

BUTLER COUNTY AIRPORT AUTHORITY
AIRPORT STANDARDS
AS ADOPTED JULY 9, 2009

PART I

1-101 DEFINITIONS When used in these Standards, the following terms shall have the following meanings:

Aeronautical Activity: Any activity conducted on or from Airport property that makes the operation of an aircraft possible or that contributes to or is required for the safe operation of aircraft. The following activities are among those considered to be examples of aeronautical activities within this definition:

Air Charter
Aircraft Rental
Aerial Surveying
Non-Scheduled Air Carrier Operations (both passenger and air cargo)
Aircraft Sales and Service
Aviation Fuel and Oil Sales (whether or not conducted in conjunction with other included activities)
Repair and Maintenance of Aircraft and Sales of Aircraft Parts
Pilot Training
Sightseeing
Crop Dusting

Agreement or Lease: A contract executed between the Authority and a person or entity granting a concession that transfers rights or interest in property, or otherwise authorizes the conduct of certain activities. The agreement or lease must be in writing, executed by both parties, and enforceable by law;

Air Charter: On demand, non-scheduled passenger service in aircraft having no more than 30 passenger seats.

Aircraft Maintenance: The repair, maintenance, adjustment or inspection of aircraft. Major repairs include major alterations to the airframe, power plant, and propeller as defined in Part 43 of the FARs. Minor repairs include normal, routine annual inspection with attendant maintenance, repair, calibration, adjustment, or repair of aircraft and their accessories;

Airport: The Butler County Airport, situate in Penn Township, Butler County, PA;

Airport Operating Area: The ramp apron, runway and taxiway system of the Airport;

Apron: A paved area suitable for aircraft staging and parking;

Authority: The Butler County Airport Authority, which owns and operates the Airport;

A&E: A certified mechanic holding valid airframe and powerplant ratings under Part 65, Subpart D of the FARs;

Board: The Board of Directors (sometimes called “Members”) of the Authority;

Commercial Aeronautical Activity: Any aeronautical activity intended to secure earnings, income, compensation, or profit, whether or not such objectives are accomplished.

Commercial Aviation Operator: A commercial aviation operator may be classified as either a fixed base operator (FB) or a specialized aviation service operator (SASO);

Entity: A firm, partnership, limited liability company, corporation, unincorporated proprietorship, association or group;

Equipment: All personal property and machinery together with the necessary supplies, tools, and apparatus necessary for the proper conduct of the activity being performed;

FAA: Federal Aviation Administration of the U.S. Department of Transportation;

FARs: Federal Aviation Regulations and Special Federal Aviation Regulations of the FAA;

Fixed Base Operator or FBO: A person or entity that is authorized and required by agreement with the Authority to provide the functions and fulfill the requirements described in Part 4 of these Standards;

Flying Club: An entity comprised of licensed pilots and/or student pilots, each of whom owns or leases under a long-term lease, in common, an interest in one or more aircraft;

IA: A certified mechanic holding a valid inspection authorization under Part 65, Subpart D of the FARs;

IFR: The Instrument Flight rules of the FARs;

Improvements: All buildings, structures and facilities. Improvements may include pavement, fencing, signs, and landscaping that is constructed, installed or placed on, under or above any leased area;

Lease: A contract between the Authority and an entity granting a concession that transfers rights or interests in property, or otherwise authorizes the conduct of certain activities. The least must be in writing, executed by both parties and enforceable by law;

Manager: A manager of the Airport acting for the Authority, pursuant to such authority as the Board may from time to time delegate;

Standards: These amended minimum standards;

Operator: Either a commercial operator or a non-commercial operator;

Specialized Aviation Service Operation (SASO): An aeronautical business that offers a single or limited service;

Sublease: A lease agreement entered into by a lessee with another entity that transfers rights or interests in property or facilities, and that is enforceable by law;

Surface Vehicle: A self-powered or operator-powered vehicle, not capable of flight.

1-102 INTRODUCTION

In order to encourage the availability, adequacy and orderly provision of general aviation services and facilities at the Airport, the Authority intends to, and does hereby, amend and revise its Standards for aeronautical services and activities at the Airport. These standards are intended to promote the availability of adequate, safe and competitively priced services at the Airport, at the same time recognizing the initial and recurring public investment in the Airport, and to assess fair, reasonable, and non-discriminatory rates and charges for private and commercial use of the Airport. These Standards are also intended to reflect the Authority's intention to observe and comply with the security requirements and policies from time to time promulgated by the United States Department of Homeland Security, and it is possible that the application of the provisions of these Standards will be modified or otherwise affected as the result.

1-103

The Authority recognizes that the goods and services needed to support general aviation patrons and users of the Airport are widely varied. The Authority also intends to exercise control over these goods and services by ensuring that they are provided:

- a. in a safe and secure manner;
- b. in an orderly, organized, and efficient manner, and
- c. within an environment which is economically viable for those persons and entities engaged in the business of providing such services.

Pursuant to the above goals, the Authority will regulate the delivery of goods and services to general aviation users through the implementation of the Standards and the issuance of varying types of agreements, leases and licenses to private aircraft owners as well as those persons and entities providing, or seeking to provide goods and services to airport users.

1-104

In general, in order to base an aircraft, construct a building on Authority-owned land, or utilize Airport facilities to conduct any kind of commercial or revenue generating activity whatsoever on or from the Airport, an appropriate agreement, lease or license to permit and regulate such activity must first be obtained from the Authority. In so doing, persons or entities conducting such activities become tenants or licensees of the Authority, with permission to engage in activities under the terms of the agreement, lease or license so granted. All terms, conditions, limitations and restrictions contained in an agreement, lease or license granted by the Authority must be given strict adherence by those tenants. Failure to do so will subject the tenant to such remedial action as the Authority may deem appropriate.

1-105

Under no circumstances may any person or entity conduct, perform, or offer to conduct or perform any commercial or revenue producing activity on or from the Airport without an agreement, commercial lease, sublease or license approved by the Authority.

PART 2A
GENERAL OPERATING PROVISIONS

2-101

The Authority, as owner and operator of the Airport, hereby regulates all private and commercial enterprises using the Airport as a base of operations. Except for transient use by the public, no private or commercial operation of any kind that is not authorized by the Authority shall be conducted on the Airport.

2-102

No person or entity shall conduct or perform any Commercial Aeronautical Activity on or from the Airport without an agreement lease, or license formally approved by the Authority. Approval of the Authority is required to base an aircraft on the Airport, or to occupy a hangar or tie-down space.

2-103

All persons utilizing the premises and facilities of the Airport shall abide by and conform to all safety and security regulations promulgated by the Authority, and by State and Federal governments.

2-104

All Airport areas not otherwise leased shall be used by permission of the Authority, subject to such conditions as the Authority may prescribe.

2-105

No construction work shall be done or alterations or additions on Airport owned buildings, hangars, rooms, or other areas except by written permission of the Authority.

2-106

A person involved in an accident occurring on Airport property involving injury to persons, property or aircraft shall promptly make a report to the Authority giving all pertinent information relative to the accident.

2-107

In the event of a violation of these Standards, the Authority may, in addition to such other action as it deems to be warranted pursuant to applicable law, issue a reprimand and/or may deny the use of the airport and its facilities to any person or entity if it determines that such denial is necessary under the

circumstances in order to protect property and other persons and their rights, the public and its interests in the Airport.

2-108

The Authority may appoint a Manager, assigning to the Manager such duties, responsibilities, and delegating to the Manager such authority as may from time to time meet the convenience of the Authority in the efficient management of the Airport. A Manager shall maintain an office on Airport property, at which office public information regarding the Airport may be obtained.

PART 2B
REGULATING CONDUCT OF COMMERCIAL AERONAUTICAL ACTIVITIES

2-109

The Authority reserves the right to enforce the Standards as the Authority shall, in its discretion, deem advisable for the proper and efficient operation and functioning of the Airport, provided, however, that any such enforcement shall be applied uniformly to all Operators or applicants.

2-110

As a requirement for all commercial activities on the Airport, insurance, as required by Part 7 of these Standards, must be provided by the applicant. In addition, each applicant must agree to indemnify and hold harmless Butler County, the Authority, and any individual members, officials or employees of these bodies for any claims arising from or attributable to operations of the applicant on the Airport.

2-111

The Authority intends to enforce these Standards so that anyone conducting any Commercial Aeronautical Activity for furnishing services to the public will;

- a. furnish said service on a fair equal and not unlawfully discriminatory basis to all users;
 - b. charge fair, reasonable, and not unlawfully discriminatory prices for each unit of service.
- An applicant shall conduct its activities in a manner that will conform to such requirements.

2-112

Only persons or entities conducting Commercial Aeronautical Activities pursuant to an agreement, lease or license with the Authority are permitted to charge a fee for services.

2-113

No person shall engage in any air show, act, or contest within the confines of the Airport without specific permission from the Authority, upon receipt of such permission after submitting written evidence of insurance coverage as required, by the Authority.

PART 2C
REGULATING CONDUCT OF SURFACE VEHICLES, PERSONS AND AIRCRAFT

2-114

Aircraft shall have right-of-way over surface vehicles.

2-115

Surface vehicles, except vehicles authorized by the Authority and referred to in Sections 2-116 and 2-118, shall be operated only outside the Airport's perimeter fence and then only on the roadways and areas that are designated for such vehicles, and shall be parked in the areas provided, and shall be operated as indicated by posted traffic signs.

2-116

Regardless of the day or night, authorized surface vehicles operating within the landing area, taxiways and ramps shall be painted a bright yellow or international orange, or display an international orange and white checkered flag of not less than nine square feet with one-foot squares, or have flashing lights conforming to PA Bureau of Aviation and/or the appropriate FAA rules and regulations; shall be equipped with top-mounted flashing lights conforming to PA Bureau of Aviation regulations; and shall carry a functioning, two-way VHF radio capable of transmitting and receiving on the active local traffic frequencies. If approved by the Authority, this requirement may be met by the use of a properly equipped escort vehicle.

2-117

Authorized vehicles parked adjacent to a runway, must be parked parallel to the runway at least 100 feet to the outside of the runway lights and vehicles shall be faced in the direction from which aircraft are landing and taking off.

2-118

Access to hangars on the south side of the Airport will be regulated separately by the Authority.

2-119

To minimize noise in the community, all aircraft maintenance runups will be accomplished in an area designated by the Authority.

2-120

No person shall enter on any restricted areas posted as being closed to the public.

2-121

No person shall walk across the landing areas or aircraft areas of the airport without specific permission of the Authority.

PART 2D
REGULATING THE CONDUCT OF PERSONS: FIRE REGULATIONS

2-122

Smoking or lighting of an open flame is prohibited at places with posted signs, within 50 feet of any aircraft and within 5- feet of hangars, fuel trucks, or fuel reloading stations and tank farms.

2-123

No open fire is permitted any place on the Airport without permission of the Authority.

2-124

No flammable liquids, gases or materials shall be stored or used so as to violate, in any manner, the fire codes in force in the area of the Airport.

2-125

Tenants of all hangars and buildings shall provide functioning fire extinguishers and equipment, kept in good workable condition, consisting of a fire extinguisher of an ABC class rating in each segregated area within a hangar used to store airplanes.

2-126

All persons are required to keep their premises clean and clear of all rubbish, junk and debris.

2-127

Tenants of all facilities shall provide the Authority with a set of keys to allow emergency access to the facility.

PART 2E
REGULATING THE SURFACE USE OF AIRCRAFT

To the extent not covered by federal or state regulations, the following shall apply to surface operations of aircraft on the Airport:

2-128

Aircraft shall be started, taxied, run up, parked or stored in the areas designated for such use.

2-129

A damaged aircraft may, in compliance with FAA and other governmental regulations, be moved from the landing areas, ramps, apron, or other areas at the expense of the owner and without liability for damage resulting from such moving.

2-130

Only airmen, duly authorized personnel, passengers going to or from aircraft, or persons being personally conducted by airport attendants shall be permitted to enter the landing area proper, taxi space or apron. These privileges are confined to the necessary use of these spaces in connection with flights, inspections and routine duties.

2-131

With reference to access to the Airport from certain adjacent properties, the Consent Order of the Court of Common Pleases of Butler County dated February 18, 1992 in the matter of Raymond D. Kushner et al vs. Butler County Airport Authority at A.D. No. 90-108, Book 135 Page 292 is hereby incorporated by reference.

PART 3 GENERAL REQUIREMENTS

The following general requirements shall apply to all Commercial Aeronautical Activities at the Airport. An Operator engaged in a Commercial Aeronautical Activity at the Airport must comply with the general requirements of this Part. An Operator functioning as an FBO shall comply, in addition, with the requirements of Part 4.

3-101

A person or entity wishing to conduct a Commercial Aeronautical Activity at the Airport must apply to the Authority and initially supply at least the following preliminary information:

- a. Experience supporting the likelihood of success in the activity which is proposed.
- b. Evidence of financial stability and solvency;
- c. Evidence of ability to make a minimum capital investment in such amount as shall be determined by the Authority;
- d. If an entity is other than one natural person, a document disclosing the legal nature of the entity, and disclosing the identities and proportions of ownership of all the owners. This document shall be signed by all of the owners and shall also contain a statement authorizing a representative to deal with the Authority if it is desired that less than all the owners shall be so authorized. It shall be the continuing obligation of the Operator to furnish the Authority with timely written notice of any changes in identity, proportions of ownership and representative.

3-102

No person or entity shall conduct a Commercial Aeronautical Activity unless that activity shall have been approved by the Authority and a valid lease or agreement authorizing such activity has been entered into with the Authority.

3-103

The lease or agreement will specify the terms and conditions under which the activity will be conducted at the Airport, including but not limited to a description of the nature and limitations upon the activities to be conducted, the term of the agreement, rentals, fees and charges and the rights and obligations of the respective parties.

3-104

The Operator shall pay the fees and charges negotiated with the Authority for the applicable aeronautical activities. Information relative to fees and charges applicable to the aeronautical activity described will be made available by the Authority to a prospective Operator.

3-105

Under the terms and conditions applied to a specialized aviation services operation (SASO), a ground rental lease may not be required. For all other, the following leased premise guidelines apply:

- a. The Operator shall lease, sublease, or construct sufficient ground space, facilities, and accommodations for the proposed aeronautical activity;
- b. When more than one activity is proposed or when the Operator will be conducting activities from an existing FBO or leasehold as approved sublessee, the minimum lease terms may vary depending on the nature of each activity.

3-106

The Operator must provide a full description and conceptual drawing (if required) of the location of the ground space, facilities, and accommodations to be utilized for the Operator's proposed activity. The Operator must also provide a schedule of development and identify the proposed locations of aircraft parking and staging areas, general aviation customer lounges, vehicle parking, and restrooms.

3-107

The ground space shall include an appropriate aircraft parking Apron with tiedown and/or hangar facilities sufficient to accommodate the current and anticipated aeronautical activity and the types of general aviation aircraft frequenting the Airport. Ground space shall also accommodate paved roadways and vehicle parking facilities which do not enter the AOA.

3-108

The facilities and floor space allotments shall include office and customer lounge facilities.

3-109

All layout and construction must comply with the design and construction requirements of Part 6 of these Standards, and be acceptable to the Authority's Engineer.

3-110

General aviation user accommodations shall include telephones for customer use, restrooms, and sufficient on-site customer vehicle parking spaces.

3-111

Detailed development plans must be submitted to the Authority. All construction plans must be submitted for approval prior to modification or construction of any building, hangar, or other aeronautical facility on the leased premises.

3-112

Operators must maintain the leased premises in a neat and orderly condition and provide the necessary personnel to perform day to day operational duties and maintenance upon the facilities.

3-113

Products and services shall be provided by the Operator on a fair, equal and nondiscriminatory basis to all users of the Airport. These products and services shall be provided at fair, reasonable and nondiscriminatory prices. If lawful, reasonable and non-discriminatory discounts and similar types of price reductions may be extended to like purchasers and users.

3-114

The Operator shall obtain and comply with all necessary licenses and permits for the conduct of anticipated activities at the Airport as may be required by the Authority or any other duly authorized governmental agency having jurisdiction. The Operator shall not engage in any activities at the airport prior to obtaining any certification required by the FAA.

3-115

The Operator shall have in its employ, and on duty during defined operating hours, trained personnel in such numbers as are required to meet minimum standards herein. The Operator must also provide an employee in its office to supervise operations on the leased premises. This employee must be able, and authorized by the Operator, to address the service and products needs of aircraft owners and pilots. Such person shall be authorized to represent and act for, and on behalf of, the Operator during all business hours. All personnel are required to hold appropriate FAA certificates and ratings, as applicable.

3-116

No Operator shall be permitted to engage in Commercial Aeronautical Activities unless the Operator is current in the payment of all rents, fees, or other sums accruing to the Authority under any and all agreements.

3-117

Any provider of Commercial Aeronautical Activities at the Airport shall engage in those activities only in accordance with all applicable laws, rules and regulations of the federal government, the State of Pennsylvania, and all other governmental bodies having jurisdiction, including the regulations of the FAA, the U.S. Department of Transportation, and the Authority.

3-118

Operators who provide an aeronautical service on Airport property shall provide insurance as required by Part 7 of these Standards.

3-119

All assignments, subletting and encumbrances of agreements between an authorized Operator and another entity must receive prior written approval of the Authority.

3-120

The Operator shall, at its sole cost and expense, pay any and all taxes which now or in the future may be assessed against the leasehold land, improvements thereto, or otherwise assessed upon its operations.

3-121

The Operators shall not erect, maintain, or display any sign on the leased premises or elsewhere on the airport unless he first obtains the prior consent of the Authority. All signage must meet the requirements of the Authority.

3-122

All Operators who dispense fuel, store fuel, and perform aircraft maintenance shall strictly comply with all federal, state and local laws, rules and regulations concerning the handling, use and storage of fuel, oil, solvents, chemicals and other hazardous materials.

3-123

Operators shall first obtain approval from the Authority before engaging in, or permitting on Airport premises, painting or stripping.

3-124

All activities at the Airport shall at all times be conducted with due consideration to the safety of all airport users, other persons and property located at or about the Airport.

3-125

Operators providing fueling, customer services, and ancillary services shall be available for the public a predetermined number of hours per day, seven days per week, as fixed by the Authority.

PART 4 FIXED BASE OPERATIONS (FBO)

These Standards are established by the Authority as the minimum requirement which, in addition to those set forth in Part 3, must be complied with by any FBO operating or desiring to establish an operation at the Airport:

4-101

The minimum requirements for an FBO shall consist of those services rendered or performed on Airport property, directly to the owners and operators of general aviation aircraft and necessary for such operations. Such services must include, but not necessarily be limited to, the following:

- a. Loading and unloading of aircraft, parking, tiedown service and protective storage;
- b. Maintenance and servicing of aircraft under a FAR 145 maintenance certificate;
- c. Providing aircraft and qualified pilots for Air Charter service operating under a current FAR Part 135 operation certificate and having at least one five-place or larger twin-engine aircraft equipped to operate in IFR conditions. Pilots providing such service must meet and comply with FAR Part 135;
- d. Provide fueling services using efficient mobile vehicles for jet fuel and aviation gasoline daily including Saturdays, Sundays and Holidays between the hours of sunrise and sunset or for a minimum of twelve (12) hours per day, whichever is greater. All fuel storage and dispensing equipment must meet National Fire Protection Association 407 Standards, all Commonwealth standards and have an inspections system that is approved by the Commonwealth and the supplier. Fuel dispensing equipment shall be of a modern design and shall be kept in a safe and non-leaking condition. Fuel pumping equipment shall have appropriate water and dirt filters, kept operational and in good repair. Mobile fueling equipment shall be frequently inspected and in good condition to pass the standards of the National Board of Fire Underwriters inspections regarding water accumulation, or other foreign matter in the fuel, leakage of fuel lines, static grounding equipment, pumps, location and condition of mufflers, fire extinguishers, lights, brakes and other necessary equipment used for servicing aircraft. When backing equipment, a signal person must be available to guide the driver. The driver must remain in the vehicle cab and is forbidden to stand on the running board or fender while backing. Fuel tenders will, at no time, be blocked or so positioned as to prevent a rapid removal of such tender. No aircraft shall be fueled or drained while the aircraft is running or being warmed by applications of exterior heat or while the aircraft is in a hangar or an enclosed area. During all fuel operations the aircraft shall be grounded by

an approved method. Smoking or lighting of an open flame shall be prohibited within 50 feet of any fueling operations. "No Smoking" signs to that effect must be conspicuously posted in the area or on any fuel trucks. Fueling operations and fuel trucks shall be parked at least 50 feet from any hangar or building. Daily records of in-ground fuel tanks and checks for water shall be maintained. Daily checks of the fuel tanks for water contamination shall also be accomplished prior to any fueling operations for the day and after any refueling of the truck from the bulk storage tank. A log of all fuel checks will be maintained for a minimum of one year and shall be available for inspection by authorized individuals.

- e. Provide minor and major aircraft maintenance using its own personnel, equipment, accessories and parts inventory. Minor aircraft maintenance shall include general and preventive maintenance, inspection on a general basis, 100 hour basis and annual inspection basis, and the purchase and sale of parts, equipment and accessories therefor. At least one person on the maintenance force must be an A&P Mechanic with credentials to perform annual inspections. The FBO must obtain from the FAA and keep in effect a license to operate a certified repair station in accordance with the minor maintenance provided. Major aircraft maintenance shall include inspection, overhauling, rebuilding and licensing of engines, airframes, aircraft accessories, electronic accessories and the purchase and sale of parts, equipment and accessories therefor. The FBO shall have at least one FAA qualified A&P and IA mechanic. The FBO must obtain and keep in effect an FAA license to operate a certified repair station in accordance with the major maintenance provided.
- f. Providing mobile equipment so as to safely assist an aircraft operator at any location on the Airport. Included in this equipment as a minimum will be towing equipment, air bottles and auxiliary power equipment (APU cart);
- g. Providing flight training activities to meet the requirements of FAR Part 141 for the private pilot course, commercial course, instrument rating course and multi-engine rating course. The FBO must own or lease at least one aircraft that is available full-time for flight training. The FBO's chief flight instructor must meet all requirements of the FAA and must hold appropriate FAA credentials;
- h. The following services may be provided in addition to the minimum required services; sale of new and used aircraft, parts and accessories. The quantity of aircraft for sale or rental physically located upon the Airport shall be subject to restrictions and limitations established by the Authority from time to time.

4-102

The following are excluded from the activities of an FBO:

- a. Vehicular parking for charge;
- b. Sale of non-aviation products;
- c. Food and beverage sales except through currency-operated machines;
- d. News and sundries sales;
- e. Barber and personal services;
- f. Sales of scheduled airline tickets;
- g. Collection of landing fees;
- h. Sale of aviation flight and aircraft insurance'
- i. Sale of automotive gasoline for use by automobiles,

4-103

The FBO will provide and maintain insurance coverage as required by Part 7 of these Standards.

4-104

The FBO will also be required to come to an agreement with the Authority on the following items, which will be addressed in its lease or agreement with the Authority;

- a. Construction on the leased property of a hangar (including an office, pilots lounge and lavatory) with a minimum floor area of 10,000 square feet in accordance with Authority building standards, or reasonably equivalent appropriate investment as approved by the Authority as an alternative where the construction of a hangar is deemed unnecessary.
- b. The area of land to be leased will not normally exceed the minimum amount necessary to place hangar, parking areas, and meet the dimensional standards set forth in the Airport building standards. The Authority will consider, on a case by case basis, leasing additional land to the FBO if the situation warrants, e.g., expansion or additional hangar to be built within a definite period of time.

4-105

The lease or agreement will provide, inter alia;

- a. The term of the lease;
- b. The base rental rate;
- c. Any supplemental rate;
- d. Tax payment obligations;
- e. Other rates as may be established by the Authority.

PART 5 FLYING CLUBS

5-101

A flying club operation is not considered to be commercial in nature so long as there is no profit or for hire motive involved in or resulting from the operation, as determined by the Authority. The flying club lease will spell out the guidelines to maintain this noncommercial status. In all cases the Authority will determine whether the operation of the flying club or other such organization is commercial. If determined to be commercial, the flying club lease shall terminate and aircraft owners must apply for or receive a commercial lease before continuing operation on the Airport.

PART 6
ENGINEERING AND CONSTRUCTION STANDARDS

6-101

A person or entity desiring to construct a building or other structure on Airport property, or desiring to make any structural or non-structural modification to an existing building or other structure may do so only after first having secured the consent and agreement of the Authority and the approval of the Authority's engineer.

6-102

Consent of the Authority shall be sought by contact and negotiation with the Authority. The Authority's consent will be conditional upon the approval of its engineer.

6-103

The requirements for these consents and approvals are set forth in Addendum No. 1 hereto, dated of even date with these Amended Standards, or as the same may thereafter have been amended.

6-104

It is contemplated that the requirements of Addendum No. 1 may be modified from time to time as a result of changes in usage and technology. In addition it is contemplated that such requirements may be modified to meet the needs of a particular project.

PART 7
INSURANCE AND BONDING

7-101

A person or entity constructing a building or other structure on Airport property, or making any structural or non-structural modification to an existing building or other structure, or engaging in a Commercial Aeronautical Activity or an Aviation Related Activity at the Airport may do so only after first having in effect the policies of insurance required by the provisions of Addendum No. 2 hereto, dated of even date with these Amended Standards, or as the same as may thereafter have been amended.

7-102

It is contemplated that the requirements of Addendum No. 2 are to serve as guidelines and may be modified from time to time as a result of changes in usage and the insurance markets. In addition it is contemplated that such requirements may be modified to meet the needs of a particular projects.

PART 8
AMENDMENTS; SEVERABILITY

8-101

These Standards may be amended from time to time by the Authority. In that event, the Authority shall cause a notice of the proposed amendments to be advertised once in a newspaper of general circulation in Butler County containing either the entire text of the same or a summary of the proposed amendments together with the place where members of the public may review the full text of the same during normal business hours. Such notice shall appear not more than 60 days or less than 7 days prior to a meeting scheduled for adoption of the amendments. Prior to adopting the amendments, the Authority shall hold a public hearing at which members of the public may attend and be heard. Following the public hearing, the Authority may adopt the proposed amendments, with such changes as it may deem appropriate, by the vote of majority of the members of the Board.

8-102

Voiding of any particular provision of these Standards shall not affect the validity of the remainder of the Standards.

8-103

The use of Part numbers and section numbers in these Standards is intended to provide organization and ease of reference, and do not limit the applicability of any provision.

8-104

The use of an initial capital letter in a defined term indicates an intention to use the term in its defined sense.

ADDENDUM NO. 1
TO REVISED AIRPORT STANDARDS OF
BUTLER COUNTY AIRPORT AUTHORITY
DATED JULY 9, 2009

I PRIOR TO CONSTRUCTION

A. The preparation of detailed plans and specifications for the erection of a building or making modifications to a building or structure (the "Project") is the responsibility of the applicant, and three copies of all such plans must be submitted to the Authority and must receive the approval of its Engineers, including exterior design and color. The following information is to be included as part of the submission of detailed plans and specifications:

- 1) A floor plan indicating the size of the proposed Project and the type of construction. The floor plan will be drawn at 1/4" = 1' or larger.
- 2) Building elevations indicating the maximum elevation of the Project, the type of construction, the location of doors and windows, and any proposed architectural treatment. Building elevation shall be 1/8" = 1' or larger.
- 3) Building sections indicating the type of wall, roof and floor construction. Building sections shall be 1/4" = 1' or larger.
- 4) A site plan indicating the location of any proposed building. The site plan shall show the relationship of the proposed Project relative to existing hangars, taxiways and aprons. It shall show any proposed ramps or parking areas and the proposed pavement section. Sufficient existing and final topography shall be shown to determine how storm drainage from the Project and surrounding site will be handled. The location of existing utilities and the proposed method of extending the utilities to the Project shall be shown. The site plan will be 1" = 30' or larger.

B. The following are the minimum acceptable standards for Projects involving hangar construction:

- 1) Metal Buildings – All metal buildings shall conform to the "Recommended Design Practices Manual" as prepared by the Metal Building Manufacturers Association.
- 2) Masonry Buildings – All masonry construction shall conform to the requirements of the National Concrete Masonry Association. The roof framing for masonry buildings may be steel, timber or concrete.
- 3) Floor Construction – A minimum of 4" of concrete shall be used for the hangar floor. Additional concrete depth shall be used for heavier aircraft.

C. The exact location upon which any building is to be erected after approval of plans and specifications will be established by the Authority and approved by its Engineers. The actual survey marking the lines of this selected location will be performed under the supervision of the Authority's Engineers, with a copy thereof to be attached to the final agreement. The actual expense of the land survey will be paid by the applicant.

D. The applicant shall furnish to the Authority satisfactory proof of financial responsibility, and shall protect the Authority against the filing of any mechanics' liens resulting from the construction of the Project by submitting to the Authority a copy of a no-lien contract and proof of proper filing thereof prior to the start of construction.

E. Applicant shall give all notices as are required by the FAA or any other governmental agency.

F. Prior to the commencement of any construction, the applicant will provide and deliver to the Authority a performance bond in the amount of 110 percent of the cost of the improvements as estimated by the Authority's engineer, with such surety as the Authority shall require, which shall be conditioned upon the full and faithful performance by the applicant of all duties, responsibilities and obligations to design, construct and complete the Project and associated facilities as herein required and as may be included in applicant's agreements with the Authority.

II DURING CONSTRUCTION

A. Before proceeding with construction, the applicant will furnish to the Authority evidence of insurance before complying with the requirements of Part 7 of the Standards.

B. The applicant will be responsible for the underground installation and maintenance of all utilities such as water, electric, gas, sewers, all of which shall be at a cost and expense of the applicant. The materials and workmanship utilized for the extension of the utilities to the Project will be governed by the utility serving the Airport. Once utility lines are extended to the site, all lines under ramp areas, taxiways, etc. revert to control of Authority and can be tapped or extended for other tenants of the Authority without any liability of the Authority for reimbursement to the applicant.

C. The applicant shall be solely responsible for obtaining all permits required by municipal, state or federal governmental agencies relating to the construction of this type of facility.

D. The applicant will hold the Authority free and harmless from any and all damage or claims for damage of whatever nature during the period of construction of the Project.

E. The construction must be planned and progress in a manner so as not to interfere in any manner with the normal operations of the Airport or any users thereof and also to be in compliance with Airport Standards.

F. The applicant will be responsible for all necessary fill, cuts, or grading in the preparation of the site and for the preparation, grading, paving and parking ramps, parking areas, access roads and access ramps to the existing Airport ramps and will perform the same in such a manner as not to disturb or destroy existing drainage patterns. No soil may be removed from the Airport without receiving permission of the Authority. The ramp from the Project to the apron or taxiway shall be constructed of concrete or bituminous concrete. The ramp shall be the full width of the building door. The pavement section for the ramp will be dependent on the proposed aircraft utilizing the Project and shall be approved by the Authority's Engineer. In no case will be pavement section be less than 6" of concrete or 4" of bituminous pavement over 8" of aggregate base course.

ADDENDUM NO. 2
TO REVISED AIRPORT STANDARDS OF BUTLER COUNTY AIRPORT
DATED JULY 9, 2009

The following insurance requirements apply to those operators who are engaged in any commercial activity on or from Airport property:

1. Commercial General Liability with a minimum occurrence limit of \$3,000,000.00. In addition, if the operator is performing an Aeronautical Activity, Aviation Liability with a minimum occurrence limit of \$3,000,000.00 and Hangarkeepers coverage with a minimum per aircraft limit of \$3,000,000.00. All policies in this section shall include coverage for the activities of the operator's sublessees, agents, independent contractors, or any person or entity that the operator may be legally responsible for;
2. Automobile Liability with a minimum limit of \$3,000,000.00, including hired and non-owned automobiles;
3. Workers Compensation Coverage as required by law;
4. Property Coverage on a "special" or equivalent form on any building on the airport premises in which the operator has ownership; including buildings under construction. The covered limit shall be no less than the building's full replacement cost;
5. Property Coverage on a "special" or equivalent form on personal property owned by the operator; and
6. If the commercial activity engaged in by the operator is limited to maintenance of piston powered aircraft with a gross weight of less than 6,000 pounds, the minimum limit under item 1 above for Aviation Liability is reduced to \$1,000,000.00. This coverage is to include both premises and completed operations liability. The limit for Hangarkeepers coverage is reduced to \$300,000.00 per aircraft. In addition, under item 2, the limit for Automobile Liability is reduced to the minimum limits required by law.

The Butler County Airport Authority and the County of Butler shall each be named as an additional insured on items 1, 4, and 6 above. A commercial umbrella policy can be used to satisfy the limits under items 1 and 2. The Operator will provide the Authority with a certificate of insurance evidencing the required coverages and guaranteeing 30 days prior notice of any cancellation, non-renewal, or material change in coverage. All carriers, forms of policies and policies must be satisfactory to the Authority. Copies of policies will be provided to the Authority upon request.