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CITY OF PHOENIX AVIATION DEPARTMENT City of Phoenix Aviation Department Rules & Regulations

K. AIRCRAFT STORAGE OPERATOR

An Aircraft Storage Operator is a Commercial Operator that develops, owns, and/or leases facilities for the purpose of selling or subleasing Aircraft storage facilities and/or associated office or shop space to entities engaging in Commercial or Non-Commercial Aeronautical Activities.

I. Leased Premises

Aircraft Storage Operator shall have adequate land, Apron, facilities, and Vehicle Parking to accommodate all activities of the Aircraft Storage Operator and all approved Sublessees.

The minimum requirements for hangar are based upon the largest Aircraft Design Group that Aircraft storage is provided for by the Aircraft Storage Operator (e.g. an approved Aircraft Storage Operator providing Aircraft storage to Groups I and II Piston and Turboprop Aircraft at the Airport shall meet the hangar requirements for Group II Piston and Turboprop Aircraft).

The minimum hangar requirements for an Aircraft Storage Operator at the Airport are as follows:

| Facilities | Group I Piston and Turboprop Aircraft | Group II Piston and Turboprop Aircraft | Groups I and II Turbojet Aircraft | Group III Turbojet Aircraft |
|------------|--|---|--|-----------------------------------|
| Hangar | 7,500 SF | 10,000 SF | 10,000 SF | 15,000 SF |

1. Facilities shall be located on Contiguous Land contained within available parcels of land at the Airport.
 - a. Facilities shall comply at all times with the City of Phoenix Aviation Department Rules and Regulations and other applicable Regulatory Measures pertaining, but not limited, to drainage, building setbacks, and Vehicle Parking. Construction of any facility must comply with the Airport's Tenant Improvement Process and must be approved by the Aviation Director.
2. The development of hangar(s) shall be limited to the following types of hangar structures.
 - a. single structures of not less than 2,500 square feet, completely enclosed, or
 - b. single structures of not less than 5,000 square feet, subdivided and configured (although each unit shall not be less than 1,250 square feet) to accommodate individual bays for the storage of Aircraft.

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3. Aircraft Storage Operator must ensure that it will have apron available, either by constructing the apron or by entering into an agreement with the Airport or an approved Lessee, which will meet the following requirements:
 - a. sufficient to accommodate the movement of Aircraft into and out of the hangar(s) without interfering with the movement of Aircraft in and out of other facilities and Aircraft operating to/from/on Taxilanes or Taxiways.
 - b. of sufficient weight bearing capacity to accommodate the Aircraft using the facilities, and
 - c. consistent with Advisory Circular 150/5320-6D.
 - d. The Permitted Aircraft shall be compatible with the Premises and the size of aircraft hangar infrastructure. In addition, the Permitted Aircraft shall be compatible with the airport's runway, taxiway, taxilane and apron capacity and limitations. Lessee and all approved sublessees shall store in its hangar only aircraft or combinations of aircraft compatible in size with the hangar so that the aircraft can enter and exit the hangar in a safe manner and so that the hangar door can be completely closed when the aircraft is/are in the hangar. The Permitted Aircraft shall be stored, parked, or staged on the Premises only and in a manner so that no aircraft or portion thereof infringes upon common areas, taxiways, or leased premises of other tenants. The storing and placement of Lessee's aircraft shall be in compliance with all codes enacted by the City, including but not limited to the Uniform Fire Code, as they are now enacted and amended from time to time.
 - e. Operator must demonstrate that all Permitted Aircraft can simultaneously physically and operationally fit into the corporate hangar area. Operator shall submit a dimensional plan-view drawing of the corporate hangar and associated aircraft for approval or denial by the Operator prior to locating the aircraft upon the Premises. The discretion to approve or deny the storage plan for the aircraft on the Premises shall be in the Operator's discretion in accordance with their lease agreement.

II. Hours of Activity

1. Aircraft Storage Operator shall ensure that the facilities are available for public use and readily accessible by Sublessee(s) seven (7) days a week (including holidays), twenty-four (24) hours a day.

III. Fees

1. Aircraft Storage Operator shall remit all fees associated with these Minimum Standards in accordance with Sections 4-114 and 4-160 of the Phoenix City Code.

IV. Approval of Subleases

1. Aircraft Storage Operator shall ensure that all of its Subleases are reviewed and approved by the City prior to any of its Sublessees engaging in Activity(ies) at the Airport.

V. Fueling

1. Aircraft Storage Operator shall be allowed to install Operator owned and operated aircraft fuel storage facilities with the following limitations:

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- a. shall meet the requirements for development for Group II Turboprop, and/or Group I, II, and/or III Turbojet aircraft.
- b. shall meet the design requirements as outlined in the Corporate Hangar Architectural Standards (Improved or Unimproved) version as may be amended from time to time.
2. Permitted Aircraft in the Operator's leased premises are permitted to fuel/defuel by the Operator. Fueling/defueling of non-permitted aircraft or Permitted Aircraft not at its based location is prohibited, except at an on-airport self-service fueling facility or by a fixed base operator as defined in Chapter 4 of the Phoenix City Code.
3. Permitted Aircraft
 - a. Permitted Aircraft means all aircraft solely owned or exclusively leased by Lessee or by approved sublessees at the leased premises. Operator must submit for the purposes of approval all documentation including proper FAA certification on the Operator's leased premises in accordance with their lease agreement. An aircraft shall be deemed a "Permitted Aircraft" only upon review and approval of the Operator at his discretion in accordance with their lease agreement. All approved subleases must be for at least one year, or more.
4. Fuel Storage
 - a. All fuel storage facilities shall incorporate above-ground storage tanks for Jet A approved by the Aviation Director with setbacks from buildings and roads as required by local fire and building codes. Fuel storage facilities must be approved by the Aviation Director prior to construction.
 - b. The fuel storage facilities shall be constructed 100% on the "airside" portion of the Leased Premises. It is recommended that a connection to the fuel storage facility for fuel trucks to re-fuel the tank be available on the "landside" portion to prevent access of fuel trucks on the Air Operations Area.
 - c. A concrete fueling "hardstand" shall be constructed. Fueling of aircraft will only be allowed on this hardstand. The hardstand shall be graded to drain to an internal drain that is directly connected to the fuel tank's containment system
 - d. Operator shall have adequate storage, with appropriate secondary containment, for waste fuel or test samples.
 - e. Operator shall, at its sole expense, maintain the fuel storage facility, all Improvements thereon, and all appurtenances thereto, in a clean, neat, orderly, and fully functional condition consistent with good business practice and equal or better than in appearance and character to other similar Improvements on the airport.
 - f. Operator shall demonstrate that satisfactory arrangements have been made with a reputable aviation petroleum supplier/distributor for the delivery of aviation fuels that are sufficient to accommodate their tenants.
 - g. Operator shall have a written Spill Prevention, Control, and Countermeasures Plan ("SPCC Plan") that meets Regulatory Measures for aboveground fuel storage facilities. A copy of the SPCC Plan shall be filed with the Aviation Director at least 30 days prior to commencing operations or upon an update of the SPCC Plan.

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- h. Operator shall be liable, indemnify, and hold harmless the City for all leaks, spills, or other damage that may result through the handling and dispensing of fuel.
 - i. Fuel delivered/dispensed by the Operator shall meet quality specification as outlined in ASTM D 1655 (Jet A). Ensuring the quality of the fuel is the sole responsibility of Operator.
 - j. Operator shall have a current and executed Fuel Dispenser Permit authorized by, and on file with, the Aviation Director.
 - k. Operator shall maintain current fuel reports on file, including total gallons of fuel delivered by type, and make such reports available for auditing at anytime by the City.
5. Fuel Truck
- a. Operator may have a fuel truck and may fuel only Permitted Aircraft based at the Operator's Leased Premises.
 - b. All fuel operations must occur at the Leased Premises.
 - c. Fuel Truck shall be equipped with metering devices that meet all applicable Regulatory Measures.
 - d. Fuel Truck shall be equipped and maintained to comply with all applicable safety and fire prevention requirements, standards, and Regulatory Measures including without limitation, those prescribed by:
 - 1. Phoenix Fire Department Fire Code with Phoenix amendments;
 - 2. National Fire Protection Association (NFPA) Codes;
 - 3. Arizona Department of Environmental Quality Final Rules;
 - 4. Applicable Federal Aviation Administration (FAA) Advisory Circulars (AC) including AC 00-34 "Aircraft Ground Handling and Servicing" and AC 150/5210-5 "Painting, Marking and Lighting of Vehicles Used On An Airport";
 - e. Operator shall maintain current records on file of quality control checks and inspections of the fuel truck and shall make such records available (to the City) for review/audit at any time.
 - f. Operator shall develop and maintain Standard Operating Procedures (SOP) for fueling and ground handling and shall ensure compliance with standards set forth in FAA Advisory Circular 00-34A "Aircraft Ground Handling and Servicing." Operator's SOP shall include a training plan, fuel quality assurance procedures and record keeping, and emergency response procedures to fuel fires and spills. Operator's SOP shall also address: Bonding and fire protection; public protection; control of access to fuel storage facilities; and marking and labeling of fuel storage tanks and aircraft fuel trucks. Operator's SOP shall be submitted to the Aviation Director no later than 30 days before the Operator commences activities at the airport.

VI. Insurance

- 1. Aircraft Storage Operator shall maintain, at a minimum, the coverage limits of insurance set forth in Attachment A – Minimum Insurance Requirements.

VII. Any other activity not approved by the Aviation Director is prohibited.

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The foregoing Rules and Regulations are hereby adopted and promulgated this xx day of xx, 2008.

Danny W. Murphy
Aviation Director

Nancy Kesteloot
Assistant Chief Counsel



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ATTACHMENT A – MINIMUM INSURANCE REQUIREMENTS

| | Aircraft Maintenance Operator | Independent Aircraft Maintenance Operator | Avionics or Instrument Maintenance Operator | Independent Avionics or Instrument Maintenance Operator | Aircraft Rental or Flight Training Operator | Aircraft Charter or Aircraft Management Operator | Sight Seeing Flight Operator | Aircraft Sales Operator | Aircraft Cleaning Operator | Aircraft Painting Operator | Aircraft Storage Operator | |
|---|-------------------------------|---|---|---|---|--|------------------------------|--------------------------|----------------------------|----------------------------|----------------------------|--|
| COMMERCIAL GENERAL LIABILITY (Combined Single Limit)¹ | | | | | | | | | | | | |
| Each Occurrence | N/A | \$1,000,000 | N/A | \$1,000,000 | N/A | N/A | N/A | N/A | \$1,000,000 | N/A | N/A | |
| AIRPORT PREMISES LIABILITY¹ | | | | | | | | | | | | |
| Each Occurrence | \$3,000,000 | N/A | \$3,000,000 | N/A | \$3,000,000 | \$3,000,000 ³ | \$3,000,000 ³ | \$3,000,000 ³ | N/A | \$3,000,000 | \$3,000,000 | |
| VEHICULAR LIABILITY (Combined Single Limit)¹ | | | | | | | | | | | | |
| Each Occurrence | \$3,000,000 | \$1,000,000 | \$3,000,000 | \$1,000,000 | \$3,000,000 | \$3,000,000 | \$3,000,000 | \$3,000,000 | \$1,000,000 | \$3,000,000 | \$3,000,000 | |
| HANGAR KEEPER'S LIABILITY¹ | | | | | | | | | | | | |
| Each Occurrence | \$3,000,000 | N/A | \$3,000,000 | N/A | \$3,000,000 ² | \$3,000,000 ² | \$3,000,000 ² | \$3,000,000 ² | N/A | \$3,000,000 | \$3,000,000 ² | |
| AIRCRAFT AND PASSENGER LIABILITY¹ | | | | | | | | | | | | |
| Each Occurrence | N/A | N/A | N/A | N/A | \$1,000,000 | \$1,000,000 | \$1,000,000 | \$1,000,000 | N/A | N/A | N/A | |
| PROPERTY INSURANCE¹ | | | | | | | | | | | | |
| Each Occurrence | Required | N/A | Required | N/A | Required | Required | Required | Required | N/A | Required | Required | |
| POLLUTION LIABILITY (Combined Single Limit)¹ | | | | | | | | | | | | |
| Each Occurrence Aggregate | \$1,000,000 \$2,000,000 | N/A | N/A | N/A | N/A | N/A | N/A | N/A | N/A | \$1,000,000 \$2,000,000 | \$1,000,000 \$2,000,000 | |
| WORKER'S COMPENSATION (Limits Based Upon Statutory Requirements) | | | | | | | | | | | | |

¹ When coverages or limits set forth in Attachment A are not commercially available, appropriate replacement coverages or limits must be approved in advance, by the Aviation Director.

² Operators utilizing only owned Aircraft are not required to have Hangar Keepers Liability Insurance.

³ Operators with no facilities on the Airport are not required to have Airport Premises Liability Insurance, but will be required to have Commercial General Liability Insurance with the same limits.

Commercial General Liability – Includes liability for bodily injury, property damage and broad from contractual liability to others occurring as a result of the contractor's operations on the airport premises. Also includes coverage for products and completed operations, personal and advertising injury and \$100,000 coverage for damage to premises rented (Fire Legal Liability). Must not restrict operations on or near Airport.

Airport Premises Liability – Includes aviation liability for bodily injury and property damage to others occurring as a result of the contractor's operations on the leased premises. Also includes \$100,000 coverage for damage to Premises Rented (Fire Legal Liability).

Vehicular Liability – Includes coverage for bodily injury or damage to the property of others caused by the operation of an automobile owned, leased, or borrowed by the Lessee.

Hangar Keeper's Liability – Includes coverage for damage to Aircraft belonging to others in the care, custody, and control of Lessee for repair or safe keeping.

Aircraft and Passenger Liability – Coverage for injury or damage to the property of others caused from the operation of an Aircraft owned or leased by the Lessee. Also includes a sublimit of \$100,000 per person.

Property Insurance – Includes coverage for physical damage to City-owned property being used by lessee. If required, it shall equal, at least a minimum, the replacement of the property. It is required if lessee is sole occupant of building required of building and required of lessee's of tenant improvements.

Pollution Liability – Includes coverage for bodily injury or Property damage arising out of the actual or alleged release, dispersal, discharge, etc. of pollutants.