

**VIRGINIA TECH/MONTGOMERY EXECUTIVE AIRPORT**

**BCB**

**BLACKSBURG, VIRGINIA**

**MINIMUM STANDARDS**

**FOR**

**FBO's / SASO's TO PROVIDE**

**COMMERCIAL**

**AERONAUTICAL ACTIVITIES**

**TO THE PUBLIC**

**Approved by the Virginia Tech/Montgomery Regional Airport Authority  
July 10, 2002**

**Original Publication Date  
July 10, 2002**

**Revision Date**  
*Revision 1. May 14, 2003*  
*Revision 2. March 11, 2008*

**Airport Mission Statement**

The purpose of such an Authority shall be to develop a regional airport based on the mission of servicing corporate executive markets and other general aviation markets, obtaining grants, loans and other funding for airport improvements and other activities, and in assisting in regional economic development.

**Airport Vision Statement**

The VA-Tech/Montgomery Executive Airports vision is to provide a safe well-maintained transportation facility where people desire to work visit and conduct business. We envision a community that has pride in its airport and recognizes the economic value it brings to the area. Additionally, the airport envisions becoming the hub for corporate aviation in southwest Virginia by providing access to education facilities and high technology sector’s while maintaining a close relationship with residential users and the surrounding communities. This vision is to be accomplished by increasing airport utilization through infrastructure development and sound business strategies. Our goal is to be financially self sufficient while providing a vital transportation link to the area.

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## CHAPTER I

### GENERAL PROVISIONS

#### **Section 1 Purpose**

The Minimum Standards contained in this document (the Minimum Standards) are intended to provide the minimum threshold requirements for any person wishing to provide commercial aeronautical services to the public on the Airport. These Minimum Standards are designed to assure that the flying public is provided with all of the necessary aircraft services on the Virginia Tech/Montgomery Executive Airport, as well as preventing unqualified persons from offering commercial aeronautical activities to the public on the Airport. The Minimum Standards are intended to be reasonable and non-discriminatory. All persons, firms, corporation providing aeronautical services to the public at the airport shall be under a written agreement with the Airport Authority and subject to the Minimum Standards. The Authority reserves the right to change or update the Minimum Standards from time to time.

#### **Section 2 Definitions**

The following words and terms shall have the meaning indicated below, unless the context clearly requires otherwise:

- 2.1 **“Airport”** means the Virginia Tech/Montgomery Executive Airport and all of the property, buildings, facilities and improvements within the exterior boundaries of such airport as it now exists on the Airport Layout Plan or as it may hereafter be extended, enlarged or modified.
- 2.2 **“Airport Director”** means the designated person appointed by the Authority to manage the Airport or their designee located at 1600 Ramble Rd, Blacksburg, Virginia 24060
- 2.3 **“Airport Operation Area”** (AOA) means the area of the airport used or intended to be used for landing, take off or surface maneuvering of aircraft, including the associated hangars and navigational and communication facilities.

- 2.4 “Approved Airport Layout Plan” means a fully executed plan that includes approval signatures from the FAA, VDA and Virginia Tech/Montgomery Regional Airport Authority showing boundaries and proposed additions to all areas owned or controlled by the Authority for airport purposes, the location and nature of existing airport facilities and structures, and the locations on the airport for existing and proposed non-aviation areas and improvements thereon.
- 2.5 “Authority” means the Virginia Tech/Montgomery Regional Airport Authority; its representatives designated officials, officers, and employees.
- 2.6 “Aeronautical Activities” means any activity commonly conducted at the Airport which involves, makes possible, or is required for, the operation of aircraft, or which contributes to, or is required for, the safety of such operations. These activities include, but are not limited to, air taxi and chartering operations, pilot training, aircraft renting, sightseeing, aerial photography, crop dusting, aerial advertising, aerial surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products, repair and maintenance of aircraft, or sale of aircraft parts and aircraft storage.
- 2.7 “Employee” means a person who is on the payroll of the aircraft owner or airport business and for which the owner is complying with all applicable labor laws including such Workers Compensation, Social Security, etc., for that employee
- 2.8 “FAA” means the Federal Aviation Administration.
- 2.9 “FAR” Federal Aviation Regulation formally identified under the “Code of Federal Regulation (CFR) are a catalog of rules adopted by Federal Government. CFR divides rules into 50 titles; Title 14 Aeronautics and Space is informally referred to as Federal Aviation Regulations”.
- 2.10 “FBO” means any Fixed Based Operator(s) who provides two or more aeronautical services to the public and is duly licensed and authorized by written agreement with the Authority to operate at the Airport under strict compliance with such agreement.
- 2.11 “IFR” means Instrument Flight Rules, which govern the procedures for conducting instrument flight.
- 2.12 “Individual Users” includes individual pilots, aircraft owners, tie-down and T-hangar renters, transient users, and other individual users of the Airport.
- 2.13 “Land side” means all buildings and related surfaces used by surface vehicular and pedestrian traffic on the Airport.

- 2.14 “Light Twin” means a multi-engine aircraft with a gross weight of less than 12,500 pounds.
- 2.15 “MSL” means an altitude expressed in feet measured from Mean Sea Level.
- 2.16 “Minimum Standards” means the standards, which are established by the Authority, amended from time to time, and which are the minimum requirements to be met by a SASO or FBO, or proposed FBO SASO as a condition for the right to provide aeronautical services to the public at the airport.
- 2.17 NFPA” means the National Fire Protection Association.
- 2.18 “Normal Business Hours” means 8:30 AM to 5:30 PM Monday through Friday each week of the year.
- 2.19 “NOTAM” means a “Notice to Airmen” published by the FAA.
- 2.20 “Pedestrian” means any person traveling on foot; or utilizing any other mode of transportation, other than a registered aircraft, or an ultra light vehicle
- 2.21 “Proprietary Exclusive Right” means an activity, as prescribed by FAA Advisory Circular 150/5190-5 (Exclusive Rights at Airports), in which the Authority may engage while denying others the right to engage in the same activity.
- 2.22 “SASO” means a Specialized Aeronautical Service Operator or Single Fixed Base Operators which are usually aeronautical businesses that offer a single service.
- 2.23 “Shall”. The word **“shall”** is always mandatory.
- 2.24 “VDA” means the Virginia Department of Aviation.

## CHAPTER II

### AIRPORT OPERATORS, LEASES, CONCESSIONS AND MINIMUM STANDARDS

#### Section 1 Authorization to Operate at the Airport

An FBO/SASO must meet the following prerequisites to operate at the Airport:

- a. Obtain the consent of the Authority through the application process set forth in these Minimum Standards.
- b. Obtain and comply with all requirements for appropriate licenses from any governmental authority to operate the aeronautical activity.
- c. After meeting the requirements of these Minimum Standards for the aeronautical services to be provided enter into a written agreement with the Authority in which the FBO or SASO agrees to accept, be bound by, comply with, and conduct business operations in accordance with the terms of the agreement. The FBO or SASO further understands that in the conduct of all of its operations at the Airport, public safety and public interest is paramount.
- d. Deliver to the Authority a Certificate of Insurance in a form and in amounts acceptable to the Authority.

## **Section 2 Business Name**

No person or entity shall provide an aeronautical service on the Airport under a business name identical to or substantially similar to the business name of any other FBO on the Airport.

## **Section 3 Application**

- a. Application for lease to carry on any aeronautical service must be made in accordance with these Minimum Standards and signed by all parties owning an interest in the business including each partner, director, or corporate officer, and those who will be managing the business shall submit a detailed listing of all corporate or business entities that you have been involved with, along with their legal name during the past year.
- b. A copy of the application, together with all supporting documentation, shall be submitted to the Airport Director.
- c. Incomplete applications may be returned for additional information, completion and further review will be delayed until the application is complete unless specified differently.
- d. The application shall contain the following information:
  - (1) A written proposal detailing the nature of the proposed aeronautical services to be provided, space and facility requirements and proposed location on the Airport.
  - (2) A current financial statement prepared in accordance with generally acceptable accounting principals by a certified public accountant. The Authority shall be entitled to consider type of financial statement in evaluating the applicant's financial ability to

provide responsible, safe, and adequate service to the public. Applicant shall submit a report from all principals for a corporation or partnership.

- (3) A listing of the assets owned, leased or being purchased, which will be used in the business on the Airport. Copies of any leases or purchase contracts must be attached.
- (4) A current credit report covering all areas in which the applicant has done business in the past ten years.
- (5) Preliminary plans and dates for any improvements which the applicant intends to make on the Airport as part of the services for which approval is sought.
- (6) A description of previous experience in airport services, a listing of key personnel to be assigned to the Virginia Tech/Montgomery Executive Airport and a description of the duties, responsibilities, and prior experience of such personnel.
- (7) Copies of Insurances as specified in Chapter 13 of the Airport Rules and Regulation.
- (8) And such other information as the Authority may require.

NOTE: If requested by the applicant, the Airport director shall hold the financial information and other proprietary and trade secret information included with the application separate from the application, and shall not make it available for public inspection, unless required to do so by the Virginia Freedom of Information Act.

#### **Section 4 Action on Application**

The Authority may deny any application, or reject any bid or proposal to operate any activity on the Airport, if, in its opinion, it finds any one or more of the following:

- a. The applicant does not meet the qualifications, standards and requirements established by these minimum standards.
- b. The applicant's proposed operations or construction will create a safety hazard as determined by Authority or by the FAA through the review Form 7460 and their Non Rule-making Authority process.
- c. The granting of the application will require the Authority to spend funds, or to supply labor or materials, in connection with the proposed operations to an extent, which the Authority is not willing to enter into such arrangement; or the operation will result in a financial burden to the Authority.



- d. There is no appropriate, adequate, or available space or building on the Airport to accommodate the applicant at the time of the application.
- e. The proposed operation, Airport development, or construction does not comply with the Approved Airport Layout Plan for the Airport.
- f. The development or use of the area requested by the applicant will result in depriving existing FBO's or SASO of portions of the area in which they are operating; will result in congestion of aircraft or buildings; or will unduly interfere with the operations of any present FBO or SASO's on the Airport, or prevent free access to the FBO's or SASO's operations.
- g. The applicant has supplied the Authority with any false information or has misrepresented any material fact or has failed to make full disclosure in their application or in supporting documents.
- h. The applicant has violated any of the Virginia Tech/Montgomery Executive Airport Rules and Regulations, or the regulations and standards of any other airport, or the Civil Air Regulations, the Federal Aviation Regulations, or any other statutes, ordinances, laws or orders applicable to the Airport or any other airport.
- i. The applicant has defaulted in the performance of any lease or other agreement with the Authority, or other airport sponsors.
- j. The applicant's credit report contains substantial negative information. The applicant does not appear to be a person of reasonable business responsibility and reputation.
- k. The applicant does not have, or appear to have, access to the operating funds necessary to conduct the proposed operation.
- l. The applicant has committed any crime, or violated any Town, University, or County ordinance. Misdemeanor traffic violations are exempt.
- m. The applicant is unable to obtain sufficient insurance, financial sureties or guarantors to protect the interest of the Authority.
- n. The applicant's activities or operations have been or could be detrimental to the Airport or another airport.

**Section 5 Fixed Base Operators (FBOs)**

### General FBO Requirements

- a. To qualify as a Fixed Base Operator, a person must offer two or more aeronautical services to the public and are required to provide and maintain an office normally staffed during normal business hours. Such office shall be the operator's office or place of business on the Airport. This office shall contain at least 125 square feet of inside floor space, less inside partitions and shall have separate restrooms for men and women or access thereto, and a public telephone unless adequate facilities currently exist as determined by the Authority. These facilities and office shall be kept in a neat, clean and orderly condition. Only one office shall be required of each FBO. No FBO, its employees, agents, officers or other persons connected with the business shall use the office area or other facilities of any other FBO without the written consent of said FBO and the Authority.
- b. Each FBO shall enter into an agreement with the Authority, which shall include an agreement on the part of the FBO to accept be bound by, comply with and conduct its business operations in accordance with these Airport Rules and Regulations and the terms of the lease agreement.
- c. Unless otherwise provided in a lease agreement with the Authority, the FBO shall, at its own expense, provide, construct, install, equip and maintain all utilities, buildings, structures, ramps, tie-down area, taxiways, fences and all other facilities and improvements requested or approved by the Authority for the FBO to carry on its authorized services.
- d. The FBO shall pay when due all charges for water, sewer, power, telephone service and all other utilities and services supplied to their operation at the Airport. The FBO shall also promptly pay, when due, all rentals, fees and payments to the Authority.
- e. Unless otherwise provided by the Authority, all operations of the FBO shall be conducted in an area of sufficient size but not less than that outlined in the lease to accommodate all services for which the operator is approved, allowing for growth in the foreseeable future and additional services as contemplated by the Authority. The FBO shall conduct its business operations strictly within the areas assigned it by the Authority and its operations shall not in any way interfere with the operations of the other FBO's, agencies, or other businesses operating on the Airport; the use of the Airport by the general public; or with any common-use areas. The FBO shall not use any common-use areas except as authorized by the Airport Rules and Regulations or by the Authority.

### Section 6 Specialized Aviation Service Operators (SASO)

- a. A Specialized Aviation Service Operator (SASO) is a person or entity that provides only one aeronautical service to the public. No person or entity shall use the Airport as a Specialized Aviation Service Operator (SASO) until such person has executed a lease agreement

approved by the Authority. The SASO must meet the qualifications, standards and requirements of these Minimum Standards, pay any required fees, and receive approval from the Authority. As appropriate, the Authority will accept a request from SASO's who wish to provide more than one aeronautical service to the public on the Airport. Except in cases of offering T-hangar or inside hangar aircraft storage only, the SASO is required to maintain an office that shall be staffed and open to the public during normal business hours. This office shall contain the floor space required for the service being provided but not less than that outlined in this document and shall have separate restrooms for men and women or access thereto, and a public telephone unless adequate facilities currently exist as determined by the Authority. These facilities and office shall be kept in a neat, clean and orderly condition.

NOTE: All floor space required by the Minimum Standard for the service (s) being provided does not include restrooms, telephone area or circulation space. The use of temporary buildings or structure such as a mobile home or trailer is not permissible unless approved by the Authority on an emergency basis.

- b. Each SASO shall enter into an agreement with the Authority, which shall include an agreement on the part of the SASO to accept, be bound by, comply with and conduct its business operations in accordance with the Airport Rules and Regulations.
- c. Unless otherwise provided in a lease agreement with the Authority, the SASO shall, at its own expense, provide, construct, install, equip and maintain all utilities, buildings, structures, ramps, tie-down area, taxiways, fences and all other facilities and improvements requested or approved by the Authority for the SASO to carry on the activities or services authorized by the Authority.
- d. The SASO shall pay when due all charges for water, sewer, power, and telephone service and all other utilities and services supplied to their operation at the Airport.

The SASO shall also promptly pay, when due, all wages or salaries to their employees, and all rentals, fees and payments to the Authority.

- e. Unless otherwise provided by the Authority, all operations of the SASO shall be conducted in an area of sufficient size but not less than that outlined in this document to accommodate all services for which the operator is approved, allowing for growth in the foreseeable future and additional services as contemplated by the Authority. The SASO shall conduct its business operations strictly within the areas assigned it by the Authority and its operations shall not in any way interfere with the operations of the other SASO's or FBOs, agencies, or other businesses operating on the Airport; the use of the Airport by the general public; or with any common-use areas. The SASO shall not use any common-use areas except as authorized by the Airport Rules and Regulations or by the Authority.

## **Section 7 Minimum Standards for Aeronautical Services**

The following are the **Minimum Standards** for the aeronautical services to be provided by FBOs and SASO's:

NOTE: All floor space required by the Minimum Standard for the service (s) being provided do not include restrooms, telephone area or circulation space. The use of temporary buildings or structure such as mobile homes or trailers is not permissible unless approved by the Authority on an emergency basis.

a. Aircraft Maintenance and Repair

Except as otherwise provided in any agreement between an FBO or SASO and the Authority, a FBO or SASO offering aircraft engine, airframe and accessory sales, maintenance and repair services to the public shall provide:

- (1) In case of airframe and/or engine repairs, a minimum of 8,500 square feet of hangar space to house aircraft upon which such service is being performed, a minimum of 125 square feet of office space and a waiting room for customers which shall have separate restrooms for men and women or access thereto, and a public telephone unless adequate facilities currently exist as determined by the Authority.
- (2) As determined by the Authority, suitable storage space for aircraft awaiting repair, maintenance, or delivery.
- (3) Adequate enclosed shop space to house the equipment and adequate equipment and tools, jacks, lifts, and testing equipment to perform overhauls as required for FAA certification and repair of parts not needing replacement on common single engine land and light multi-engine land general aviation aircraft.
- (4) Sufficient FAA certified mechanics with inspection authority for the work to be performed. At least one fulltime FAA certificated airframe and power plant mechanics available during normal business hours and on call at all other times available within two hours.
- (5) Availability of necessary equipment and personnel to promptly remove from the public landing area (as soon as permitted by FAA, NTSB, and Virginia State Police authorities) any disabled aircraft.
- (6) Adequate provisions for the removal/disposal of solutions, cleaning agents, lubricants and other wastes in compliance with Federal, State and Local regulations.

- (7) Must only use Authority designated facilities or those facilities specially designed to meet Local, State and Federal environmental requirements for washing and cleaning of aircraft or equipment.
- (8) Proper equipment for aircraft towing, inflating aircraft tires, washing aircraft windscreens, and recharging aircraft batteries.

b. Aircraft Charter

Except as otherwise provided in any agreement between an FBO or SASO and the Authority, a FBO or SASO conducting aircraft charter and/or air taxi service shall be required to provide:

- (1) A minimum of 125 square feet of office and passenger lounge, restrooms, and telephone facilities.
- (2) At least one multi-engine aircraft that:
  - (a) Has a seating capacity of at least four seats.
  - (b) Is certified for IFR flight.
  - (c) Meets exclusive-use requirements as defined in FAR part 135.25 paragraphs (b) and (c).
- (3) At least two pilots, one of which must be full time.
  - (a) Be available 24 hours a day with reasonable notice.
  - (b) Be fully current under FAR part 135 and in compliance with all laws and procedures.
- (4) Automobile parking for customers and employees if adequate parking is not currently available.

c. Aircraft Rental

Except as otherwise provided in any agreement between an FBO or SASO and the Authority, a FBO or SASO conducting aircraft rental activity shall provide:

- (1) A minimum of 125 square feet of office space at the airport for consummating rentals and keeping proper records in connection therewith. A suitable waiting area for customers, which shall have, separate restrooms for men and women or access thereto, and a public telephone unless adequate facilities currently exist as determined by the Authority.
- (2) At least two airworthy aircraft suitably maintained and certificated.

- (3) Adequate facilities for parking, servicing, and maintenance of the aircraft or arrangements with another FBO or SASO for aircraft services and maintenance.
- (4) Adequate arrangements for parking the aircraft being rented.
- (5) A properly certificated pilot capable of conducting “flight checks” of prospective renters shall be available at least eight hours of each calendar day.
- (6) Proper checklist and operating manuals on all aircraft rented.
- (7) An adequate supply of properly located fire extinguishers and other precautions and/or equipment required by County and NFPA fire codes.
- (8) Automobile parking for customers and employees if adequate parking is not currently available.

d. Flight Training

Except as otherwise provided in any agreement between an FBO or SASO and the Authority, an FBO or SASO conducting flight-training activities shall provide:

- (1) At least three training aircraft that:
  - (a) Have a minimum of two seats
  - (b) Are maintained in accordance with Federal Aviation Regulations
  - (c) Are kept in a clean and presentable manner
  - (d) Are available for training and rental
- (2) At least one four place training and rental aircraft that complies with (1)(b), (c), and (d) above.
- (3) Equipment for IFR flight and training in at least one (1) of the aircraft in (1) and (2) above. This aircraft must have the following equipment:
  - (a) Two NAV/COMM Radios
  - (b) Transponder
  - (c) ADF
  - (d) Marker Beacon
  - (e) Current FAR 91.411 and 91.413 inspections

- (4) Adequate personnel with one who must be full time with the office open during normal business hours.
- (5) A minimum of 125 square feet of office and classroom space, separate from public areas, for at least five students, waiting room for customers which shall have separate restrooms for men and women or access thereto, and a public telephone unless adequate facilities currently exist as determined by the Authority.
- (6) Adequate mock-ups, pictures, slides, filmstrips, or other visual aids necessary to provide proper ground school instruction.
- (7) Current certificates required by the FAA for flight instruction.
- (8) Adequate facilities for parking, servicing, and maintenance of the aircraft, or arrangements with another FBO or SASO for aircraft service and maintenance.
- (9) Automobile parking for customers and employees if adequate parking is not currently available.

e. **Aircraft Sales**

An FBO or SASO shall provide 125 square feet of office space and waiting room for customers who shall have separate restrooms for men and women or access thereto, and a public telephone unless adequate facilities currently exist as determined by the Authority. An FBO or SASO shall provide an area of sufficient size to permit the storage and/or display of all aircraft for sale or used in the aircraft sales business. All inventory must be insured with liability coverage acceptable to the Airport Director of the Authority and include all aircraft that overnight at, or are based at the Airport. The business shall be open during normal business hours.

f. **Aircraft Parts and Accessories Sales**

The FBO/SASO must have a lease and conduct one or more services listed in this section and provide suitable space approved for the display of the parts and accessories for sale.

g. **Aircraft Stripping and Painting Facility**

Except as otherwise provided in any agreement between an FBO or SASO and the FBO or SASO offering aircraft stripping and painting services to the public shall:

- (1) Provide a minimum of a 8,500 square feet of hangar space sufficient to house any aircraft upon which such service is being performed and a minimum of 125 square feet of office space and waiting room for customers which shall have separate restrooms for men and women or access thereto, and a public telephone unless adequate facilities currently exist as determined by the Authority. Also provide paved apron area in front of the hangar and office space with auto parking areas for customers and employees.
- (2) Provide suitable storage space for aircraft waiting stripping, painting, or delivery.
- (3) Provide adequate enclosed shop space to house necessary equipment and tools.
- (4) Have available during normal business hours, competent and responsible personnel that are knowledgeable of all phases of aircraft stripping, preparation, and treatment of aluminum and painting.
- (5) Comply with and abide by all standards, rules, regulations, and requirements of the FAA, Virginia Department of Environmental Quality, Environmental Protection Agency, OSHA, and any other local, State, or Federal government agencies having jurisdiction over aircraft stripping and painting operations.
- (6) Comply with NFPA and the National Board of Fire Underwriters on “Paint Spraying and Spray Booth” regulations regarding the arrangement, construction, and protection of spray booths and the storing and handling of materials used in connection with aircraft painting, varnishing, and spray painting operations.
- (7) Not allow any stripping, painting, varnishing, doping, materials or agents, or other contaminants to flow into or be placed in any sewer system.
- (8) Perform all aircraft stripping and painting operations inside the hangar or building.
- (9) Properly treat and dispose of solutions, cleaning agents, lubricants and other hazardous materials and wastes in compliance with Federal, State and County regulations.
- (10) Provide a written plan for approval by the Authority and Montgomery County adhering to all these safety and environmental requirements. This plan will be available for inspection by all environmental agencies of both the State and Federal Government and be subject to on-site inspection by local HAZMAT personnel prior to approval.

h. Avionics Shop

Except as otherwise provided in any agreement between an FBO or SASO and the Authority, an FBO or SASO offering avionics services to the public shall:



- (1) Provide a minimum of 800 square feet of space to be used for shop, storage and test equipment and a minimum of 125 square feet of office space and waiting room for customers which shall have separate restrooms for men and women or access thereto, and a public telephone unless adequate facilities currently exist as determined by the Authority.
- (2) Have available on a full-time basis during normal business hours an FAA certified technician in the field of aircraft electronics and/or aircraft instruments with proper Federal Communication Commission license to conduct complete aircraft transmitter, receiver and antenna repair.
- (3) Lease sufficient space or provide satisfactory arrangements for access to and storage of aircraft on which work is being performed.

i. Crop Dusting and Spraying

Persons or companies seeking to conduct crop dusting or spraying of agricultural chemicals shall be required to satisfy the Authority that:

1. Suitable arrangements have been provided for the safe storage and containment of noxious chemical material in agreement with EPA guidelines; no poisonous or inflammable materials shall be kept or stored in close proximity to other facility installations at the airport.
2. The operator shall have available properly certificated aircraft suitable equipped for the agricultural operation undertaken and;
3. The operator shall make suitable arrangements for servicing the aircraft with adequate safeguards against spillage on runways and taxiways or pollution or dispersal of chemicals by wind to other operational areas of the airport;
4. Adequate public liability and property damage insurance sufficient to protect the operator and the Authority from legal liabilities involved.
5. The operator will follow the Virginia Tech/Montgomery Regional Airport Authorities Rules and Regulations for Aerial Application Operators and provide the Authority the documentation as stipulated in Appendix D of the Airport's Rules and Regulations. Additionally, Aerial Application Operators shall abide by any potential restrictions placed on their activities by the FAA and TSA.

**Section 8 Requirements for Sub-Lessors Permitted to Conduct Aeronautical Activities**

Each FBO proposing to sub-contract an aeronautical activity to a sub-lessor at the Airport shall meet the following requirements to the satisfaction of the Authority:

- a. The sublessor should have previously conducted a similar aeronautical activity in an acceptable manner.
- b. The sublessor must provide a financial statement to support the activity.
- c. The sublessor must reasonably meet applicable requirements of the FAA, VDA or other authority governing the proposed activity.
- d. The sublessor must furnish evidence of suitable insurance acceptable to the Authority Risk Manager, including liability insurance and bonding to protect and hold the Authority, its officials, employee's agents and representatives, harmless from any liability arising out of the proposed activity.
- e. No FBO or SASO may sublet all or any part of the operation without written consent of the Authority.
- f. The Authority will have final approval with regard to any new sublessors to conduct aeronautical activity on Airport property.

### **Section 9 Waiver of Chapter II Provisions**

The Authority, may at its discretion, waive all or any portion of Chapter II of these minimum standards for the benefit of any educational, government or governmental agency performing non-profit public services to the aircraft industry, or performing air search and rescue operations, or performing fire prevention, fire fighting or law enforcement operations, but only to the extent permitted by the rules of the FAA and the laws of the Commonwealth of Virginia and the Towns of Blacksburg, Christiansburg and Montgomery County.

### **Section 10 Contract Provisions**

The following are some of general provisions required by the Authority prior to commencement of services. There may be additional provisions required by the Authorities Legal representation.

1. All plans and specifications for construction will require an FAA Form 7460-1 and shall be submitted to the Airport Director for his review as well as the review by Town of Blacksburg Planning and Engineering staff prior to construction approval. All construction shall comply with local applicable building codes and other ordinances and that all permit fees shall be paid by either the FBO or SASO.

2. An FBO must have a letter of credit in the amount of \$25,000 conditioned on the faithful performance of an Agreement and in a form reasonably acceptable to the Virginia Tech/Montgomery Regional Airport Authority Attorney which letter of credit shall remain in effect for the first five years of business.
3. An FBO shall cooperate with the Authority and Airport Director in the operation, management and control of the Airport and shall do all things necessary to advance or promote the Airport and to develop the Airport into an attractive, efficient and modern facility.
4. Each FBO or SASO shall maintain the types and amount of insurance in their lease agreements.
5. As a standard lease provision Grant Assurance 22(b) language will be included in any agreement, contract, lease or other arrangement under which a right or privilege at the airport is granted to any person, firm, or corporation to conduct or to engage in any aeronautical activity for furnishing services at the Airport. Each FBO or SASO shall furnish all services authorized or approved by the Authority, on a fair, and not unlawfully discriminatory basis to all persons and shall charge fair, reasonable, and not unlawfully discriminatory prices for each unit of service, provided that the FBO may make reasonable discounts, rebates, or other similar types of price reductions to volume purchasers if permitted by law.
6. Each FBO or SASO upon being fully authorized by the Authority to construct any required physical facilities shall be immediately commence and conduct on a full-time basis all business activities and services upon completion of said facility.
7. The Authority may, at its discretion, terminate any lease agreement authorizing the FBO or SASO to conduct any services or businesses at the Airport, which said termination shall automatically revoke the FBO or SASO's lease, for any cause or reason provided in the Airport Rules and Regulations or of the terms of any agreement between the Authority and the FBO or SASO's and in addition thereto, upon the happening of any one or more of the following:
  - (a) Filing of a petition, voluntarily or involuntarily, for the adjudication of the FBO or SASO as bankrupt.
  - (b) The FBO or SASO making any general assignment for the benefit of creditors.
  - (c) Abandonment or discontinuance of any permitted operation at the Airport by the FBO or SASO or the failure to conduct operation on a full-time basis without the prior approval of the Authority.

- (d) Failure of the FBO or SASO to remedy any default or breach of violations by it or its personnel in keeping, observing, performing, and complying with the Airport Rules and Regulations and the terms, covenants and conditions in any lease or agreement entered into pursuant hereto on the part of the FBO or SASO to be performed, kept, or preserved, within thirty days from the date written notice from the Authority has been mailed or delivered to the place of business of the FBO or SASO at the Airport.
  - (e) Failure to promptly pay to the Authority, when due, all rents, charges, fees and other payments which are payable to the Authority by the FBO or SASO.
  - (f) Operation of the business of the FBO or SASO so as to create a safety hazard on the Airport for other Airport users, aircraft or property at the Airport, the general public or any pilots, students or passengers.
  - (g) The discovery that the FBO or SASO has willfully misrepresented, misstated, falsified, withheld or failed to make full or accurate disclosure of any information required by this document.
  - (h) Any action or omissions of the FBO or SASO or its principals, which adversely affect or may adversely, affect the mission of the Airport.
8. In the event of such termination, the FBO or SASO shall immediately and peaceably vacate the Airport and surrender possession of the premises to the Authority and shall cease and desist all business operations at the Airport. Should the FBO or SASO fail to make such surrender, the Authority shall have the right at once and without any notice to the FBO, to enter and take full possession of the space occupied by the FBO or SASO at the Airport by force or otherwise, and to expel, oust, and remove any and all persons that may be found within or upon the space/property at the sole expense of the FBO or SASO and without being liable to prosecution or to any claim for damages. Upon such termination by the Authority, all rights, powers and privileges of the FBO or SASO shall cease and the FBO or SASO shall make no claim of any kind whatsoever against the Authority, its agents or representatives by reason of such termination or any act or omission related thereto.
9. In addition to all other rights and remedies provided in the Airport Rules and Regulations, the Authority shall have any and all other rights and remedies at law or in equity, including the equitable remedy of injunction, to enforce the Airport Rules and Regulations, to obtain compliance herewith and to impose the penalties herein provided.
10. The Airport Director of the Authority or any authorized agent of the Authority shall have the right to inspect at any time all Airport premises together with all structures or

improvements and all aircraft, equipment, all licenses and registrations and all records of the FBO or SASO or its officers, agent's representatives or agents.

11. The FBO or SASO shall park and store the aircraft used in its operations and its customers' aircraft only on areas assigned by the Authorities unless alternate arrangements for such parking or storage are made with another FBO or SASO or the Airport Director of the Authority.
12. All lease terms exceeding five (5) years shall provide for periodic review of rates and charges for the purpose of any adjustments to reflect the then current values, based on an acceptable index as per FAA Order 5190.6A, Para. 4-14(d)(2)(f)

### **Section 11 Airport License and Leases Non-Transferable**

No right, privilege, permit, or license to do business at the Airport, or any lease of any area of the Airport or a part thereof, shall be assigned, sold or otherwise transferred or conveyed in whole or in part without the prior express written consent of the Authority. No lease or portion thereof, may be assigned or sublet without prior approval of the Authority. All assignees or subleases approved by the Authority shall comply with the Rules and Regulations and Minimum Standards.

### **Section 12 Rates**

Rates charged by FBOs or SASO's at its leasehold for hangar space, T-hangar rentals, tie downs, products, and service charges shall not be excessive, discriminatory or otherwise unreasonable, and shall be filed with and approved by the Authority.

### **Section 13 Refuse**

No person shall throw, dump, or deposit any waste, refuse or garbage on the Airport. All waste, refuse or garbage shall be placed and kept in closed garbage cans or containers, and shall meet all applicable University, Town or County codes. In the event that one code is less restrictive than others, the code most restrictive will apply. All operation areas shall be kept safe, neat and clean at all times.

### **Section 14 Approval of Construction**

No building, structure, tie down, ramp, paving, taxi area or any other improvement or addition on the Airport shall be placed or constructed, enacted, or altered or removed without prior written approval of the Authority. Prior to such work being done, the Authority may, at its discretion,

require a work bond, letter of credit or other surety to guarantee the work. The form of such bond, letter of credit or surety shall be subject to the approval of the Authority Attorney. The Authority shall consider conformance to the Capital Improvement Plan for the Airport, Airport Master Plan, and Approved Airport Layout Plan prior to the approval or denial of any construction or development at the Airport.

### **Section 15 Operation Area**

No person authorized to operate or conduct business activities at the Airport shall do so on any area except that approved in writing by the Authority. The Airports position will be to comply with FAA order 5190.6A Para. 6.6 (a-d) (1)(2) regarding through the fence operations

### **Section 16. Repair, Restoration, Replacement**

Nothing contained in these minimum standards shall be construed to require the Authority to maintain, repair, restore or replace any structure, improvement or facility, which is damaged or destroyed.

### **Section 17 Effect on Existing Leases**

All leases of land under written lease agreement at the Airport with the Authority at the time these minimum standards become effective shall be required to meet or exceed the minimum standards. Such Lessee shall also be required to meet or exceed any amendments to the minimum standards for the aeronautical activity being provided to the public at this Airport.

### **Section 18 Expansion of Services**

When an applicant wishes to qualify as a special FBO or SASO in order to provide services not already provided at the Airport, the foregoing minimum standards may be modified subject to the written approval of the Authority for a limited period of time (not to exceed one year). It is the express purpose of this provision to encourage the expansion of services at the Airport where they do not exist, and only to the extent and for the period of time necessary, to create an inducement to the establishment of such services.

## **CHAPTER III**

### **AIRPORT MASTER PLAN**

#### **Section 1 FBO/SASO Approval Not Required**

The Authority may, without the knowledge, consent or approval of any FBO or SASO or other person licensed to do business or use part of the Airport, make changes in the Master Plan of the Airport, Approved Airport layout Plan and in the Authorities planning and policies in connection with the development of the Airport and in the Airport Rules and Regulations and these Minimum Standards. However, it is the Authorities intent to inform FBOs or SASO'S and other businesses of any such changes, which are significant.

## **CHAPTER IV**

### **GOVERNMENT AGREEMENTS**

#### **Section 1 War or National Emergency**

During time of war or national emergency, the Authority shall have the right to lease the airport landing area, or any part thereof to the United States Government for military use, and any license or authority granted under these standards, and such lease agreement executed pursuant hereto, shall be subject to such government lease. The provisions of the government lease shall control insofar as they are inconsistent with the said operators agreement, lease or authority.

#### **Section 2 Leases Subordinate to Government Lease**

Any license, authority, lease or agreement entered into pursuant to these standards shall be subject and subordinate to the provisions of any existing or future agreement between the Authority and the United States and commonwealth of Virginia, relative to the operation or the maintenance of the airport, the execution of which has been, or may be required as a condition precedent to the expenditure of federal funds for the development of the airport.

#### **Section 3 Disadvantaged Business Enterprises**

It is the policy of the FAA, and enforced by the Virginia Tech/Montgomery Regional Airport authority to utilize Disadvantaged Business Enterprises (DBE) in all aspects of contracting at the airport. This commitment can be demonstrated by the efforts taken in the development of a DBE Plan and in correspondence with The Virginia Tech/Montgomery Regional Airport Authority stating such position. The plan will be made available upon request.

### **Virginia Tech/Montgomery Executive Airport Minimum Standards**

#### **APPENDIX A: Airport Layout Map**

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