



MENOMONIE MUNICIPAL AIRPORT

MINIMUM STANDARDS – July 11, 2012

1. Purpose and Intent

- A. These Standards are adopted by the Menomonie Airport Commission according to the Ordinances (Codes) of the City of Menomonie, Title 7, Ch. 6, sec. 7-6-4.
- B. These Standards are designed to: provide a sound basis for stable growth of the Menomonie Municipal Airport; ensure that the public receives reliable, safe, adequate and nondiscriminatory air transportation service; ensure that tenants and operators receive fair, equitable and nondiscriminatory treatment in the conduct of authorized activities at the airport; identify commercial and non-commercial uses and activities at Menomonie Municipal Airport and set forth the standards applicable to each use and activity.
- C. It shall be unlawful for any person, firm or legal entity to act as a commercial or non-commercial operator on the airport or to engage in any activity of any kind or nature whatsoever on the airport until such time as a license has been granted for such use according to the terms contained in these Minimum Standards. All such licenses shall be in the form of a written letter and shall contain the rights and obligations of the licensee.

2. General Provisions

- A. All operators, whether commercial or non-commercial, shall apply in writing to the Menomonie Airport Commission for a license to use the airport. The application shall include, at a minimum, the following information:
 - a. The name of the applicant, including, as applicable, the nature of the legal organization, the address of the applicant, the principal owners of the applicant, the officers, partners and agents of the applicant, the State of organization of the applicant and, if necessary, the certificate of authority to do business in the State of Wisconsin, and such other organizational information that the Commission may request from time to time
 - b. The specific use or uses for which the applicant seeks license, its hours of operation, its requirements for space including exterior and building or other structure size, its ground transportation requirements for parking automobiles or other vehicles, both on or off of the airport surface
 - c. Identification of all proposed uses requiring special licenses or certifications by a governmental authority and evidence, satisfactory to the Commission, that such licenses and/or certifications have been or will be granted to applicant

- d. Evidence satisfactory to the Commission that the applicant is able to comply with all local, state and federal regulations which apply to the proposed use or uses
 - e. Evidence satisfactory to the Commission that the applicant has the financial, managerial and staff resources to meet the requirements of the proposed use or uses and that the operation is viable and likely to be sustained by the applicant
 - f. Evidence satisfactory to the Commission that the applicant is able to purchase insurance coverage according to the terms stated in these Standards and is able to undertake the indemnification requirements
 - g. A date certain for the commencement of the use applied for stated in the number of days from the day applicant receives notice of Commission approval. ("Date certain" means that the license is void if the planned use has not begun by the named date.)
- B. All licenses granted by the Commission shall be subject to a written agreement between the Commission and the applicant. Each such agreement shall contain the following general provisions and such other provisions relating to the use or uses being licensed or otherwise required by the Commission on a case by case basis:
- a. Incorporation of the terms of the application submitted by the applicant;
 - b. The effective date of the license, the termination date of the license and terms and conditions of renewal, if any
 - c. Insurance and indemnification requirements, which shall not be less in coverage amounts nor less restrictive than those specified below
 - d. Incorporation of the minimum standards for any specialized use contained in these Standards and, if the license is for more than one activity, the owner shall comply with the minimum standards for each separate activity, provided if the standards are inconsistent, then the more restrictive standard shall apply
 - e. Incorporation by reference the terms of these Standards and its Exhibits;
 - f. The right of the Commission to terminate the license, either with or without notice to the applicant, in the event of a breach in the performance by the applicant, if the applicant directly or indirectly causes or contributes to any hazardous or unsafe condition, if the activities of the applicant present any threat to the present or future interest of the airport or the City of Menomonie, if the applicant engages in any illegal activity, or if either through lack of funds or authority, the Commission is unable to carry out the reasonable or safe operation of the airport
 - g. Either specific reference to or sufficient notation on a current airport layout plan showing the location of the use subject to the license
 - h. The following provisions as required by the city of Menomonie, the state of Wisconsin and the United States Government: fair and nondiscriminatory provisions; affirmative action assurances; civil rights assurances; and non-exclusive rights provision. The most current amendment or form of such mandatory license provisions shall be obtained from the state or federal governments and shall be included in each license at the time of execution.

3. Ground or Building Leases.

- A. Any operator whose business includes a building located on the airport or the performance of any one or more of the Specialized Aviation Service Operation categories and functions shall lease from the Owner an area to provide floor space sufficient to conduct the proposed business. Operators shall provide floor space for an office and rest rooms, which shall be properly heated and lighted and shall provide customer amenities appropriate to the planned business. Independent contractors providing flight training or air charter or flying clubs are not required to provide a building.
- B. Each lease for ground space and contract for Specialized Aviation Service Operation Activity at the airport entered into by the owner shall include each of the following provisions as are required by state and federal governments:
 - 1. Fair and nondiscriminatory provisions.
 - 2. Affirmative action assurances.
 - 3. Civil rights assurances.
 - 4. Nonexclusive right provision.
 - 5. Other mandated provisions. The most current amendment or form of such mandatory lease provisions shall be obtained from the state or federal governments and shall be included in each lease at the time of execution.
- C. All operators shall have the right, in common with others so authorized, to use common areas of the airport, including runways, taxiways, aprons, roadways, floodlights, landing lights, signals and other conveniences for the takeoff, flying and landing of aircraft.
- D. Any construction required of any operator shall be in accordance with design and construction requirements of the city, state and federal regulations and applicable codes. All plans and specifications shall be submitted to the owner for approval prior to the start of construction.
- E. The operator shall provide adequate, paved auto parking space within the leased area sufficient to accommodate all activities and operations appropriate to the business operation.
- F. If appropriate to the business operation, the operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the building to the taxiway or the access to the taxiway that has been or will be provided for the operator.

- G. The operator shall comply with all pertinent FAR requirements, State of Wisconsin laws and regulations, City of Menomonie ordinances and these Standards.
- H. The Airport Manager is responsible for the Security Policies approved by the Airport Commission not otherwise described in local, state and federal statutes.

4. Insurance and indemnification

- A. All licensees shall name the City of Menomonie and the Menomonie Airport Commission as additional insured parties on all policies of insurance. Further, the licensee agrees to hold harmless the City of Menomonie and the Menomonie Airport Commission in all actions arising or alleged to arise against licensee in its capacity as licensee and agrees further to indemnify the City of Menomonie and the Menomonie Airport Commission against all loss, expense and costs, including attorneys fees incurred as a result of any suit against the licensee, the City of Menomonie, the Menomonie Airport Commission or any individual acting in behalf of the City or Commission. All policies of insurance shall require that any notice of change, amendment or cancellation shall not be effective against the City of Menomonie or the Menomonie Airport Commission until the expiration of 30 days from the date the notice is received by the City of Menomonie.
- B. The following shall be the minimum insurance limits for all licensees and for special operations:
 - a. Aircraft liability, for bodily injury and property damage:
 - Combined single limit: \$1,000,000
 - Bodily injury (each passenger): \$100,000
 - b. Comprehensive public liability and comprehensive property damage, including vehicular, for bodily injury and property damage:
 - Combined single limit: \$1,000,000
 - Aggregate limit: \$2,000,000
 - c. Hangar keeper's liability: \$100,000 per Aircraft, \$300,000 per Accident.
 - d. Product liability: \$1,000,000 each accident
 - e. Aircraft lessor's liability: \$300,000 each accident.
 - f. Storage Tank Liability, Corrective Action and Cleanup Policy: \$2,000,000 each Incident.

5. Vehicular and pedestrian traffic within airport boundaries

- A. Operation of vehicles on airport property, runway(s), taxiway(s) and ramps. No vehicle shall enter or be driven upon or operated upon any airport runway, taxiway, ramp, tie-down area or any area posted by signs prohibiting the entrance thereon without prior authorization of the Airport Manager or designated representative. The provisions of this subsection shall not apply to emergency equipment or service, maintenance and construction equipment when engaged in performing normal duties and aircraft owners are authorized to operate a vehicle to reach their own aircraft. No one shall at any time park a vehicle on any area used for the movement of aircraft.
- B. Speed of vehicles. Unless specifically authorized by the Airport Manager, vehicles shall not traverse over any runway, taxiway, and ramp or tie-down area at a speed in excess of 20 miles per hour except for glider ground-launching operations.
- C. Pedestrian traffic on airport. No pedestrian shall be allowed beyond the administration area or upon the apron or aircraft tie-down area unless for the purpose of embarking in or disembarking from an aircraft or unless authorized by the Airport Manager. Pedestrian traffic is prohibited on taxiways, runways and outlying areas of the airport, except for those employees of the city, county, state and federal government or contractors engaged in airport construction or maintenance work.
- D. Vehicle parking. All vehicles parked on the airport shall be parked in designated areas and in accordance with posted signs or other markings. Vehicles may be parked besides or behind hangars and not in front of hangars. The Airport Manager may move or order the removal of any vehicle improperly parked, at the vehicle owner's expense.
- E. Enforcement. It shall be the duty of the Police Department of the City of Menomonie to enforce the provisions of this section.

6. Minimum Standards for Operators and Specialized Aviation Service Operation Activities.

- A. Flight Training Flight training services providing aircraft ground and flight instruction necessary to complete the knowledge and practical tests for any category of pilot certification or rating.
 - a. Minimum standards.

- (a). Aircraft used in flight training, either owned or underwritten lease to the operator shall be certified and maintained, and equipped for the proposed training.
- (b). The following types of insurance are required in amounts as set forth in these standards:
 - Aircraft liability
 - Comprehensive liability and comprehensive property damage
 - Automobile or other ground transportation liability and property damage; and
 - Aircraft lessor's liability
- (c). Evidence of insurance, certification and maintenance documents shall be submitted in writing to the Airport Manager not less often than annually.
- (d). The instructor and students shall comply with all pertinent FAR requirements, State of Wisconsin laws and regulations, City of Menomonie ordinances and these Standards.

B. Air Charter An operator providing on-demand non-scheduled passenger, air ambulance or cargo transportation service in aircraft having fewer than 30 passenger seats.

a. Minimum standards

- (a). The operator shall lease from the Airport Owner an area in which to conduct business operations appropriate to the planned services.
- (b). Any aircraft used by the operator shall comply with all relevant FARs...
- (c). The following types of insurance are required in amounts as set forth in these Standards:
 - Aircraft liability
 - Comprehensive public liability and comprehensive property damage; including vehicular
 - Automobile or other ground transportation liability and property damage
- (d). The operator shall comply with all pertinent FAR requirements, Statutes and Regulations of the State of Wisconsin, and City of Menomonie ordinances and these standards.

C. Aircraft Sales Any business offering the sale or lease of new or used aircraft

a. Minimum standards.

- (a). The operator shall provide sufficient area and arrangements for repair and servicing of all aircraft offered for sale or lease.
- (b). The operator shall provide current, up-to-date specifications and price lists for types and models of aircraft sold. That list will be provided to the Airport Manager upon request.
- (c). The following types of insurance are required in amounts as set forth in these Standards:
 - Aircraft liability;
 - Comprehensive public liability and comprehensive property damage;
 - Automobile or other ground transportation liability and property damage;
 - Hangar keeper's liability (needed only if non-owned aircraft are left in the operator's care); and
 - Product liability.
- (d). The operator shall comply with all pertinent FAR requirements, Statutes and Regulations of the State of Wisconsin, and City of Menomonie ordinances and these standards.

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

a. Minimum standards.

- (a). The operator shall lease from the Airport Owner an area appropriate to the services offered.
- (b). The operator shall provide on-site rental, either owned or under written lease to the operator, at least one certified and currently airworthy aircraft.
- (c). The following types of insurance are required in amounts as set forth in these Standards:
 - Aircraft liability;
 - Comprehensive public liability and Comprehensive property damage;
 - Automobile or other ground transportation liability and property damage; and
 - Aircraft lessor's liability.
- (d). The operator shall provide the Airport Owner with copies of the owner's aircraft registrations and aircraft lease documents.

- (e). The operator shall comply with all pertinent FAR requirements, State of Wisconsin laws and regulations, and City of Menomonie ordinances and airport standards.

E. Airframe and Power Plant Maintenance An operation of providing airframe and power plant services, which includes any of: the repair, maintenance, inspection, constructing, and making of modifications and alterations to aircraft, aircraft engines, propellers and appliances including the removal of engines for major overhaul and aircraft painting and interior refurbishing. This category also includes the sale of aircraft parts and accessories.

a. Minimum standards

- (a). The operator shall lease from the Airport Owner a service facility or an area on which to locate a service facility.
- (b). The operator shall provide adequate equipment to perform the repair and maintenance as required by the Federal Aviation Administration.
- (c). The following types of insurance are required in amounts as set forth in these standards:
 - Comprehensive public liability and comprehensive property damage;
 - Automobile or other ground transportation liability and property damage;
 - Hangar keeper's liability; and
 - Product liability.
- (d). The operator shall comply with all pertinent FAR requirements, State of Wisconsin laws and regulations, and City of Menomonie ordinances and airport standards.

F. Avionics Sales and Maintenance The sales, repair and maintenance of aircraft radios, instruments and accessories.

a. Minimum standards

- (a). The operator shall lease from the Airport Owner a facility appropriate to the services, or an area in which to provide such services.
- (b). The following types of insurance are required in amounts as set forth in these Standards:
 - Comprehensive public liability and comprehensive property damage;
 - Automobile or other ground transportation liability and property damage;
 - Hangar keeper's liability; and
 - Product liability.
- (c). The operator shall comply with all pertinent FAR requirements, State of Wisconsin laws and regulations, and City of Menomonie ordinances and airport standards.

G. Fixed Base Operator (FBO) A full service commercial operator who engages in the primary activity of aircraft refueling and a minimum of four (4) of the following secondary activities:

- (a). Flight Training
- (b). Aircraft Rental
- (c). Air Charter
- (d). Avionics Sales & Maintenance
- (e). Aircraft Sales
- (f). Aircraft Parking & Storage
- (g). Airframe and Power plant Maintenance

a. Minimum standards

- (a). The operator shall lease from the Airport Owner a suitable facility or an area in which to build a suitable facility sufficient to provide the planned services.
- (b). If the operator provides fuel services with fixed storage, an area within the leases premises shall be designated for this purpose. All pumping equipment, whether mobile or fixed, must meet all applicable federal; provide reliable metering and monitoring devices conforming to federal, state and local regulations.
- (c). If a dispensing truck is used the operator shall designate a safe area for its storage subject to the approval by the City of Menomonie Fire Chief.
- (d). The following types of insurance are required in amounts as set forth in these Standards:
 - Comprehensive public liability and comprehensive property damage;
 - Automobile or other ground transportation liability and property damage;
 - Hangar keeper's liability;
 - Product liability; and
 - Storage Tank Liability, including Corrective Action and cleanup coverage.
- (e). If fuel is dispensed, the operator shall maintain an accurate record of all deliveries of aviation fuel and oil, and such records shall be subject to examination and audit by the Airport Owner.
- (f). Any aviation fuel provider shall submit to the Airport Owner, at least annually, reports setting forth quantities of fuel sold, training of fuel handling personnel, monitoring equipment used and provisions for the security and safety of the facility.
- (g). The fuel vendor shall pay to the Airport Owner a fuel flowage fee and other fees as outlined in the license.

- (f). The operator shall comply with all pertinent FAR requirements, State of Wisconsin laws and regulations, and City of Menomonie ordinances and airport standards.

H. Specialized Flying Services Businesses providing specialized commercial flying services such as sightseeing tours, aerial photography or surveying, power line or pipeline patrol, firefighting or fire patrol, airborne mineral exploration, banner towing, and other air transportation operations specifically excluded from FAR Part 135.

a. Minimum standards

- (a). The operator shall lease a facility appropriate to the business activity, or land on which to construct such a facility, from the Airport Owner.
- (b). The operator shall demonstrate that its aircraft are suitably equipped for the particular type of operation it intends to perform and properly maintained according to applicable FARs.
- (c). The following types of insurance are required in amounts as set forth in these Standards:
- Comprehensive public liability and comprehensive property damage
 - Automobile or other ground transportation liability and property damage
 - Hanger keepers liability
 - Any insurance related specifically to the type of operation being conducted by the operator, required by the owner.
- (d). The operator shall comply with all pertinent FAR requirements, State of Wisconsin laws and regulations, and City of Menomonie ordinances and airport standards.

I. Aerial Applicators Businesses providing aerial agricultural spraying or seeding services

a. Minimum standards.

- (a). The operator shall lease a facility appropriate to the business, or land on which such a facility is constructed, from the Airport Owner. The space in the leased area must be sufficient for safe loading and unloading and storage and containment of chemical spills. The operator shall demonstrate to the Airport Owner, on request, that its aircraft are suitably equipped for the particular type of operation it intends to perform.
- (b). The following types of insurance are required in amounts as set forth in these Standards:
- Aircraft Liability
 - Comprehensive liability and comprehensive property damage
 - Automobile or other ground transportation liability and property damage

- Storage Tank Liability and a policy of insurance covering
 - Corrective Action and Cleanup
 - Insurance covering the activity usual and ordinary to the applicator industry.
- (c). The operator shall have in its employ and on duty during business hours trained personnel to meet all safety standards.
- (d). The operator shall comply with all pertinent FAR requirements, State of Wisconsin laws and regulations, and City of Menomonie ordinances and airport standards.
- (e). The operator shall comply with all applicable rules and regulations governing pesticides and other chemicals used by the operator and employ safeguards and safe operating practices regarding the prevention and management of spillage, including:
- Clean up and remove all containers at the end of each day's activities.
 - Maintain all loading and mixing facilities
 - Use dry break devices or equivalent couplings to the aircraft loading receptacle to prevent leaks of all materials
 - Aircraft and loading equipment will be positioned in such a manner as to not interfere with normal aircraft operations at the airport
 - The operator shall continuously be prepared to clean and remove immediately any pesticide or pesticide solution spill
 - The operator is responsible for timely reporting of pesticide spills as required by State of Wisconsin regulations
- (f). The operator will keep appropriate spill kit on site in a known and easily accessible location.
- (g). All chemicals kept or stored on the airport must be stored in accordance with the Material Safety Data Sheet (MSDS) requirements for that chemical. MSDS sheets for chemicals stored on the airport shall be made available to the Airport Manager upon request.

J. Flying Clubs An entity organized for the purpose of providing its members with aviation activities for personal use and enjoyment.

a. Minimum standards

- (a). The club will keep current a complete list of the club's membership, which will be provided to the Airport Owner on request.
- (b). The club's aircraft will be operated only by club members and not for hire, charter or air taxi.
- (c). The following types of insurance are required in amounts as set forth in these Standards:

- Aircraft liability
- Comprehensive public liability and comprehensive property damage
- Automobile or other ground transportation liability and property damage
- The club and each of its members shall comply with all pertinent FAR requirements, State of Wisconsin laws and regulations, and City of Menomonie ordinances and airport standards.

K. Nonaviation Tenants and/or Operators Non-aviation tenants and businesses are not permitted, except that such businesses located on land contiguous with Menomonie Municipal Airport may be permitted “through-the-fence” access to taxiways and ramps for their own or guests’ aircraft, but only after entering into a contract with the owner first approved by the Airport Commission. Any such contract shall specifically include the standards for use, areas for use, security, termination provisions, whether in the event of breach, usage or time, insurance requirements, fees and the like.

L. Noncommercial Aviation Fuel Usage The fueling of an aircraft by an aircraft owner, its employees or pilots using pumps and equipment installed for that purpose whether owned by the FBO, attended by the FBO or owned by the aircraft owner. Only FBOs can sell and provide the delivery of fuel into aircraft.

a. Minimum standards.

- (a). All storing, transporting and dispensing of noncommercial aviation fuels by operators of aircraft using Menomonie Municipal Airport requires a written agreement with the Airport Owner.
- (b). The following types of insurance are required in amounts as set forth in these Standards:
 - Comprehensive public liability and comprehensive property damage
 - Automobile or other ground transportation liability and property damage
 - Storage Tank Liability, and a policy of insurance covering Corrective Action and Cleanup.
- (c). If the noncommercial aviation user's fuel deliveries are arranged by the Airport Manager, a fuel flowage fee shall be paid to the Airport Owner as outlined in the written agreement.
- (d). The operator shall comply with all pertinent FAR requirements, State of Wisconsin laws and regulations, and City of Menomonie ordinances and airport standards.

M. Agricultural Tenants and/or Operators The conducting of any agricultural activity on the airport premises.

a. Minimum standards.

(a) Any person(s), firm or legal entity wishing to obtain the right to conduct and/or establish an agricultural activity on the airport premises shall make application to the Airport Owner. Such applicant shall submit the following, if relevant to the activity (as determined by the City Director of Public Works):

- A complete description of the type of activity proposed, including but not limited to types of crops, methods of harvest and times of on-site activity.
- A listing and description of the types of machinery required for conduct of the agricultural activity.
- Location of off-site storage facilities for machinery, equipment, supplies and harvested crops.
- A plan for the maintenance of soil fertility, if the proposed use is for more than a single growing season.
- If haying is performed, bales must be removed as soon as practicable.

(b). All lease/operating agreements for agricultural activities shall include, among other things, a covenant reciting:

- The Airport Owner's right to restrict, limit or otherwise control such agricultural activity in any manner it sees fit to ensure safe and unimpeded aeronautical activity at the airport;
- The Airport Owner's right to designate areas for agricultural activity and to designate the type of activity which can be conducted on each such area. Such designation may include, but will not necessarily be limited to, crop height, crop type, harvesting methods, days and hours of operation, storage and staging area and areas of the airport where machinery and equipment may not be operated, driven or stored; and
- Such other restrictions or limitations which the Airport owner may deem appropriate.

- (c). All lease/operating agreements for agricultural activities shall also include, among other things, a covenant reciting the tenant's obligation and the lease/operator's obligation, in addition to all aforementioned obligations, to protect the general public, customers or clients and the Airport Owner from any and all damages, claims or liability, whether by the tenant, lease/operator or others, relating to any monetary or other loss or damage in the conduct of any agricultural activity resulting from or alleged to have resulted from the Airport Owner's exercise of its rights and privileges, whether specifically enumerated above or not.
- (d). The following types of insurance are required in amounts as set forth in these Standards:
 - Comprehensive public liability and comprehensive property damage
 - Automobile or other ground transportation liability and property damage
- (e). The operator shall comply with all pertinent FAR requirements, State of Wisconsin laws and regulations, and City of Menomonie ordinances and airport standards.

7. Fees

- A. Fuel flowage fee. The collection is hereby authorized of a fuel flowage fee by the Airport Owner from all parties dispensing aviation fuel at the airport. The fuel flowage fee shall be made to the operator/owner at a rate and in a method described as follows:
 - a. Fuel delivered to any user on the field shall be subject to a fee per gallon of fuel flowage as contained as a part thereof of Schedule F: Fee Schedule of each fiscal year budget approval. Every tenant dispensing fuel at the airport shall deliver to the Airport Manager, within 5 days, a fuel delivery slip which certifies the amount and type of fuel received. Within 30 days after receiving a delivery of fuel to their premises, the fuel purchaser will pay the Airport Owner the fee as outlined in Schedule F: Fee Schedule. Fees unpaid beyond the thirty-day period shall incur interest at the rate of 1 1/2% per month.
- B. Other Airport fees. The collection of other Airport fees by the Airport Owner are authorized to include, but not limited to the following and are as contained as a part thereof of Schedule F: Fee Schedule of each fiscal year budget approval.
 - a. Aircraft handling.
 - b. Vehicle parking.
 - c. Aircraft handling.
 - d. Hangar Rental.

8. Violations and Penalties

- A. Any person who shall violate any section of this chapter shall be subject to a penalty as provided in Chapter 1, General Provisions, § 1-20, General penalty.
- B. When any premises located in the City is owned, leased or occupied by two or more persons as joint tenants, tenants in common, joint lessees or in any other manner, each person shall see that the provisions of this chapter are complied with, and each person may be subjected to a penalty on violation of this chapter.