
 - i. The legal name of the entity and its business name (if different).
 - ii. The name, address, and telephone number of the entity and primary contact person.
 - iii. Identification of the land proposed to be leased.
 - iv. A description of intended capital improvements.
 - v. For proposed agreements to lease existing structures or improvements, a description of the size, location, and proposed utilization of office, hangar, tiedowns, and vehicle parking areas.
 - vi. A specific, detailed description of the scope of the intended Commercial Aeronautical Activity, and the means and methods to be employed to accomplish the contemplated activity.

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- vii. A description of past experience in conducting the proposed Commercial Aeronautical Activity.
 - viii. A narrative description of the business opportunity, including a market analysis, if available.
 - ix. Evidence of financial capability
 - x. Any material information regarding adverse safety or financial issues which may be relevant to an assessment of the Entity's fitness for providing goods or services at the Airport.
4. The Authority may reject an expression of interest and refuse to initiate a procurement process if the applicant has failed to demonstrate an intention and capacity to conduct the proposed Commercial Aeronautical Activity. Grounds for rejection include, without limitation:
- i. The Commercial Aeronautical Activity proposed by the applicant would not meet the Minimum Standards prescribed herein.
 - ii. No appropriate, adequate, or available space exist at the Airport to accommodate the proposed operation of the applicant at the time of the application, nor is such contemplated within a reasonable time frame.
 - iii. The proposed operation, development, and/or construction does not comply with the Master Plan and/or Airport Layout Plan of the Airport in effect at that time, or anticipated to be in effect within the time frame proposed by the applicant.
 - iv. The applicant has either intentionally or unintentionally misrepresented or omitted material facts in the application or in supporting documents.
 - v. The applicant or an officer, director, agent, representative, shareholder, or employee of applicant has defaulted in the performance of another Agreement with the Authority.
 - vi. The applicant does not, in the sole discretion of the Authority, exhibit adequate financial responsibility or capability to undertake the proposed operation and activities.
 - vii. The applicant, in the sole judgment of the Authority, poses an undue risk to the safety of operations at the Airport.

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II. Lease Terms

1. The Authority will confer the right of exclusive possession of a portion of the Airport to conduct a Commercial Aeronautical Activity by means of a Lease. Leases shall be for a definite period of time and shall not be effective unless and until approved by the Authority Commission/Board and signed by an officer of the Authority designated by the Authority's enabling legislation.
2. The Authority will lease only as much property as is necessary to enable a tenant to satisfy the Minimum Standards and to accommodate demonstrated and reasonable future needs, in addition to any other contiguous Airport property that would be rendered commercially unmarketable by virtue of its size, access, configuration or other conditions.
3. Leases exceeding three (3) year terms shall provide for escalation of rent, which may include re-appraisal.

4. At the expiration of each Lease, the Authority maintains the option of receiving ownership of all leasehold improvements constructed on the property during the term of the Lease. Alternatively, the Authority has the option of requiring the tenant to remove any and/or all improvements at the tenant's cost.
5. Each Lease shall provide for the tenant's expenditure of funds for the maintenance, repair and improvement of buildings, structures and facilities on the Leased Premises, the specific amount of which shall be as specified in the lease and calculated so as to ensure that the buildings, structures and facilities shall remain in good condition throughout the lease term.
6. No Tenant shall be entitled a Lease extension or amendment based solely on a commitment to undertake capital improvements on the Leased Premises.

III. Subcontracting, Subleasing and Assignment

1. The Minimum Standards permit Commercial Aeronautical Operators to sublease or subcontract to another Entity to conduct certain Commercial Aeronautical Activities. In such event, the sublessee or subcontractor shall be responsible for complying with all applicable Minimum Standards; provided, however, that the Commercial Aeronautical Operator shall remain liable to the Authority for compliance with the Minimum Standards and the terms of an Agreement.
2. Each Agreement shall require the Authority's consent to, at a minimum, any sublease of the Leased Premises or assignment of the Agreement. Prior to granting its consent, the Authority may require the tenant or prospective subtenant or assignee to complete a request or submit the information prescribed in Section B(1)(3) hereof. The Authority may reject the request to sublease or assign based on the factors enumerated in Section B(1)(4) hereof. This requirement of Authority consent shall not apply to the collateral assignment of an Agreement to a lender, which shall be conducted in the manner prescribed in the Agreement.

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SECTION C. GENERAL REQUIREMENTS

I. FBOs and SASOs

1. The Authority's general policy is to require the bundling of Commercial Aeronautical Activities in exchange for the privilege of conducting commercial fuel sales. As used herein, a Fixed Base Operator or FBO shall mean an Entity providing into aircraft fueling in addition to certain other required services, products and facilities.
2. No Entity shall have the privilege of conducting attended or unattended commercial fuel sales unless the Authority has agreed to, in writing, forgoe exercising its right to be the exclusive provider of aviation fuel at the Airport (the Authority's "proprietary exclusive" rights). In the event the Authority foregoes its proprietary exclusive, no Entity shall have the privilege of conducting attended or unattended commercial fuel sales without providing all of the required services, products and facilities set by the Authority in amended Minimum Standards for FBOs.
3. An Entity can provide one or more services, products and facilities at the Airport, other than commercial fuel sales, in accordance with the Minimum Standards set forth herein. Each such Entity is known as a Specialized Aviation Service Operator or SASO. In light of the frequency of occurrence of Commercial Aeronautical Activities at the Airport and comparable airports, the Authority has developed minimum standards for the following types of SASOs: flight training and rental; air charter, air taxi and air ambulance; aircraft sales; aircraft, avionics, instrument and accessory maintenance and repair; aircraft storage; Unmanned Aircraft Systems operations; commercial skydiving, banner towing, and flying clubs.
4. No Entity shall be permitted to conduct a Commercial Aeronautical Activity at the Airport that is not expressly addressed in the Minimum Standards without the Authority's written approval.
5. In reviewing a request, the Authority will consider the nature of the Commercial Aeronautical Activity, the proposed business terms, and the consistency of the Aeronautical Activity with then-existing Airport operations and activities. At a minimum, the Authority will require evidence of FAA certification of the personnel that are to provide the services at the Airport, evidence of adequate insurance, and the execution of a application for a permit to provide the subject services. Approval may be further premised upon the execution of an Agreement with the Authority on any terms the Authority may require.
6. The Authority further may request review by the Federal Aviation Administration to consider, for example, and without limitation, whether the Aeronautical Activity may be conducted safely at the Airport. The Authority may decide, in its sole discretion, to amend the Minimum Standards prior to executing an Agreement authorizing a new Commercial Aeronautical Activity.
7. No Entity shall be permitted to conduct a Commercial Aeronautical Activity at the Airport in support of an Aeronautical Activity that is prohibited by the Federal Aviation Administration or an Authority ordinance, rule, or directive.
8. An Entity engaging in a Commercial Aeronautical Activity at the Airport must comply with the general requirements of this section plus the Minimum Standards for each specific Commercial Aeronautical Activity the Entity engages in. In the event that the Authority waives its proprietary exclusive, it shall amend these Minimum Standards to set for the

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the minimum standards for FBOs at the Airport. The specific Minimum Standards for SASOs are set forth in **Appendix A**.

9. Unless otherwise provided herein, each FBO or SASO shall provide its own buildings, personnel, and equipment.
10. Any FBO or SASO desiring to extend its operations into more than one category or to discontinue operations in a category, shall first apply in writing to the Authority for permission to do so, setting forth in detail the reasons and conditions for the request. The Authority shall grant or deny the request on such terms and conditions as the Authority deems to be prudent and proper under the circumstances.
11. The Minimum Standards are intended to be additive, except where otherwise provided herein, such as, for example, and without limitation, optional services by FBOs. A SASO may be required to satisfy multiple requirements hereunder to perform multiple Commercial Aeronautical Activities.
12. In the event of conflicting Minimum Standards, the Commercial Aeronautical Operator will be required to satisfy the higher or more demanding standard. The Executive Director may permit a SASO conducting multiple Commercial Aeronautical Activities to satisfy a Minimum Standard that is less than the sum of the standards for each Commercial Aeronautical Activity, if the Executive Director finds that each of the following conditions is satisfied: (i) the off-set will not affect the Commercial Aeronautical Operator's ability to provide high quality products, services and facilities to Airport users in keeping with the policies hereof; and (ii) the off-set will not create an unfair competitive relationship among Commercial Aeronautical Operators at the Airport. An off-set granted pursuant to this provision shall not constitute a temporary waiver or temporary variance as provided in Section A(VI).
13. Aircraft manufacturing may involve multiple Commercial Aeronautical Activities. Each aircraft manufacturer subject to the Minimum Standards shall comply, at a minimum, with the requirements herein for Aircraft Sales. The conduct of ancillary services, such as warranty work on aircraft sold by the manufacturer, shall not, standing alone, trigger the obligation to comply with the requirements for Aircraft Airframe, Powerplant (Engine) and Propeller Maintenance.

II. Performance Standards

1. Commercial Aeronautical Operators are to provide high quality customer service by meeting or exceeding, Airport customer needs through consistent, responsive, and professional service.
2. Commercial Aeronautical Operators are to employ the necessary number of trained staff, management and supervisors to provide for the efficient, safe, and orderly operations of its business.
3. Commercial Aeronautical Operators are to control the conduct and demeanor of their personnel, agents, subcontractors, and subtenants, as well as conduct their business operations in a safe, orderly, efficient, and proper manner so as not to unreasonably disturb or endanger any Airport customers, tenants, or other Operators.
4. All personnel employed by a Commercial Aeronautical Operator to perform Aeronautical Activities on the Airport are required to be appropriately dressed and identifiable while on duty and to wear a Authority-issued airport security badge, as may be required by the Authority or by regulation or directive of the Transportation Security Administration. The

business name shall be included in the means of identification on each person whose job responsibilities include regular interaction with Airport customers.

III. Compliance with Federal, State and Local Requirements

1. Commercial Aeronautical Operators are to comply with all federal, state, and local requirements applicable to their operations.
2. Commercial Aeronautical Operators are to conduct all activities so as to allow the Authority to remain in compliance with all federal and state statutes, regulations, orders, policies, and grant assurances applicable to the Authority in the operation, maintenance, and development of the Airport.
3. Commercial Aeronautical Operators are to comply with the rules imposed by the Authority applicable to conduct on the Airport as well as any other applicable law, rule, regulation, or other requirement, whether codified in the Charlotte County and City of Punta Gorda Municipal Codes, the Authority's Rules and Regulations, or elsewhere.
4. Without limitation of the foregoing, Commercial Aeronautical Operators are to comply with the following requirements:
 - i. Security. Commercial Aeronautical Operators are to comply with the laws, regulations, orders and directives of the Transportation Security Administration, as each may be amended; instructions of law enforcement personnel; and the security-related policies, orders, and directives of the Authority.
 - ii. Safety. Commercial Aeronautical Operators are to comply with federal, state and local law applicable to workplace and aviation safety; and the orders and directives of the Executive Director in furtherance of a Safety Management System or similar or related program at the Airport designed and intended to enhance safety.
 - iii. Environmental. Commercial Aeronautical Operators are to comply with all applicable federal, state and local environmental laws; orders and directives of a federal or state agency with requisite jurisdiction over environmental conditions at the Airport; Authority environmental policies and procedures, including, for example, and without limitation, a storm water management plan and spill prevention control and countermeasures plan; and generally accepted industry environmental policies and standards.

IV. Licenses, Permits, and Certifications

1. Commercial Aeronautical Operators shall obtain and comply with, at their sole expense, all necessary licenses, permits and certificates required for the conduct of Operator's activities at the Airport as required by the Federal Aviation Administration, the State of Florida, the Authority, or any other duly authorized governmental agency having jurisdiction.
2. Commercial Aeronautical Operators shall display each such license, permit, or certificate within a public access area of Operator's Leased Premises, if required to be displayed by law, or provide a copy to the Executive Director.
3. Commercial Aeronautical Operators shall not engage in any activities at the Airport prior to obtaining any certification required by the FAA.
4. Commercial Aeronautical Operators shall not engage in any business or activity upon the Airport other than those authorized by the Authority.

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V. Construction

1. Commercial Aeronautical Operators are to comply with the requirements of this subsection for the construction, expansion, rehabilitation, or removal of all structures, improvements, taxiways, or aprons on the Airport.
2. Plans and construction must be consistent with the Airport Master Plan, Airport Layout Plan, and the Minimum Standards, as each may be amended.
3. Plans and construction must comply with applicable FAA design standards, the National Fire Protection Code, the Charlotte County and State of Florida Fire Codes, and the Charlotte County and Florida Building Codes, as each may be amended.
4. Required notices submitted pursuant to 14 C.F.R. Part 77, Objects Affecting Navigable Airspace, must be submitted through the Executive Director.
5. No structure may be constructed on the Airport that the FAA has determined would constitute an obstruction or hazard to air navigation.
6. All facilities must be of permanent construction.
7. All public accommodations must be properly heated, ventilated, cooled, and lighted; and shall include restrooms, on-site customer and employee ground vehicle parking spaces, and handicap access in accordance with applicable federal, state, and local laws, rules, and regulations.
8. Detailed plans and specifications must be reviewed and approved in writing by the Executive Director or his/her designee before construction can begin.
9. Operators shall deliver to the Executive Director "as built" plans upon completion of construction.

VI. Signage

1. Each building, vehicle, and piece of mobile or vehicular equipment used on the Airport in conjunction with a Commercial Aeronautical Activity shall bear the Commercial Aeronautical Operator's identification in the form of a company logo, sign, emblem, or other means to designate to whom the building, vehicle, or equipment belongs or is assigned.
2. Identification shall be legible on a contrasting background and shall be visibly displayed.
3. All Commercial Aeronautical Operator identification shall be professionally designed and affixed to vehicles.
4. All signs shall conform to Charlotte County sign ordinance (or similar requirement), if applicable, and be approved in advance by the Authority.

VII. Vehicles and Equipment

1. The specific equipment requirements contained in the Minimum Standards shall be deemed satisfied if the Commercial Aeronautical Operator owns, leases, or otherwise has sufficient access to the equipment to provide the applicable aeronautical services promptly on demand without causing any flight delays or other operational impacts on aircraft at the Airport.
2. Equipment must be maintained in operating condition and good appearance.

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3. All vehicles operating at the Airport shall comply with applicable rules and regulations governing vehicles and traffic and have required permits and registrations, including permits for operation in the paved or unpaved areas used or intended to be used for the unobstructed movement of aircraft, runways, taxiways, or aprons ("Operations Area").
4. All vehicles operating at the Airport shall provide evidence of insurance to the Authority and shall update such insurance information on an annual basis.

VIII. Products and Services

1. Products and services shall be provided on a fair, equal, and non-discriminatory basis to all users of the Airport. Fair, reasonable, and nondiscriminatory discounts and other similar types of price reductions may be extended to like purchasers and users.
2. The Authority reserves the right to review and approve the prices charged by Commercial Aeronautical Operators and to impose a "street-pricing" requirement if determined to be in the best interest of the Airport and Airport users.

IX. Insurance

1. Commercial Aeronautical Operators shall keep and maintain all insurance required by law including for example and without limitation, insurance as required by the workers compensation laws of the State of Florida.
2. Commercial Aeronautical Operators shall procure, maintain, and pay premiums during the term of the Agreement for insurance of the types and the minimum limits set forth by the Authority for each Commercial Aeronautical Activity. The insurance company underwriting the required policy(s) shall be licensed or admitted to write such insurance in the State of Florida, be an excess and surplus lines carrier allowed to do business in Florida, or otherwise be approved in writing by the Authority.
3. All insurance which a Commercial Aeronautical Operator is required by the Authority to carry and keep in force shall name the Authority (individually and collectively) and its representatives, officials, officers, employees, agents, and volunteers as additional insured.
4. Commercial Aeronautical Operators conducting rental or sales of Aircraft or flight training shall post a notice and incorporate within their rental and instruction agreements the coverages and limits provided to the renter/student by Operator, as well as a statement advising that additional coverage is available to such renter/student through the purchase of an individual non-ownership liability policy. Operator shall provide a copy of such notice to the Executive Director.

X. Non-Commercial and Non-Aeronautical Activities

1. No Entity shall conduct a commercial activity, including any Commercial Aeronautical Activity, as a Lessee or sublessee of Airport property that is leased or designated for a non-commercial use, including, for example, and without limitation, a hangar leased for non-commercial use.
2. No Commercial Aeronautical Operator shall conduct non-aeronautical activities in buildings or hangars located on land designated for aeronautical purposes without the Authority's written approval. Boats, trailers and/or motor homes parked on Airport property or inside hangars and the long-term storage of un-airworthy aircraft are strictly forbidden and shall be removed from the Airport on ten (10) days written notice of the Authority at the FBOs, SASOs, tenants or corporate operator's expense.

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Appendix A

Minimum Standards For Specialized Aviation Service Operators



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Category

**Airport-based Flight Training and Aircraft Rental
(Operating pursuant to 14 C.F.R. Part 141)**

Scope of Activity

Airport-based Flight Training Operator is an Entity engaged in instructing pilots in fixed or rotary wing aircraft operations and providing such related ground school instruction as is necessary and preparatory to taking a written examination and flight check ride for the category or categories of pilots' licenses and ratings involved and operating pursuant to 14 C.F.R. Part 141.

Aircraft Rental Operator is an Entity engaged in the rental of Aircraft to the public.

Minimum Lease Space

Operator shall lease or sublease sufficient space upon which all required improvements for facility, ramp area, vehicle parking, roadway access, and landscaping can be located, consistent with the amount of space leased by similarly situated Operators.

Ramp space equal to the total number of Aircraft within Operator's fleet or current inventory, but not less than the space required to accommodate two Aircraft. Ramp space shall be adjacent to Operator's facilities and on Operator's leased ground space.

Operator shall provide at least 1,000 square feet of space for workspace, customer lounge, administration, restrooms, student briefing, flight planning, classroom facilities, and instructor lounge.

Sufficient paved vehicle parking facilities to accommodate all customers and employees on a daily basis in accordance with parking codes.

Personnel, Licenses and Certifications

Operator shall maintain such certifications as may be required by the FAA or the State of Florida, including without limitation certification as may be required under 14 C.F.R. Part 141.

Operator shall have in its employ at least two flight instructors who are properly certificated by the FAA to provide all types of training offered.

At a minimum, one flight instructor and one customer service person shall be on duty during operational hours.

Operator shall satisfy all safety and security requirements imposed on flight schools by the FAA and/or the Transportation Security Administration, including and without limitation the TSA Alien Flight Student Program or successor program developed in accordance with 49 U.S.C. Section 44939.

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Equipment

Operator shall have available for use in flight training, either owned or under written lease to Operator and under the exclusive control of Operator, not less than two properly certified aircraft, at least one (1) of which must be equipped for and capable of flight under instrument conditions and equipped for dual operation.

Training equipment shall include, at a minimum, adequate mock-ups, pictures, slides, film strips, movies, or other training aids necessary to provide proper and effective training school instruction. All materials, supplies, and training methods must meet FAA requirements for the training offered.

Hours of Operation

Operator's Leased Premises shall be open and services shall be available to meet the public demand for this category of service at least five (5) days a week, eight (8) hours a day.

Insurance

See Appendix B

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Category

Flight Training (general)
(Operating pursuant to 14 C.F.R. Part 61)

Scope of Activity

Flight Training Operator under this section is an Entity engaged in instructing pilots in fixed or rotary wing aircraft operations and providing such related ground school instruction as is necessary and preparatory to taking a written examination and flight check ride for the category or categories of pilots' licenses and ratings involved operating pursuant to 14 C.F.R. Part 61 and not operating pursuant to 14 C.F.R. Part 141.

These entities are generally individual certified flight instructors ("CFIs") that provide flight instruction to pilots based at the Airport and using aircraft that are based at the Airport.

Minimum Space

Notwithstanding Section A.II.7 of the Minimum Standards, Operator is not required to lease space from the Authority on an exclusive basis. However, evidence shall be provided to the Authority that the Operator has made arrangements with either a tenant or the Authority to have an area in which to conduct pre- and post-flight briefings as well as an appropriate site at which to conduct ground instruction.

General Requirements

Individuals providing flight instruction pursuant to 14 C.F.R. 61 shall:

- a. Shall hold a current CFI certificate/rating issued by the FAA
- b. Shall comply with and satisfy 14 C.F.R., subpart H, as may be amended (49 C.F.R. 61.181 – 199)
- c. Shall obtain and have a current **"Instruction Permit"** issued by the Airport Director.
- d. Shall comply with all rules and regulations issued by the Authority.
- e. Conduct all flight training in a safe and reasonable manner.
- f. Have arrangements for an appropriate place to conduct ground training and post-flight debriefing.
- g. Shall comply with all directives given by the Airport Director as to the time, place, and manner for providing flight instruction at the Airport, as outlined in the Instruction Permit or otherwise.
- h. Comply with all applicable rules, regulations, advisory circulars, statements of policy or other directives issued by the Federal Aviation Administration and the Transportation Security Administration, including, and without limitation, the Alien Flight Student Program or successor program developed in accordance with 49 U.S.C. Section 44939.

Insurance

See Appendix B

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Category

Aircraft Charter, Air Taxi, Air Ambulance

Scope of Activity

An Entity engaged in the business of providing air transportation (for persons or property) to the general public for hire, either on a charter basis or as an air taxi operator, as defined in 14 C.F.R. Part 135.

Air charter is an Entity that provides on-demand, non-scheduled passenger services and operates under the appropriate FAA regulations with aircraft that provide no more than 30 passenger seats.

Minimum Lease Space

Operator shall lease or sublease sufficient space upon which all required improvements for facility, ramp area, vehicle parking, roadway access, and landscaping can be located, consistent with the amount of space leased by similarly situated Operators.

Ramp space equal to the total number of Aircraft within Operator's fleet or current inventory, but not less than the space required to accommodate two multi-engine Aircraft. Ramp space shall be adjacent to Operator's facilities and on Operator's leased ground space.

Operator shall provide at least 500 square feet of space for work area, customer lounge, administration, restrooms, classroom facilities and restaurant or appropriate vending machines.

Operator shall provide sufficient paved vehicle parking facilities to accommodate all customers and employees on a daily basis in accordance with parking codes.

Personnel, Licenses and Certifications

At a minimum, one customer service person and two flight crew personnel, on-site as customer needs dictate.

Operator shall provide satisfactory arrangements for the checking in of passenger, handling of luggage, ticketing and ground transportation.

Operator shall have and provide copies to the Executive Director of all appropriate FAA and U.S. Department of Transportation certifications and approvals, including without limitation, the Preapplication Statement of Intent (FAA Form 8400-6), the Registrations and Amendments under Part 298 (OST Form 4507), and the FAA-issued operating certificate.

Equipment

Operator shall provide, either owned or under written lease to Operator and under the exclusive control of Operator, not less than one (1) certified and continuously airworthy aircraft certified for flight in instrument conditions.

Hours of Operation

Operator's Leased Premises shall be open and services shall be available to meet the public demand for this category of service as customer needs dictate. After hours, on-call response time to customer inquiries shall not exceed four (4) hours.

Insurance

See Appendix B

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Category	Aircraft Sales
Scope of Activity	An Entity engaged in the sale of new or used Aircraft and/or engaged in aircraft manufacturing will be categorized as an Aircraft Sales SASO for purposes of the Minimum Standards.
Minimum Lease Space	<p>Operator shall lease or sublease sufficient space upon which all required improvements for facility, ramp area, vehicle parking, roadway access, and landscaping can be located, consistent with the amount of space leased by similarly situated Operators.</p> <p>Operator shall provide at least 500 square feet for office work area, lounge, administration, and restrooms.</p> <p>Operator shall provide sufficient paved vehicle parking facilities to accommodate all customers and employees on a daily basis in accordance with parking codes.</p>
Personnel, Licenses and Certifications	<p>Operator shall employ, or have available on call, a sufficient numbers of pilots with instructor ratings who shall be current in all models to be demonstrated.</p> <p>Operator shall provide a sufficient number of personnel to adequately and safely carry out aircraft sales services in a courteous, prompt, and efficient manner adequate to meet the reasonable demands of the public seeking such services on the Leased Premises. At least one person shall be a commercial pilot currently certified by the Federal Aviation Administration, with ratings appropriate for the types of aircraft to be demonstrated.</p>
Equipment	<p>An Operator which is an authorized factory sales franchise, dealer, or distributor shall have available or on call at least one (1) current model demonstrator of Aircraft in its authorized product line. Demonstrations of additional models of the manufacturer for which a dealership is held shall also be available.</p> <p>Necessary and satisfactory arrangements for repair and servicing of aircraft shall be provided in accordance with any sales guarantee or warranty period.</p>
Hours of Operation	Operator's Leased Premises shall be open and service shall be available to meet the public demand..
Insurance	See Appendix B

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Category

Aircraft Airframe, Powerplant and Propeller Maintenance

Scope of Activity

An Entity engaged in the business of providing airframe and powerplant repair and maintenance services which includes the sale of Aircraft parts and accessories.

Minimum Lease Space

Operator shall lease or sublease sufficient space upon which all required improvements for facility, ramp area, vehicle parking, roadway access, and landscaping can be located, consistent with the amount of space leased by similarly situated Operators.

Operator shall lease or sublease ramp space as required by the Operator's demand and operations as determined by the Authority in its sole discretion.

Operator shall provide at least one 3,600 square foot hangar on Operator's leasehold for aircraft maintenance.

Operator shall provide adequate space for office, lounge, and shop with adequate space for customer lounge, administration, shops, and restrooms.

Operator shall provide sufficient paved vehicle parking facilities to accommodate all customers and employee on a daily basis in accordance with parking codes.

Personnel, Licenses and Certifications

An airframe and powerplant mechanic (A&P) is a person who holds an aircraft mechanic certificate with both the airframe and powerplant ratings issued by the FAA under 14 C.F.R. Part 65. An "IA" is an A&P that holds a current inspection authorization issued by the FAA under 14 C.F.R. Part 65.

Operator shall provide a sufficient number of personnel (at a minimum of one (1) FAA certificated mechanic with airframe and powerplant ratings) to adequately and safely carry out airframe and powerplant repair and maintenance services in a courteous, prompt, and efficient manner and meeting the reasonable demands of the public.

Operator shall employ sufficient repair personnel who are current and properly certificated by the FAA with ratings appropriate to the work being performed and who hold airframe, powerplant, and/or Aircraft inspector ratings. This includes at least one one (1) A&P and have available to it at least one (1) IA.

Equipment

Operator shall provide sufficient shop space and equipment, supplies, and availability of parts equivalent to that would be required for Aircraft frequently utilizing the Airport. This includes, but is not limited to a tug to tow the types of Aircraft being maintained, parts washing equipment, aircraft jacks and tow bars for the types of Aircraft being maintained and storage cabinets for flammables.

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Hours of Operation

Operator's Leased Premises shall be open and services shall be available to meet the public demand for this category and after hours, on-call, with response time not to exceed one (1) hour.

Insurance

See Appendix B

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Category

Maintaince, Repair, and Overhaul Station

Scope of Activity

An Entity engaged in the business of providing airframe, powerplant or aircraft component repair and maintenance services on a contract basis and not generally to the public on an on-demand basis.

Minimum Lease Space

Operator shall lease or sublease sufficient space upon which all required improvements for facility, ramp area, vehicle parking, roadway access, and landscaping can be located, consistent with the amount of space leased by similarly situated Operators.

Operator shall lease or sublease ramp sufficient for its operations, which shall be determined by the Authority in its sole discretion. Ramp space shall be adjacent to Operator's facilities and on Operator's leased ground space.

Operator shall provide at least one 3,600 square foot hangar on Operator's leasehold for aircraft maintenance.

Operator shall provide at least 1,000 square feet of office, lounge, and shop with adequate space for customer lounge, administration, shops, and restrooms.

Operator shall provide sufficient paved vehicle parking facilities to accommodate all customers and employee on a daily basis in accordance with parking codes.

Personnel, Licenses and Certifications

An airframe and powerplant mechanic (A&P) is a person who holds an aircraft mechanic certificate with both the airframe and powerplant ratings issued by the FAA under 14 C.F.R. Part 65. An "IA" is an A&P that holds a current inspection authorization issued by the FAA under 14 C.F.R. Part 65.

Operator shall provide a sufficient number of personnel (at a minimum of one (1) FAA certificated mechanic with airframe and powerplant ratings) to adequately and safely carry out airframe and powerplant repair and maintenance services in a courteous, prompt, and efficient manner and meeting the reasonable demands of the public. Operator shall also have available to it at least one (1) IA.

Operator shall employ sufficient repair personnel who are current and properly certificated by the FAA with ratings appropriate to the work being performed and who hold airframe, powerplant, and/or Aircraft inspector ratings.

Equipment

Operator shall provide sufficient shop space and equipment, supplies, and availability of parts equivalent to that would be required for Aircraft frequently utilizing the Airport.

Hours of Operation

Operator's Leased Premises shall be open and services shall be available to meet the demand for this category of service, which shall be determined by the Authority in its sole discretion.

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Insurance See Appendix B

Category **Avionics, Instrument and Accessory
Maintenance**

Scope of Activity An Entity engaged in the business of repairing aircraft radios, electrical systems, propellers, instruments, and/or accessories.

Minimum Lease Space Operator shall lease or sublease sufficient space upon which all required improvements for facility, ramp area, vehicle parking, roadway access, and landscaping can be located, consistent with the amount of space leased by similarly situated Operators.

Operator shall make satisfactory arrangements for access to and storage of aircraft being worked on and satisfactory arrangements for the delivery and storage of aircraft parts shipped by ground.

Operator shall provide sufficient paved vehicle parking facilities to accommodate all customers and employees on a daily basis in accordance with parking codes.

Personnel, Licenses and Certifications Repair personnel must be currently and properly certificated by the FAA with ratings appropriate to the work being performed.

Operator shall provide a sufficient number of personnel to adequately and safely carry out avionics, instrument, or propeller repair services in a courteous, prompt, and efficient manner adequate to meet the reasonable demands of the public seeking such services.

Operator shall employ a sufficient number of personnel with Aircraft radio, electrical systems, instruments, and propeller repair ratings, appropriate to the category of work being performed, which shall be determined by the Authority in its sole discretion.

Equipment Operator shall provide sufficient equipment, supplies, and availability of parts equivalent to that required for certification by the FAA as an approved repair Operator.

Hours of Operation Operator shall have its premises open and services available to meet the public demand for this category of service (which shall be determined by the Authority in its sole discretion) and available on other days and/or after hours, on-call, with response time not to exceed one (1) hour.

Insurance See Appendix B

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Category

Aircraft Storage

Scope of Activity

An Entity engaged in the rental of Aircraft hangars to the public for the purpose of storage of Aircraft.

Minimum Lease Space

Operator shall lease or sublease sufficient space upon which all required improvements for facility, ramp area, vehicle parking, roadway access, and landscaping can be located.

Sufficient paved vehicle parking facilities to accommodate all employees on a daily basis.

Personnel, Licenses and Certifications

Operator shall provide a sufficient number of personnel to adequately and safely carry out the services and activities in a courteous, prompt, and efficient manner adequate to meet the reasonable demands of the public seeking such services.

Equipment

Operators shall provide sufficient equipment and supplies to allow for the safe and expeditious accomplishment of the provided service.

Hours of Operation

Operator's Leased Premises shall be open open and available as customer needs dictate (which shall be determined by the Authority in its sole discretion and a manager shall be on-call and available to be onsite within one (1) hours' notice.

Insurance

See Appendix B

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Category

Unmanned Aerial System Operator

Scope of Activity

An Entity engaged in the operation and/or maintenance of an Unmanned Aerial System ("UAS", sometimes referred to as a "drone") for commercial purposes at the Airport.

Minimum Lease Space

Notwithstanding Section A.II.7 of the Minimum Standards, Operator shall not generally be required to lease space from the Authority on an exclusive basis if on-airport operations are irregular and/or infrequent.

However, if Operator holds out to the public as providing UAS-related services at the Airport or performs five or more operations on a monthly basis, then the Operator shall be required to lease or sublease sufficient space upon which all required improvements for facility, ramp area, vehicle parking, roadway access, and landscaping can be located

Sufficient paved vehicle parking facilities to accommodate all employees based at the Airport on a daily basis.

Personnel, Licenses and Certifications

Operator shall provide a sufficient number of personnel to adequately and safely carry out the services and activities in a courteous, prompt, and efficient manner adequate to meet the reasonable demands of the public seeking such services. At a minimum the operator will employ a person dedicated to maintenance and leasing.

Operator shall have, as the operator of any UAS at or around the Airport, at a minimum, a current and valid Private Pilot certificate issued by the FAA as well as an Instrument Rating.

In addition, the Operator:

- a. Shall obtain and have a current "UAS Operator Permit" issued by the Airport Director.
- b. Shall comply with all rules and regulations issued by the Authority.
- c. Shall comply with all directives given by the Airport Director as to the time, place and manner UAS operations at the Airport, as outlined in the Instruction License or otherwise.
- d. Comply with all applicable rules, regulations, advisory circulars, statements of policy or other directives issued by the Federal Aviation Administration as well as in any Certificates of Waiver or Authorization ("COA").
- e. Regardless of whether SMS compliance would otherwise be required by FAA policies or orders, the Operator shall complete an SMS process in compliance with FAA Order 5200.11 (and any accompanying FAA guidance documents) prior to the Authority's issuance of a UAS Operator Permit. The costs associated with compliance shall be borne by the Operator.
- f. The SMS process shall examine at least (i) on-Airport safety

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considerations; (ii) off-Airport safety considerations; and (iii) airspace issues associated with the proposed operations. The Applicant must commit in writing to implement all recommendations that result from the SRM panel and to fund the cost of any safety actions that are so recommended.

Equipment

Operators shall provide sufficient equipment and supplies to allow for the safe and expeditious accomplishment of the provided service.

Insurance

See Appendix B

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Category **Commercial Skydiving**

Scope of Activity An Entity engaged in jumping from an aircraft and deploying a parachute to create drag or lift for descent to the ground (“Commerical Skydiving”).

Minimum Lease Space Operator shall lease sufficient space upon which all required improvements for facility, ramp area, vehicle parking, roadway access, and landscaping can be located.

Sufficient paved vehicle parking facilities to accommodate all employees on a daily basis.

Application Required An Entity that wishes to engage in Commerical Skydiving at the Airport must first submit a written application to the Authority to conduct such activity. Such written application shall contain the information required to lease property

In addition, the application shall indicate and/or include the following:

1. The size and location of any improvements to be constructed within the intended parachute landing area (i.e. the “Drop Zone”); the proposed design and terms for the construction of same; and the leasing or sub-leasing thereof. An identification of any necessary or desirable capital improvements to be constructed in conjunction with the use of the Drop Zone and the Applicant’s proposal for financing the same.
2. The number, type(s), registration, and basing of aircraft to be provided/maintained (as applicable) and a detailed description of all equipment and facilities.
3. The number of persons to be employed (including the names, qualifications, and certifications of each person); whether the employees will be based at the Airport (full-time, part-time and seasonal) or transient; and the certifications required, if any, for each employee.
4. The hours of the proposed operation.
5. Identification of any and all bankruptcies relating to the Applicant and the Applicant’s principals.
6. Disclosure of any and all documented violations by the Applicant and/or the Applicant’s principals of FAA regulations.
7. The Applicant must describe procedures for safely conducting Commercial Skydiving at the Airport that address the following topics:
 - i. Vehicular and pedestrian access to the Drop Zone;
 - ii. Supervision of Commercial Skydiving and Participants;
 - iii. Measures to ensure against runway incursions or incursions into OFAs, OFZs, and RSAs by any

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Participant, vehicle, or equipment.

- iv. Communications systems which will be used to ensure positive communication among Participants and the Applicant's employees at all times.
 - v. Compliance with any USPA safety recommendations for Commercial Skydiving operations.
8. Regardless of whether SMS compliance would otherwise be required by FAA policies or orders, the Applicant shall complete an SMS process in compliance with FAA Order 5200.11 (and any accompanying FAA guidance documents) prior to submission of its application. The costs associated with compliance shall be borne by the Applicant and any contemplated FAA or Authority costs must be deposited with the Authority in advance.
 9. The SMS process shall examine at least (i) on-Airport safety considerations; (ii) off-Airport safety considerations; and (iii) airspace issues associated with the Drop Zone. The Applicant must commit in writing to implement all recommendations that result from the SRM panel and to fund the cost of any safety actions that are so recommended.
 10. Pursuant to the USPA's *Basic Safety Requirements*, Drop Zones must be unobstructed, with the following minimum radial distances as follows:
 1. If the Operator intends at any time to serve any student skydivers or Participants without a skydiving license, or A-license holders, then the Drop Zone must be 100 meters from the nearest Hazard.
 2. If the Operator intends at any time to serve B and C license holders, or any tandem skydivers, then the Drop Zone must be 50 meters from the nearest Hazard.
 3. If the Operator intends at any time to serve D-license holders, then the Drop Zone must be 12 meters from the nearest Hazard.
 11. Each Operator must enter into a separate Lease or License with the Authority for the area on the Airport to be used as a Drop Zone. Rates shall be set by the Authority. The Drop Zone shall be used exclusively for such purpose and shall not be subleased at any time when Commercial Skydiving is authorized to occur.
 12. The Drop Zone must be sufficiently large to enable safe landings by Participants. At a minimum, the Drop Zone must be 300 ft. by 300 ft.

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**Personnel,
Licenses
and
Certifications**

The Operator shall ensure that all participants (whether employed by the Operator or otherwise) comply with the following requirements:

1. Medical requirements

a. All participants must:

- i. Possess at least a current FAA Third-Class Medical Certificate;
- ii. Carry a certificate of physical fitness for skydiving from a licensed physician; or
- iii. Have completed the USPA recommended medical statement.

2. Age requirements

a. Participants must be at least either:

- i. 18 years of age; or
- ii. 16 years of age with a notarized parental or guardian consent.

The Operator must submit to the Authority all new, updated or amended FAA certificates and ratings annually when received. Further, upon hiring new employees, the Operator must file all FAA certificates of ratings with the Authority within two weeks of hiring the employee. In addition, upon any revocation of or change to any certificate or ratings, or any other penalties by FAA against the certificate holder, the Operator must provide written notice to the Authority within two weeks.

Equipment Operators shall provide sufficient equipment and supplies to allow for the safe and expeditious accomplishment of the provided service.

Hours of Operation Operators shall only conduct operations at times agreed to in advance between the Authority and the Operator.

Insurance See Appendix B

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Category

Non-Airport Based Mechanic

Scope of Activity

Entity/Operator conducts annual inspections on single engine aircraft based at the Airport. This category is limited to Entities that are individuals (i.e. not employed by a company that engages in aircraft maintenance and repair).

Minimum Lease Space, Licenses and Certifications & General Requirements.

Notwithstanding Section A.II.7 of the Minimum Standards, Operator shall not generally be required to lease space from the Authority on an exclusive basis.

However, the Operator shall:

- a. Hold an aircraft mechanic certificate with both the airframe and powerplant ratings issued by the FAA under 14 C.F.R. Part 65 and hold a current inspection authorization issued by the FAA under 14 C.F.R. Part 65.
- b. Shall obtain and have a current “**A&P Permit**” issued by the Airport Director.
- d. Shall comply with all rules and regulations issued by the Authority.
- e. Conduct all work in a safe and reasonable manner.
- f. Shall comply with all directives given by the Airport Director as to the time, place and manner for conducting annual inspections on single engine aircraft at the Airport, as outlined in the A&P Permit or otherwise.

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Equipment

Operators shall provide sufficient equipment and supplies to allow for the safe and expeditious accomplishment of the provided service.

Hours of Operation

Operators shall conduct annual inspections of single engine aircraft based at the Airport between the hours of 7:00 a.m and 7:00 p.m. or at other times that are approved in advance by the Airport Director.

Insurance

See Appendix B

Category **Banner-Towing**

Scope of Activity Operator utilizes an aircraft to tow a banner (an advertising medium supported by a temporary framework attached externally to the aircraft and towed behind the aircraft).

Permit Required Operator shall, in advance of engaging in activity at the Airport, possess a Banner Towing Permit issued by the Authority which shall specify the terms and conditions upon which the Operator may engage in activity at the Airport.

Application An Entity that wishes to engage in Banner-Towing activity at the Airport must first submit a written application to the Authority to conduct such activity. Such written application shall contain the information required to lease property stated herein.

In addition, the application shall indicate and/or include the following:

1. The number, type(s), registration, and basing of aircraft to be provided/maintained (as applicable) and a detailed description of all equipment and facilities.
2. The number of persons to be employed (including the names, qualifications, and certifications of each person); whether the employees will be based at the Airport (full-time, part-time and seasonal) or transient; and the certifications required, if any, for each employee
3. The dates and times of the proposed operation.
4. Identification of any and all bankruptcies relating to the Applicant and the Applicant's principals.
5. Disclosure of any and all documented violations by the Applicant and/or the Applicant's principals of FAA regulations.
6. The Applicant must describe procedures for safely conducting Banner-Towing operations at the Airport that address the following topics:
 - i. The proposed area on the airport to engage in operations;
 - ii. The proposed manner in which to minimize impact upon scheduled air carrier service at the Airport;
 - iii. The proposed notification and coordination protocols to be utilized with respect to the Airport and air traffic control (i.e. the airport's tower personnel); and

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- iv. A listing of all accidents, incidents or other similar occurrences involved in the Entity's operations over the prior 5 year period.

Personnel, Licenses and Certifications

Operator shall provide a sufficient number of personnel to adequately and safely carry out the services and activities in safe and efficient manner.

Operator utilize as a pilot of any aircraft involved in Banner-Towing activity who possesses a current and valid Commercial Pilot certificate as well as an instrument rating.

Equipment

Operators shall provide sufficient equipment and supplies to allow for the safe and expeditious accomplishment of the provided service.

Hours of Operation

Operators shall engage in Banner-Towing activity at reasonable times and at times that shall not unduly interfere with commercial air carrier flights at the airport and at times that are agreed to, in advance, between the Operator, air traffic control, and the Authority.

Insurance

See Appendix B

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Category

Flying Club

Scope of Activity

A flying club is a nonprofit or not-for-profit entity (e.g., corporation, association, or partnership) organized for the express purpose of providing its members with aircraft solely for their personal use and enjoyment.

Requirments

Each Non-Commerical Flying Club satisfy the following:

- a. Each Non-Commercial Flying Club (Flying Club) member must have an ownership interest in the Flying Club.
- b. Each Flying Club shall keep a complete Aircraft list on file and available for review by the Authority or its designated representative.
- c. Each Flying Club shall keep on file and available for review by the Authority, or its designated representative, the current operating rules and the location and address of the club's registered office.
- d. Flying Clubs shall not conduct any commercial activity.
- e. Members may conduct flight instruction relating to Aircraft checkout and/or currency for members. The Flying Club shall not permit its Aircraft to be utilized for flight instruction by any person, including members, when such person pays or becomes obligated to pay for such flight instruction, except when flight instruction is provided by an approved Flight Training Operator on the Airport.
- f. Flying Club Aircraft shall only be used by members.
- g. No member shall use Flying Club Aircraft for commercial purposes or compensation. This does not include reimbursement for expenses associated with the use of Flying Club Aircraft.

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Equipment

A flying club shall have at least one aircraft which is fully-airworthy and possesses all necessary documentation and inspections to be legally operated with passengers on board.

Insurance

See Appendix B

Appendix B Insurance

I. General Requirements

1. All FBOs and SASOs subject to the Minimum Standards must maintain insurance policies and coverage limits that are relevant and appropriate to the activities conducted on the Airport.
2. In prescribing minimum insurance requirements, the Authority is not representing or guaranteeing that the types and limits are adequate to protect the Entity's interests and liabilities. It is understood that the specified amounts stated herein or in an Agreement shall in no way limit the liability of an Entity.
3. Each Entity required to maintain insurance will provide the Authority with a Certificate of Insurance listing the Authority as an additional insured. This obligation shall not apply to any workers' compensation policy.
4. Each Entity shall maintain the minimum required insurance throughout the term of an Agreement.
5. Each liability insurance policy, except workers' compensation, shall cover both bodily injury and property damage.
6. Each insurance policy shall be primary and non-contributory.
7. It shall be the Entity's responsibility to pay any retention or deductible for the coverages required herein and in an Agreement.
8. Insurance policies must include a requirement that a 30-day notice of cancellation, material change, or non-renewal will be sent to the Executive Director.
9. In requiring Entities to maintain insurance hereunder, the Authority in no way assumes liability for injury and damage occurring on or in connection with the Airport, and the Authority reserves the right to claim any defense or immunity available under law.

II. Fire and Extended Coverage

1. All FBOs and SASOs shall provide full fire and extended coverage and glass breakage insurance on any improvements constructed on the Leased Premises by either the Authority or by any such FBO or SASO, in an amount satisfactory to the Authority for 100% of the replacement value of the said property and improvements. Such policy shall comply with the following conditions:
 - i. Such policy shall be placed with a carrier having Best's rating of at least A-, Class VII.
 - ii. Such policy shall name the Authority as a loss payee.
 - iii. Such policy shall contain a waiver of subrogation in favor of the Authority.

- iv. Such policy shall not provide a deductible exceeding \$5,000 other than wind losses unless written approval is obtained from the Authority.
- v. No more than 5% wind deductible.

III. Comprehensive Insurance

1. All FBOs and SASOs shall provide at their own expense comprehensive insurance (including, but not limited to, fire, theft, and windstorm) on all personal property and all replacement thereof belonging to any such FBO or SASO situated on the Leased Premises for the benefit of the Authority and such FBO or SASO, in an amount not less than 90% of the insurable value of said property.

IV. Workmen's Compensation

1. All FBOs and SASOs with Employees shall carry, maintain and pay for all necessary workmens' compensation insurance or submit to the Authority exemption certificates for the same.

V. Liability Insurance

1. All FBOs and SASOs shall maintain comprehensive and all inclusive public liability and property damage insurance for the benefit of the Authority and any such FBO or SASO for any one person of at least \$1,000,000 for any one accident, with coverage which shall include property damage and personal injuries, including death, and shall include the Authority as a primary insured. In the case of FBOs, if all other FBOs at the Airport, and in the case of SASOs, if all other SASOs at the Airport are required to increase their liability insurance coverage with the Authority, then the insurance coverage herein set forth shall be increased to the same extent and in the same amounts as may be required for all such other FBOs or SASOs. The Authority's Risk Management Division shall be provided with a Certificate of Insurance evidencing the foregoing insurance requirements.

VI. Collection of Insurance

1. In the event of destruction of or damage to any of the leased property covered by insurance, the funds payable for the improvements pursuant to any insurance policy shall be deposited in a commercial national bank located within 10 miles of Punta Gorda, Florida, selected by the Authority, as a trust fund, and said fund shall be used for the purpose of reconstruction or repair, as the case may be, of any of the buildings, improvements or personal property so damaged or destroyed. Such reconstruction and repair work shall be done in strict conformity with the ordinances and Charter of the Authority. Should the cost of reconstruction or repair exceed the amount of the funds available from the proceeds of any such insurance policy, then and in such event, such funds shall be used as far as the same will permit in paying the cost of such reconstruction or repair. In the event that the cost of such reconstruction or repair shall be less than the proceeds derived from insurance policies, the surplus shall be payable to the Authority and deposited by it in the appropriate Authority account.

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VII. Primary coverage

1. All insurance required of any FBO or SASO shall apply to the Authority as primary coverage and shall be unaffected by any insurance which the Authority may carry in its own name.

VIII. Hold Harmless

1. Each Agreement with an FBO or SASO, or any other Entity doing business on the Airport, shall indemnify and save the Authority, its officers, and employees harmless from and against any and all claims, suits, actions, damages, and causes of action, arising during the term of any bodily injury, loss of life or damage to property sustained in, about, or upon the Leased Premises occupied or used by any such Entity, FBO or SASO, or the buildings and improvements placed thereon, the appurtenances thereto, or any other claims or suits arising out of the Agreement, and shall indemnify and save the Authority harmless from and against all costs, counsel fees, expenses, and liabilities incurred in or about any such claim, the investigation thereof or the defense of any action or proceeding brought thereon and from and against any orders, judgments or decrees which may be entered therein. Each Agreement further shall provide that any such Entity, FBO, or SASO shall defend any action, complaint, or proceeding brought against the Authority as the result of any of the matters above delineated, all at no cost or expense to the Authority.

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MINIMUM INSURANCE STANDARDS

Operator Type	Comprehensive General Liability	Comprehensive Liability (See Note # 1)	Hangar Keeper's Liability	Aircraft Liability
Fixed Base Operator (See Note # 2)	\$5,000,000 Each Accident	\$1,000,000 Combined Single Limit	\$5,000,000 Combined Single Limit	
Flight Training/Aircraft Rental	\$1,000,000 Each Accident	\$1,000,000 Combined Single Limit		\$1,000,000 Combined Single Limit
Aircraft Charter, Air Taxi and Air Ambulance	\$5,000,000 Each Accident	\$1,000,000 Combined Single Limit		\$5,000,000 Combined Single Limit
Aircraft Sales	\$3,000,000 Each Accident	\$1,000,000 Combined Single Limit		\$3,000,000 Combined Single Limit
Aircraft Airframe, Powerplant (Engine) and Propeller Maintenance (See Note # 3)	\$5,000,000 Each Accident	\$1,000,000 Combined Single Limit	\$3,000,000 Combined Single Limit	
Avionics, Instrument, and Accessory Maintenance (See Note # 4)	\$1,000,000 Each Accident	\$1,000,000 Combined Single Limit	\$2,000,000 Each Occurrence \$1,000,000 Each Aircraft	
Aircraft Storage (See Note #5)	\$1,000,000 Each Accident	\$1,000,000 Combined Single Limit	\$2,000,000 Each Occurrence \$1,000,000 Each Aircraft (See Note # 5)	
Unmanned Aerial System Operator	\$1,000,000 Each Accident	\$1,000,000 Combined Single Limit		\$1,000,000 Combined Single Limit
Commercial Skydiving	\$1,000,000 Each Accident	\$1,000,000 Combined Single Limit		
Non-Airport Based Mechanic	\$1,000,000 Each Accident	\$1,000,000 Combined Single Limit		
Banner Towing	\$1,000,000 Each Accident	\$1,000,000 Combined Single Limit		\$1,000,000 Combined Single Limit

Notes:

1. Comprehensive Vehicle Liability Insurance is required only on vehicles operated on Airport property.
2. Fixed Base Operators are required to carry a minimum of \$5,000,000 in Product Liability Insurance for fuel that may be provided in conjunction with the fuel supplier. FBOs will also have in full force and effect Pollution Insurance a minimum of \$1,000,000 for each occurrence and \$1,000,000 aggregate.
3. Aircraft Airframe and Power Plant Repair and Propeller Maintenance Operators are required to carry a minimum of \$3,000,000 in Product and Completed Operations Liability Insurance.
4. Avionics Instrument and Accessory Maintenance Operators are required to carry a minimum of \$1,000,000 in Products and Completed Operations Liability Insurance.
5. Aircraft Storage Operators are not required to carry Hangarkeeper's Liability if they do not take care, custody or control of aircraft.
6. UAS operators must have coverage that specifically covers UAS operations and claims related thereto, including claims related to damage to manned aircraft and passengers