

CHAPTER 64
MINIMUM STANDARDS FOR AIRPORT SERVICES

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64.01 MINIMUM REQUIREMENTS. Minimum requirements for airport aeronautical services at the Sheboygan County Memorial International Airport shall be as set forth herein.

64.02 MINIMUM STANDARDS ESTABLISHED. The following minimum standards for a person or persons, firm, or corporation based upon and engaging in one or more aeronautical services for hire or consideration at the Sheboygan County Memorial International Airport, Sheboygan Falls, Sheboygan County, Wisconsin, shall hereafter be in full force and effect, and the lease clauses shall be included in all leases between the County of Sheboygan and any person or persons, firm, or corporation desiring to be based upon the Sheboygan County Memorial International Airport, Sheboygan Falls, Sheboygan County, Wisconsin, or engage thereon in any aeronautical service.

64.03 AIRCRAFT SALES.

(a) Statement of Concept. An "Aircraft Sales Operator" is a person or persons, firm, or corporation engaged in the sale of new or used aircraft through franchise or licensed dealership or distributorship (either on a retail or wholesale basis) of an aircraft manufacturer or otherwise and provides such repair, services, and parts as necessary to meet any guarantee or warranty on new or used aircraft sold by said Operator.

(b) Minimum Standards.

(1) For new construction, the Operator shall lease from County of Sheboygan an area of not less than 15,000 square feet of ground space to provide for outside display and storage of aircraft and on which shall be erected a building to provide at least 2,500 square feet of floor space for aircraft storage and at least 1,000 square feet of floor space for office, customer lounge, and rest rooms, which shall be properly heated and lighted. The Transportation Committee may approve the use of existing facilities with less floor space if it finds it is in the best interest of Airport operations.

The Operator shall provide parking spaces within the leased area to accommodate at least ten (10) automobiles.

The Operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the Operator's office.

The Operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the Operator's building to the taxiway or the access to the taxiway that has been or will be provided for the Operator.

(2) The Operator shall provide necessary and satisfactory arrangements for repair and servicing of aircraft but only for the duration of any sales guarantee or warranty period. Servicing facilities may be provided through written agreement with a repair shop operator at the Sheboygan County Memorial International Airport. The Operator shall provide an adequate inventory of spare parts for the type of new aircraft for which sales privileges are granted. The Operator who is engaged in the business of selling new aircraft shall have available or on call at least one (1) single engine demonstrator.

(3) The Operator performing the services under this category will be required to carry the following types of insurance in the limits specified.

A. Aircraft Liability: \$1,000,000 combined single limit, including passengers, minimum

B. Airport Liability: \$3,000,000 single limit, premises; plus \$1,000,000 single limit, products/completed operations no sub-limit

(4) The Operator shall have his premises open and services available eight (8) hours daily, five (5) days a week.

(5) The Operator shall have in Operator's employ and on duty during the appropriate business hours trained personnel in such numbers as are required to meet the minimum standards set forth in an efficient manner but never less than one (1) person having a current, effective commercial pilot certificate with single engine rating and instructor rating.

The Operator shall make provision for someone to be available to provide services at all times during the required operating hours.

64.04 AIRFRAME AND POWER PLANT REPAIR FACILITIES.

(a) Statement of Concept. An "Aircraft Engine and Airframe Maintenance and Repair Operator" is a person or persons, firm, or corporation providing one or a combination of airframe and power plant repair but with at least one (1) person currently certificated by the Federal Aviation Administration with ratings appropriate to the work being performed. This category of aeronautical services shall also include the sale of aircraft parts and accessories, but such is not an exclusive right.

(b) Minimum Standards.

(1) For new construction, the Operator shall lease from Sheboygan County an area of not less than 16,000 square feet of ground space on which shall be erected a building to provide at least 5,000 square feet of floor space for airframe and power plant repair services including a segregated painting area all of which meet local and state commercial code requirements and with at least 1,000 square feet of floor space for office, customer lounge, and rest rooms, which shall be properly heated and lighted. The Transportation Committee may approve the use of existing facilities with less floor space if it finds it in the best interest of Airport operations.

The Operator shall provide parking spaces within the leased area to accommodate at least ten (10) automobiles.

The Operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the Operator's office.

The Operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the Operator's building to the taxiway or the access to the taxiway that has been or will be provided for the Operator.

(2) The Operator shall provide sufficient equipment, supplies, and availability of parts equivalent to that required for certification by the Federal Aviation Administration

as an approved repair station (FAR 145) or aircraft maintenance repair facility (FAR Part 91).

(3) The Operator performing the services under this category will be required to carry the following types of insurance in the limits specified:

A. Aircraft Liability: \$1,000,000 combined single limit, including passengers, minimum.

B. Hangar Keepers and/or Products Liability: A sum sufficient to adequately cover the maximum liability exposure based on the intended use of the premises or value of the equipment to be serviced.

C. Airport Liability: \$3,000,000 single limit, premises; plus \$1,000,000 single limit, products/completed operations no sub-limit.

(4) The Operator shall have his premises open and services available eight (8) hours daily, five (5) days each week.

(5) The Operator shall have in Operator's employ and on duty during the appropriate business hours trained personnel in such numbers as are required to meet the minimum standards set forth in this category of services in an efficient manner, but never less than one (1) person currently certificated by the Federal Aviation Administration with ratings appropriate to the work being performed and who holds an airframe, power plant, or an aircraft inspector rating, and one (1) other person not necessarily rated.

The Operator shall make provision for someone to be available to provide services at all times during the required operating hours.

64.05 AIRCRAFT RENTAL.

(a) Statement of Concept. An "Aircraft Rental Operator" is a person or persons, firm, or corporation engaged in the rental of aircraft to the public.

(b) Minimum Standards.

(1) For new construction, the Operator shall lease from Sheboygan County an area of not less than 15,000 square feet of ground space and on which shall be erected a building to provide at least 2,500 square feet of floor space for aircraft storage and at least 1,000 square feet of floor space for office, customer lounge, and rest rooms, which shall be properly heated and lighted. The Transportation Committee may approve the use of existing facilities with less floor space if it finds it in the best interest of Airport operations.

The Operator shall provide parking spaces within the leased area to accommodate at least ten (10) automobiles.

The Operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the Operator's office.

The Operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the Operator's building to the taxiway or the access to the taxiway that has been or will be provided for the Operator.

(2) The Operator shall have available for rental, either owned or under written lease to Operator, not less than two (2) certificated and currently airworthy aircraft, at least one (1) of which must be a four-place aircraft, and at least one (1) of which must be equipped for and capable of flight under instrument conditions.

(3) The Operator performing the services under this category will be required to carry the following types of insurance in the limits specified:

A. Aircraft Liability: \$1,000,000 combined single limit for bodily injury and property damage including passengers with a \$100,000 sub-limit per passenger.

B. Airport Liability: \$3,000,000 single limit, premises; \$1,000 single limit.

(4) The Operator shall have his premises open and services available eight (8) hours daily, six (6) days a week.

(5) The Operator shall have in Operator's employ and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the minimum standards in an efficient manner, but never less than one (1) person having a current commercial pilot certificate with appropriate ratings, including instructor rating. The Operator shall make provision for someone to be available to provide services at all times during the required operating hours.

64.06 FLIGHT TRAINING.

(a) Statement of Concept. A "Flight Training Operator" is a person or persons, firm, or corporation engaged in instructing pilots in dual and solo flight training, in fixed or rotary wing aircraft, and provides such related ground school instruction as is necessary preparatory to taking a written examination and flight check ride for the category or categories of pilots' licenses and ratings involved.

(b) Minimum Standards.

(1) For new construction, the Operator shall lease from Sheboygan County an area of not less than 15,000 square feet of ground space and on which shall be erected a building to provide at least 2,500 square feet of floor space for aircraft storage and at least 1,000 square feet of floor space for office, classroom, briefing room, pilot lounge, and rest rooms which shall be properly heated and lighted. The Transportation Committee may approve the use of existing facilities with less floor space if it finds it in the best interest of Airport operations.

The Operator shall provide parking spaces within the leased area to accommodate at least ten (10) automobiles.

The Operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the Operator's office.

The Operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the Operator's building to the taxiway or the access to the taxiway that has been or will be provided for the Operator.

(2) The Operator shall have available for use in flight training, either owned or under written lease to Operator, not less than two (2) properly certificated aircraft, at least one (1) of which must be a four-place aircraft, and at least one (1) of which must be equipped for and capable of use in instrument flight instruction.

(3) The Operator performing the services under this category will be required to carry the following types of insurance in the limits specified:

A. Aircraft Liability: \$1,000,000 combined single limit for bodily injury and property damage including passengers with a \$100,000 sub-limit per passenger.

(4) The Operator shall have Operator's premises open and services available eight (8) hours daily, six (6) days a week.

(5) The Operator shall have on a full-time basis at least one (1) flight instructor who has been properly certificated by the Federal Aviation Administration to provide the type of training offered.

The Operator shall have available for call on a part-time basis at least one (1) flight instructor who has been properly certificated by the Federal Aviation Administration to provide the type of training offered.

The Operator shall make provisions for someone to be available to provide services at all times during the required operating hours.

64.07 AIRCRAFT FUELS AND OIL DISPENSING SERVICE.

(a) Statement of Concept. Line services shall include the sale and into-plane delivery of recognized brands of aviation fuels, lubricants, and other related aviation petroleum products. The Operator shall provide servicing of aircraft, including ramp assistance and the parking, storage, and tie-down of aircraft within the leased area.

(b) Minimum Standards.

(1) For new construction, the Operator shall lease from Sheboygan County an area of not less than 15,000 square feet of ground space on which shall be erected a building to provide at least 2,500 square feet of floor space for aircraft storage and at least 1,000 square feet of floor space for office, customer lounge, and rest rooms, which shall be properly heated and lighted. The Transportation Committee may approve the use of existing facilities with less floor space if it finds it in the best interest of Airport operations.

The Operator shall provide parking spaces within the leased area to accommodate at least ten (10) automobiles.

The Operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the Operator's office.

The Operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the Operator's building to the taxiway or the access to the taxiway that has been or will be provided for the Operator.

(2) The Operator shall provide at least two (2) 12,000-gallon fuel storage tanks at the Sheboygan County Memorial International Airport and maintain an adequate supply of fuel on hand at all times of at least two (2) grades of fuel as closely related as possible to the popular demand of the general aviation users of the Airport. The Operator shall provide at least two (2) metered filter-equipped dispensers, fixed or mobile, for dispensing the minimum requirement of two (2) grades of fuel. Separate dispensing pumps and meters are required for each grade of fuel.

The Operator shall provide such minor repair service that does not require a certificated mechanical rating and cabin services to general aviation aircraft as can be performed efficiently on the ramp or apron parking area, but only within the premises leased to the Operator.

The Operator shall make provision for the transportation of pilots and passengers of transient general aviation aircraft using the Operator's facilities and services from and to the Operator's office and the Sheboygan County Memorial International Airport terminal area.

The Operator shall procure and maintain tools, jacks, towing equipment, tire repairing equipment, energizers, and starters, heaters, fire extinguishers, as appropriate and necessary for the servicing of general aviation aircraft using the Airport. All equipment shall be maintained and operated in accordance with local and state industrial codes.

(3) The Operator performing the services under this category will be required to carry the following types of insurance in the limits specified:

A. Hangar Keepers Liability and/or Products Liability: A sum sufficient to adequately cover the maximum liability exposure based on the intended use of the premises or value of the equipment to be serviced.

B. Airport Liability: \$3,000,000 single limit, premises; plus \$1,000,000 single limit, products/completed operations no sub-limit.

C. Motor Vehicle Liability: \$1,000,000 single limit.

D. Pollution Liability Insurance covering its liability for bodily injury, property damage, and environmental damage resulting from sudden and accidental releases of pollution and coverage related to resultant clean-up and/or remediation costs arising out of the occupancy and use of the premises. Combined single limit bodily injury, property damage, environmental liability, and clean-up/remediation shall not be less than \$500,000 in the annual aggregate.

(4) The Operator shall have Operator's premises open for aircraft fueling and oil dispensing service 8:00 a.m. to sundown seven (7) days a week. The Operator shall make provision for such service during other hours on a call basis.

(5) The Operator shall have in Operator's employ and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the minimum standards set forth in this category of services in an efficient manner.

(6) The Operator shall make provisions for someone to be available to provide services at all times during the required operating hours.

64.08 RADIO, INSTRUMENT, OR PROPELLER REPAIR STATION.

(a) Statement of Concept. A "Radio, Instrument, or Propeller Repair Station Operator" is a person or persons, firm, or corporation engaged in the business of and providing a shop for the repair of aircraft radios, propellers, instruments, and accessories for general aviation aircraft. This category shall include the sale of new or used aircraft radios, propellers, instruments, and accessories but such is not an exclusive right. The Operator shall hold the appropriate repair shop certificates issued by the Federal Aviation Association.

(b) Minimum Standards.

(1) For new construction, the Operator shall lease from Sheboygan County an area of not less than 15,000 square feet of ground space on which shall be erected a building to provide at least 2,500 square feet of floor space to hangar at least one (1) aircraft, to house all equipment, and to provide an office, shop, customer lounge, and rest rooms, all properly heated and lighted. The Transportation Committee may approve the use of existing facilities with less floor space if it finds it in the best interest of Airport operations.

The Operator shall provide parking spaces within the leased area and shall provide a paved walkway within the leased area to accommodate pedestrian access to the Operator's office.

The Operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the Operator's building to the taxiway or the access to the taxiway that has been or will be provided for the Operator.

(2) The Operator performing the services under this category will be required to carry the following types of insurance in the limits specified:

A. Airport Liability: \$3,000,000 single limit, premises; plus \$1,000,000 single limit, products/completed operations no sub-limit.

B. Hangar Keepers Liability and/or Products Liability: A sum sufficient to adequately cover the maximum liability exposure based on the intended use of the premises or value of the equipment to be serviced.

(3) The Operator shall have Operator's premises open and services available eight (8) hours daily, five (5) days each week, and one-half (1/2) day on Saturday.

(4) The Operator shall have in Operator's employ and on duty during the appropriate business hours trained personnel in such numbers as are required to meet the minimum standards set forth in this category in an efficient manner but never less than one (1) person who is a Federal Aviation Administration rated radio, instrument, or propeller repairman and one (1) other repairman who need not be rated by the Federal Aviation Administration.

64.09 AIRCRAFT CHARTER AND AIR TAXI.

(a) Statement of Concept. An "Aircraft Charter" and an "Air Taxi Operator" is a person or persons, firm, or corporation engaged in the business of providing non-scheduled air transportation (person or property) to the general public for hire including non-stop sightseeing flights within a twenty-five- (25-) mile radius of the Airport as distinct from scheduled services as a common carrier.

(b) Minimum Standards.

(1) For new construction, the Operator shall lease from Sheboygan County an area of not less than 15,000 square feet of ground space on which shall be erected a building to provide at least 2,500 square feet of floor space for aircraft storage and at least 1,000 square feet of floor space for office, customer lounge, and rest rooms, which shall be properly heated and lighted. The Transportation Committee may approve the use of existing facilities with less floor space if it finds it in the best interest of Airport operations.

The Operator shall provide parking spaces within the leased area to accommodate at least ten (10) automobiles.

The Operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the Operator's office.

The Operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the Operator's building to the taxiway or the access to the taxiway that has been or will be provided for the Operator.

(2) The Operator shall provide at least one (1) of the following types of aircraft either owned or under written lease to Operator: Not less than one (1) single-engine four-place aircraft and/or one (1) multi-engine aircraft, both of which must meet the requirements of the air taxi commercial operator certificate held by the Operator, including instrument operations.

(3) The Operator performing the services under this category will be required to carry the following types of insurance in the limits specified:

A. Piston-powered Aircraft – Aircraft Liability: \$1,000,000 combined single limit, including passengers, minimum.

Airport Liability: \$3,000,000 single limit.

B. Turbine- and Jet-powered Aircraft – Aircraft Liability: \$3,000,000 single limit, including passengers.

Airport Liability: \$3,000,000 single limit, with product/completed operations, no sub-limit.

(4) The Operator shall have Operator's premises open and services available eight (8) hours daily, six (6) days per week. The Operator shall provide on-call service during hours other than the aforementioned.

(5) The Operator shall have in Operator's employ and on duty during the appropriate business hours, trained personnel in such numbers as are required to meet the minimum standards set forth in this category in an efficient manner but never less than at least one (1) Federal Aviation Administration certificated commercial pilot and otherwise appropriately rated to permit the flight activity offered by Operator.

The Operator shall make provision for someone to be available to provide services at all times during the required operating hours.

64.10 AIR CARRIERS OR SCHEDULED AIR TAXI.

(a) Statement of Concept. An air carrier or scheduled air taxi operation is a person or persons, firm, or corporation engaged in air transportation of passengers and/or cargo between the Sheboygan County Memorial International Airport and fixed origination and/or destination points on a scheduled basis (whether said schedule is published or not) for consideration and available to the general public.

(b) Minimum Standards.

(1) The Operator shall lease from Sheboygan County terminal space, if said space is available, or if not available, from a lessee of Sheboygan County, with Sheboygan County's consent; the Operator shall lease adequate terminal space to sufficiently meet the needs of the general public it will serve or of the services it will perform but in no event less than a minimum of four hundred (400) square feet. Such minimum space may be provided on a combined use basis with another Operator. In the event a sub-lease arrangement is necessary, Sheboygan County will lend its assistance to the Operator in negotiating for said sublease for terminal space and will use its best efforts to secure adequate space for terminal use purposes or arrange some alternative method of providing for Operator's needs and the passengers and cargo involved in said services.

(2) The Operator shall furnish and equip the above referred to terminal space in an adequate manner.

(3) The Operator shall own or have on lease for not less than a period of twelve (12) months sufficient aircraft, but in any event not less than two (2), with passenger and/or cargo capacity to adequately serve the proposed routes and schedules of the Operator.

(4) The Operator shall require that all aircraft used for passenger service having a passenger seating capacity of eight or more shall be operated with a crew of at least two (2) pilots; and all aircraft operated for passenger service having a maximum passenger seating capacity of seven (7) or less may be operated by a crew with one pilot if said aircraft shall have an automatic pilot, as may be required by the Federal Aviation Administration for the service intended and all aircraft used for cargo only shall meet the minimum standards as may be required by the Federal Aviation Administration for the services being performed.

In all cases, captains shall be qualified for single pilot operation and all pilots and co-pilots must hold an instrument airplane rating under 14 C.F.R. § 61.65(d).

During the time said service is being provided, the Operator shall maintain a training program for all captains, supervised by a Director of Training, and shall require six- (6-) months' proficiency checks administered by a check pilot who is duly qualified and authorized to provide said checks by the Federal Aviation Administration. The

results of said checks shall be kept on record and be available for inspection by Sheboygan County.

(5) The Operator shall maintain at the Sheboygan County Memorial International Airport adequate hangaring for at least one (1) of its aircraft used for said service.

(6) The Operator shall provide adequate facilities and personnel for the maintenance of all aircraft used in its scheduled operations to or from the Sheboygan County Memorial International Airport or contract for such maintenance with a Federal Aviation Administration-approved repair station, excepting for emergency repairs or maintenance, in which event Federal Aviation Administration-licensed airframe and power plant mechanics or such competent personnel as may be available may be used in said emergency to perform said work.

(7) In connection with providing said service, the Operator shall:

A. Provide at other terminals on all flights serving Sheboygan County Memorial International Airport, adequate facilities and conveniences for passengers; and

B. Maintain on-duty at the airport, at least one (1) person employed for the purpose of servicing airline customers at least eight (8) hours per day every weekday and on Saturday, Sunday, and holidays such personnel as may be required based on the service provided; and

C. At all points served on flights to or from the airport maintain sufficient personnel for servicing the airline customers; and

D. Conduct operations in accordance with an operation manual approved by the Federal Aviation Administration; and

E. Provide a minimum of three (3) round trips per weekday and such flights as may be required for the service provided on Saturday, Sunday, and holidays between the airport and a specific terminal point and which schedule must be maintained except for mechanical or weather delays. The minimum daily flights shall not apply to service involving cargo only, and in said service a minimum of two (2) flights per day shall be required; and

F. The Operator shall carry and keep in force public liability insurance covering personal injury and property damage and such other insurance as may be necessary to protect Sheboygan County from such claims and accidents; and without limiting its liability the Operation shall keep in force such insurance with limits of liability for personal injury in the sum of not less than One Million Dollars (\$1,000,000.00) single limit per incident and the Operator shall furnish the County with present certification that such insurance is in force and it shall keep such certification current.

(8) The Operator shall have a net worth as may be established by competent evidence that Operator has the financial ability to operate for a period of one (1) year on the routes, rates, and schedules proposed.

64.11 SPECIALIZED COMMERCIAL FLYING SERVICES.

(a) Statement of Concept. A "Specialized Commercial Flying Services Operator" is a person or persons, firm, or corporation engaged in air transportation for hire for the purpose of providing the use of aircraft for the activities listed below:

(1) Crop-dusting, seeding, spraying, chemical coverages, and bird-chasing;

(2) Banner-towing and aerial-advertising;

- (3) Aerial photography or survey;
- (4) Fire fighting;
- (5) Power line or pipe line patrol;
- (6) Any other operations specifically excluded from Part 135 of the Federal Aviation Regulations.

(b) Minimum Standards.

(1) The Operator shall lease land from the County and erect a building sufficient to accommodate all activities and operations proposed by the Operator. The minimum areas in each instance shall be subject to the approval of the Sheboygan County Transportation Committee. In the case of crop dusting or aerial application, the Operator shall make suitable arrangements and have such space available in his leased area for safe loading and unloading and storage and containment of noxious chemical materials. All Operators shall demonstrate that they have the availability of aircraft suitably equipped for the particular type of operation they intend to perform.

(2) The Operator shall provide and have based on Operator's leasehold, either owned, or under written lease to Operator, not less than one (1) aircraft which will be airworthy, meeting all the requirements of the Federal Aviation Administration and applicable regulations of the State of Wisconsin with respect to the type of operations to be performed.

In the case of crop dusting or aerial application, Operator shall provide tank trucks for the handling of liquid spray and mixing liquids. Operator shall also provide adequate ground equipment for the safe handling and safe loading of dusting materials.

(3) The Operator performing the services under this category will be required to carry the following types of insurance in the limits specified:

A. Aircraft Liability: \$1,000,000 combined single limit, including passengers, minimum.

B. Airport Liability: \$3,000,000 single limit, premises; \$1,000,000 single limit.

C. Hangar Keepers and/or Products Liability: A sum sufficient to adequately cover the maximum liability exposure based on the intended use of the premises or value of the equipment to be serviced.

D. Where applicable, Tenant shall maintain pollution liability insurance covering its liability for bodily injury, property damage, and environmental damage resulting from sudden and accidental releases of pollution and covering related or resultant clean-up and/or remediation costs arising out of the occupancy and use of the premises. Combined single limit bodily injury, property damage, environmental liability, and clean-up/remediation shall not be less than \$500,000 in the annual aggregate.

(4) The Operator must provide by means of an office or a telephone, a point of contact for the public desiring to utilize Operator's services.

(5) The Operator shall have in Operator's employ and on duty during appropriate business hours, trained personnel in such numbers as may be required to meet the minimum standards herein set forth in an efficient manner, but never less than one (1) person holding a current Federal Aviation Administration commercial certificate, properly rated for the aircraft to be used and the type of operation to be performed and one (1) other person to assist in the loading and servicing of aircraft.

(a) Statement of Concept. A "Multiple Services Operator" shall be one who engages in any two (2) or more of the aeronautical services for which minimum standards have been hereinbefore provided.

(b) Minimum Standards (combinations not including fuels and oil dispensing service).

(1) For new construction, the Operator shall lease from Sheboygan County an area not less than 33,000 square feet of ground space (23,000 for repair shop only combinations) for aircraft storage, parking, and other use in accordance with the services to be offered and on which shall be erected a building to provide at least 6,500 square feet (6,000 square feet for repair shop only combinations) for aircraft storage and at least 1,500 square feet (1,000 square feet for repair shop only combinations) of floor space for office customer lounge, rest room, parts storage, and small machines, which shall be properly heated and lighted. The Transportation Committee may approve the use of existing facilities with less floor space if it finds it in the best interest of Airport operations.

If flight training is one of the multiple services offered, the Operator shall provide classroom and briefing room facilities in the aforementioned building.

If crop-dusting, aerial application, or other commercial use of chemicals are part of the multiple services offered, the Operator shall provide a centrally drained, paved area of not less than 2,500 square feet for aircraft loading, washing, and servicing. Operator shall also provide for the safe storage and containment of noxious chemical matters. Such facilities will be in a location on the Sheboygan County Memorial International Airport which will provide the greatest safeguard to the public.

The Operator shall provide parking spaces within the leased area to accommodate at least fifteen (15) automobiles.

The Operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the Operator's office.

The Operator shall provide a paved aircraft apron within the leased area to accommodate aircraft movement from the Operator's taxiway that has been or will be provided for the Operator.

(2) The Operator shall comply with the aircraft requirements including the equipment thereon for each aeronautical service to be performed except as hereinafter provided.

Multiple uses can be made of all aircraft except aircraft used for crop-dusting, aerial application or other commercial use of chemicals.

The Operator, except if the Operator is performing combinations of multiple services for which aircraft are not required, shall have available and based at the Sheboygan County Memorial International Airport, either owned by Operator or under written lease to Operator, not less than two (2) certified and currently airworthy aircraft. These aircraft shall be equipped and capable of flight to meet the minimum standards as hereinbefore provided for each aeronautical service to be performed.

The Operator shall provide the equipment and services required to meet the minimum standards as hereinbefore provided for each aeronautical service the Operator is performing.

(3) The Operator shall obtain, as a minimum, that insurance coverage which is equal to the highest individual insurance requirement of all the aeronautical services being performed by Operator.

(4) The Operator shall adhere to the hours of operation required for each aeronautical service being performed.

(5) The Operator shall have in Operator's employ and on duty during the appropriate business hours trained personnel in such numbers as are required to meet the minimum standards for each aeronautical services Operator is performing as hereinabove provided. Multiple responsibilities may be assigned to meet the personnel requirements for each aeronautical service being performed by the Operator, except such multiple responsibilities may not be assigned to the Federal Aviation Administration certificated repair stations.

64.13 GENERAL REQUIREMENTS.

(a) Buildings.

(1) The minimum space requirements as hereinbefore provided shall be satisfied with one (1) building, attached buildings, or separate buildings.

(2) The hangar buildings hereafter constructed shall have at least one (1) door with the following minimum dimensions:

<u>Floor Space of Hangar Building</u>	<u>Door Width Clear Area</u>	<u>Door Height Clear Area</u>
Under 2400 sq. feet	40 feet	12 feet
2400-4000 sq. feet	58 feet	12 feet
Over 4000 sq. feet	58 feet	15 feet

(b) All personnel hereinbefore required to hold Federal Aviation Administration certificates and ratings shall maintain such certificates and ratings.

64.14 LEASE CLAUSES.

(a) Premises to be Operated for Use and Benefit of Public. Lessee agrees to operate the premises leased for the use and benefit of the public.

(1) To furnish good, prompt, and efficient service adequate to meet all the demands for its service at the Airport.

(2) To furnish said service on a fair, equal, and non-discriminatory basis to all users thereof.

(3) To charge fair, reasonable, and non-discriminatory prices for each unit of sale or service provided that the lessee may be allowed to make reasonable and non-discriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

(b) Non-Discrimination Clause. The lessee and lessee's agents and employees will not discriminate against any person or class of persons by reason of race, religion, creed, color, national origin, physical disability, age, marital status, ancestry, arrest or conviction record, membership in the military, or sexual orientation in providing any services or in the use of any of its facilities provided for the public in any manner prohibited by Part 15 of the Federal Aviation Regulations.

The lessee further agrees to comply with such enforcement procedures as the United States might demand that the lessor take in order to comply with the Sponsor's Assurances.

(c) Aircraft Service by Owner or Operator of Aircraft. It is clearly understood by the lessee that no right or privilege has been granted which would operate to prevent any person, firm, or corporation operating aircraft on the Airport from performing any services on its own aircraft with its own regular employees (including, but not limited to, maintenance and repair that it may choose to perform).

(d) Non-Exclusive Rights Clause. It is understood and agreed that nothing herein contained shall be construed to grant or authorize the granting of an exclusive right.

(e) Development of Sheboygan County Memorial International Airport Clause. Lessor reserves the right to further develop or improve the landing area of the Airport as it sees fit, regardless of the desires or view of the lessee and without interference or hindrance. If the physical development of the Airport requires the relocation of the lessee, the lessor agrees to provide a comparable location and agrees to relocate all buildings or provide similar facilities for the lessee at no cost to the lessee.

(f) Lessor's Right Clause. Lessor reserves the right, but shall not be obligated to Lessee to maintain and keep in repair, the landing area of the Airport and all publicly owned facilities of the Airport, together with the right to direct and control all activities of lessee in this regard.

(g) War or National Emergency. During the time of war or national emergency, lessor shall have the right to lease the landing area or any part thereof to the United States government if so requested for military or naval use, and if such lease is executed, the provisions of this instrument insofar as they are inconsistent with the provisions of the lease to the government shall be suspended.

(h) Obstructions at Sheboygan County Memorial International Airport. Lessor reserves the right to take any action it considers necessary to protect the aerial approaches of the Airport against obstruction together with the right to prevent lessee from erecting or permitting to be erected any building or other structure on the Airport which, in the opinion of the lessor, would limit the usefulness of the Airport or constitute a hazard to aircraft.

(i) Subordination Clause. This lease shall be subordinate to the provisions of any existing or future agreement between lessor and the United States relative to the operation or 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.

(j) General Lease Provisions.

(1) All leases between Sheboygan County and an operator covering the performance by an operation of any aeronautical service as hereinbefore provided shall be in writing.

(2) Lessee shall provide a performance bond insuring the completion of the building to be erected on the leasehold.

(3) Lessee shall furnish such evidence as may be reasonably requested by Sheboygan County to show the Lessee is financially capable of providing the services and facilities set forth in the lease.

(4) In the event a business is desired to be conducted from the leased hangar area and the business might not otherwise meet the size requirements outlined in this Chapter or elsewhere in this Code, the Airport Superintendent, in conjunction with the Airport Advisory Committee shall nevertheless review for approval a request for a hangar lease within the hangar area. When both feel the business can be conducted in a manner acceptable to the proper operations of Airport business, a recommendation will be presented to the Transportation Committee for its approval and action subject to applicable zoning and land use regulations.

64.15 LEASE PROPOSAL REQUIREMENTS. Sheboygan County will not accept a request to lease land area at the Sheboygan County Memorial International Airport unless the request is a written proposal which sets forth the scope of operation to be performed and shall include the following:

- (a) The services to be offered.
- (b) The amount of land to be leased.
- (c) The building space to be constructed or leased.

- (d) The number of aircraft to be provided.
- (e) The number of persons to be employed.
- (f) The hours of proposed operation.
- (g) The number and types of insurance coverage to be maintained.
- (h) Evidence of financial capability to perform and provide the proposed services and facilities.
- (i) Where applicable, the following:
 1. Names and addresses of owners of more than ten percent (10%) of any corporate lessee.
 2. Name and address of person responsible for service at Sheboygan County Memorial International Airport.
 3. Names and addresses of corporate officers.
 4. Routes and schedules proposed to be flown to or from Sheboygan County Memorial International Airport.
 5. Copy of operating authority issued by the Federal Government and the operating authority, if any, issued by the State of Wisconsin.
 6. Current balance sheet and profit and loss statement (upon request by applicant, information concerning finances, routes, schedules, and rates will be treated confidentially and will under no circumstances be released or made available to anyone other than the appropriate County Board Committee and Corporation Counsel).

64.16 FLYING CLUBS. The following requirements pertain to all flying clubs desiring to base their aircraft at the Airport and be exempt from the minimum standards.

(a) Flying Club Organizations. Each club must be a non-profit Wisconsin corporation or partnership. Each member must be a bona fide owner of the aircraft or a stockholder in the corporation. The club may not derive greater revenue from the use of its aircraft than the amount necessary for the actual use of operation, maintenance, and replacement of its aircraft. The club will file and keep current with the Airport owner a complete list of the club's membership and investment share held by each member.

(b) Aircraft. The club's aircraft will not be used by other than bona fide members for rental and by no one for hire, charter, or air taxi. Student instruction can be given by a lessee based at the Airport who provides flight training.

(c) Violations. In the event the club fails to comply with these conditions, the Airport owner will notify the club in writing of such violations. If the club fails to correct the violation in fifteen (15) days, the Airport owner may take any action deemed advisable by the owner.

(d) Insurance. Each aircraft owned by the club must have aircraft liability insurance coverage for the following amounts:

(1) Aircraft Liability: \$1,000,000 combined single limit, including passengers, minimum.

(2) Airport Liability: \$3,000,000 single limit, premises; \$1,000,000 single limit.

64.17 GENERAL INSURANCE REQUIREMENTS. All insurance requirements under this Chapter are to be considered minimums. All persons required to provide insurance under this Chapter shall furnish such proof of insurance in such form as the Transportation Committee deems appropriate.

History: Ord. 13 (2023/24)