

RESOLUTION NO. 626-78

A RESOLUTION ESTABLISHING STANDARDS FOR FIXED BASE OPERATORS AT THE VENICE MUNICIPAL AIRPORT, VENICE, FLORIDA; PROVIDING FOR SEVERABILITY OF ANY PORTION DECLARED INVALID; REPEALING ALL RESOLUTIONS OR PARTS OF RESOLUTIONS IN CONFLICT HEREWITH.

WHEREAS, the establishment of standard criteria governing the operation of Fixed Base Operators at the Venice Municipal Airport would be beneficial to the Airport and its users; and

WHEREAS, establishment of standard criteria will assist in providing needed services to local residents and tourists and will provide for an efficient operation of the Venice Municipal Airport and help to provide an atmosphere wherein airport tenants may prosper; and

WHEREAS, the City Council desires to formally adopt standard criteria for Fixed Base Operators as presented by the Airport Committee which are attached to this resolution as Exhibit "A";

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF VENICE, FLORIDA, as follows:

Section 1. That the following City of Venice "Standards for Fixed Base Operators at the Venice Municipal Airport," attached to this resolution as Exhibit "A" and by reference incorporated herein as if fully set forth in this resolution are hereby adopted as the City of Venice Standards for Fixed Base Operators at the Venice Municipal Airport.

Section 2. If any word, sentence, phrase, clause, section or portion of this resolution shall be held invalid or unconstitutional by a court of competent jurisdiction, such portion or words shall be deemed a separate and independent provision and such holding shall not affect the validity of the remaining portions thereof.

Section 3. All resolutions or parts of resolutions in conflict herewith are hereby repealed.

Section 4. This resolution shall be effective immediately upon approval and adoption, as provided by law.

I, STEPHEN ALBEE, JR., City Clerk of the City of Venice, Florida, do hereby certify that the foregoing is a full and complete, true and correct, copy of a resolution duly adopted by the City Council of said city at a meeting thereof duly convened and held on the 14th day of February, 1978, a quorum being present.

WITNESS my hand and the seal of said city, this 15th day of February, 1978.


City Clerk

(S E A L)

EXHIBIT "A" TO RESOLUTION 626-78, Approved and
Adopted by City Council, February 14, 1978

MINIMUM STANDARDS FOR FIXED BASE OPERATORS
VENICE MUNICIPAL AIRPORT
VENICE, FLORIDA

1. A fixed base operator is defined as any person, firm or corporation performing any of the functions or furnishing any of the services as hereafter set out for fixed base operators at the Venice Airport. No person, firm or corporation shall engage in any commercial activity as a fixed base operator as herein defined unless the same is done in full compliance with the standards, rules and regulations herein.

2. All fixed base operations at the Venice Airport shall be conducted for the benefit of the public so as to, in the safest possible manner, promote aviation and aeronautical activities.

3. All fixed base operators shall protect the general public, the customers or clients of such fixed base operators and the City of Venice, Florida from any and all lawful damages, claims, or liability, and they shall carry comprehensive general liability insurance in a company authorized to do business in the State of Florida, protecting against personal injury and property damage, on a per occurrence basis, in a minimum amount of \$300,000/1,000,000 Public Liability and \$1,000,000 property damage. The City of Venice shall be an additional named insured in any such policy and a certificate of insurance evidencing the same and the required coverage shall be delivered to the City Council prior to or at the time of any lease of property. The certificate of insurance shall also provide that City Council will be notified by the insurance company, in writing, sixty (60) days in advance of any cancellation of such insurance.

4. All fixed base operators, with the exception of Category "F" shall render full time service at the Venice Airport during normal business hours of 8:00 a.m. to 5:00 p.m. daily through regularly employed personnel on duty at all times during such normal business hours. Service outside normal business hours may be prearranged by appointment or on a special overtime fee arrangement basis between the fixed base operator and customer.

5. All fixed base operators shall satisfy the City that they are technically and financially able to perform the services of such fixed base operations before any lease of property for such an operation shall be executed. In the event of insolvency, voluntary or involuntary bankruptcy, or an arrangement for creditors of any fixed base operator, any lease entered into between the City and such operator shall be null and void immediately upon the occurrence of such insolvency, bankruptcy or arrangement.

6. All fixed base operators shall conform with and abide by all rules and regulations of the Federal Aviation Administration and the City of Venice. In this regard, fixed base operators shall require that aircraft which they own and operate, or make available for hire, be operated by personnel who hold appropriate and current Federal Aviation Administration Pilot and Medical Certificates.

7. All fixed base operators shall permit individual aircraft owners to effect their own minor maintenance and repairs which do not require FAA licensed personnel, if such owner desires.

8. No construction of any kind shall be done at the Venice Airport without the prior approval of the City and, if necessary in the opinion of the City, the Federal Aviation Administration, or its successor governmental agency, and no such approval shall be granted unless such construction and design is consistent with the architecture and the master plan Section 7-1b for the development of Venice Airport. All fixed base operators shall be responsible for maintaining leased premises, including all improvements thereon, whether constructed by them or leased from the City, in a manner consistent with maintenance of contiguous properties and to the satisfaction of the City. The City reserves the right, and all fixed base operators consent, to inspect the premises during regular business hours to insure proper maintenance being performed. If such is found not to be the case, the City may have the required work performed and payment therefor by the fixed base operator shall be and is a covenant in his lease with the City.

9. Fixed base operators shall abide by and strictly comply with the standards and permitted areas of operation pertaining to the particular category of such fixed base operators, as defined in Categories "A" through "H" hereinafter set forth.

10. Hangars constructed for the rental of space for aircraft storage or for aircraft and engine repair, shall not be less than 6400 square feet in floor area. A fixed base operator in any category may, if sufficient land and area is leased from the City, construct such a hangar or hangars in a location satisfactory to the City and engage in the business of rental of space for aircraft storage. The quality and design of all hangars to be constructed is subject to approval by the City.

11. Any person, firm or corporation capable of meeting the minimum standards set forth herein for any of the stated categories is eligible to become a fixed base operator at the Venice Airport, subject to the execution of a written lease containing such terms and conditions as may be determined by the City and after such competitive selection as the city may require. A fixed base operator shall not engage in any business or activity on the Venice Airport other than that specifically authorized under his particular category or categories. Any fixed base operator desiring to extend his operation into additional categories or to discontinue operations in a category, shall first apply in writing to the City for permission to do so, setting forth in detail the reasons and conditions for the request. The City shall then grant or deny the request on such terms and conditions as the City deems to be prudent and proper under the circumstances. Each fixed base operator shall provide improvements, personnel and equipment, and other requirements as herein stated. He may lease improvements from the City if the City and the fixed base operator so agree, and on terms as provided in the written lease. He must lease the required land from the City in locations designated by the City.

12. A fixed base operator shall not assign his lease nor sublet any portion of the property without first securing written approval of the City.

13. Ramp space other than ramp space specifically leased to fixed base operators shall be for use by the general public only. No fixed base operator shall be permitted to use any portion of a public ramp for his use exclusively or to use any of such ramp space as tiedown area other than that designated specifically by his lessee.

14. On-site security patrolling and inspection of leased or owned properties of fixed base operators at the Venice Airport will be provided by the subject fixed base operators. In cases of fire or disorder beyond the capabilities of on-site fixed base operator self-provided personnel, the City when notified, will provide assistance from the City Police and City Fire Departments.

15. All non-airworthy aircraft shall be removed from the Venice Airport on thirty (30) days written notice from the City at the fixed base operator's expense, and/or stored within his buildings.

16. All fixed base operators shall construct on a location directed by the City or lease from the City surfaced automobile parking areas of such size to permit all parking requirements to be accommodated off street and on land leased by the operator, as outlined in Section 7-1b of the Master Plan.

17. All fixed base operators shall furnish the City a copy of the fixed base operator's rates for storage in hangars, for based and transient aircraft; and further, shall submit to the control of the City in regard to speed and area of movement, the activities of ground vehicles on fixed base operator's leased premises.

18. All fixed base operators shall conform to all applicable safety, health, sanitary and building codes. Evidence of compliance with the requirements of these standards shall be furnished to the City at the request thereof.

19. The City will provide the following normal services to fixed base operators at the Venice Airport:

(a) Maintenance of the runways, taxiways, open areas, and ramp areas which are open for use of the general aviation public.

(b) Maintenance and operation of the runway lights, rotating light beacon, and lighted wind tee to permit night flying operations seven days each week between the hours of sunset and sunrise.

(c) Maintenance of non-FAA air navigational aids.

20. In the event of any conflict between the terms of these minimum standards and the provisions of any lease of a portion of the Venice Airport property, the terms of the lease shall be controlling.

FIXED BASE OPERATOR CATEGORIES

CATEGORY "A" - FLIGHT INSTRUCTION AND AIRCRAFT RENTAL

A fixed base operator in this category is authorized to carry on flight and ground instruction and to rent aircraft. He must:

A.1 Have available on a full time employment basis a minimum of one pilot, appropriately rated, with appropriate and current Federal Aviation Administration Pilot and Federal Aviation Administration approved medical certificates and possess all required Federal Aviation Administration approvals of curriculum.

A.2 Provide and at all times maintain a minimum of two (2) aircraft owned or leased by and under the exclusive control of this fixed base operator which are properly equipped and Federal Aviation Administration certified for flight instruction and rental.

A.3 Lease from the City a minimum of two (2) acres of land in the areas designated, on which will be located all required improvements.

A.4 Construct in a location directed by the City or lease from the City for his exclusive use, a minimum of 2,000 square feet of classroom and/or office space, to include restrooms, unless same are provided under other categories in a multi-category proposal. Plans for such structures must be approved by the City.

A.5 Be responsible for a determine that personnel operating rental equipment obtained from the subject fixed base operator have appropriate and current Federal Aviation Administration Pilot ratings and approved medical certificates.

CATEGORY "B" - AIRCRAFT CHARTER AND NON-SCHEDULED AIR TAXI.

A fixed base operator in this category is authorized to operate a non-scheduled charter service and a non-scheduled air taxi service. He must have a valid air taxi certificate. In addition he must:

B.1 Have available on a full-time employment basis a minimum of one or two Federal Aviation Administration certificated pilots with current commercial and instrument ratings and appropriate and current Federal Aviation Administration approved medical certificates as crew for his aircraft. The number depends on the type of aircraft used.

B.2 Provide and at all times maintain a currently certified and continuously airworthy aircraft owned or leased by and under the exclusive control of this fixed base operator, properly certificated for air charter or air taxi service.

B.3 Lease from the City a minimum of two (2) acres of land on which will be located all required improvements, in the areas designated.

B.4 Construct a building in a location directed by the City or lease from the City for his exclusive use, a minimum of 2,000 square feet in a building for passenger shelter, restrooms, telephone, unless restrooms and telephone are provided under other categories in a multi-category proposal. Plans for such structure must be approved by the City.

B.5 Provide satisfactory arrangements for the checking in of passengers, handling of luggage, ticketing and ground transportation.

CATEGORY "C" - AIRCRAFT SALES

A fixed base operator in this category is authorized to conduct an aircraft sales operation. He must:

C.1 Have a sales or distributorship franchise from an aircraft manufacturer or a substitute arrangement satisfactory to the City.

C.2 Have available during normal working hours of 8:00 a.m. to 5:00 p.m. Federal Aviation Administration certificated and currently airworthy aircraft for sale.

C.3 Have a minimum of one (1) fully qualified demonstrator pilot employed with current and appropriate Federal Aviation Administration pilot rating and Federal Aviation Administration approved medical certificate.

C.4 Lease in a location to be designated, from the City, a minimum of one and one quarter (1¼) acres of land on which will be located all required improvements.

C.5 Construct where directed by the City, or lease from the City, for his exclusive use, a minimum of 2,000 square feet of office space to include toilets. The design of this building is subject to the approval of the City.

C.6 Have satisfactory arrangements at the Airport for repair and servicing of sales aircraft during the sales guarantee.

C.7 Maintain as a minimum, stocks of spare parts particular to the type of aircraft for which the sales privileges are granted.

CATEGORY "D" - AIRCRAFT, ENGINE, PROPELLER AND ACCESSORY MAINTENANCE.

A fixed base operator in this category is authorized to operate an aircraft, engine, propeller and accessory maintenance and overhaul facility. He must:

D.1 Furnish facilities and equipment for airframe and power plant repairs with at least one duly Federal Aviation Administration certified A & P mechanic and such other personnel as may be necessary. Such airframes and power plant repair shall include facilities for both major and minor repair of aircraft and engines used in aviation in this area.

D.2 Demonstrate the ability to and assume responsibility for promptly removing from the public landing area as soon as permitted by cognizant Federal Aviation Administration and Civil Aeronautics Board Authorities, any disabled aircraft.

D.3 Lease from the City a minimum of three (3) acres of land on which will be located all required improvements.

D.4 Construct in a location directed by the City or lease from the City for his exclusive use a minimum of 10,000 square feet of hangar space, and a minimum of 3,000 square feet of shop and storage space.

CATEGORY "E" RADIO AND INSTRUMENT REPAIR

A fixed base operator in this category is authorized to operate a radio and instrument repair station. He must:

E.1 Construct in a location directed by the City or lease for his exclusive use a minimum of 1000 square feet of shop and storage space.

E.2 Have available on a normal full time basis Federal Aviation Administration certificated technicians 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, as well as certified instrument repair technicians.

E.3 Provide satisfactory arrangements for access to and storage of aircraft being worked on.

E.4 Lease from the City a minimum of one (1) acre of land on which shall be located all required improvements if constructed by lessee.

CATEGORY "F" - SALE OF AVIATION PETROLEUM PRODUCTS, RAMP SERVICE AND STORAGE.

A fixed base operator in this category is authorized to dispense aviation fuel, oil, and provide permanent and temporary storage for aircraft. He must:

F.1 Lease from the City or provide with the approval of the City, concrete pavement or asphalt surfaced areas with access or accesses to taxiways. The type of pavement shall be determined by the City, but the City will not be unreasonable in its determination. The area of the transient or service ramp shall be determined by the City and the City will not be unreasonable in its determination of size.

F.2 Provide and maintain a minimum of 5,000 gallon tank storage capacity, in a location satisfactory to the City, for each grade of aviation fuel usually required for aircraft using the airport. In this regard 100 octane aviation gasoline shall be available at all times and storage and sale of 80 octane is encouraged. Aviation fuel storage areas shall be located as directed by the City.

F.3 Maintain pumping equipment meeting all applicable safety requirements with reliable metering devices subject to independent inspection and with a pumping efficiency capable of servicing all aircraft normally using the airport.

F.4 Have personnel on duty at all times during normal business hours of 8:00 a.m. to 5:00 p.m., seven days a week and at such other times as are necessary to satisfy reasonable demands for aircraft service.

F.5 Lease from the City a minimum of two (2) acres of land in the areas designated. There shall be located thereon improvements for aircraft parking.

F.6 Construct in a location directed by the City, or lease from the City, a building with a minimum of 1000 square feet, comfortably heated and air conditioned with waiting rooms for passengers and crew of aircraft, including sanitary restrooms and public telephone. Plans for structure must be approved by the City.

F.7 Install at all fixed fueling locations adequate grounding rods to reduce the hazards of static electricity.

F.8 A fixed base operator shall demonstrate a capability to perform minor aircraft and engine repairs of the type generally known as flight line repairs.

CATEGORY "G" - PAINTING

G.1 Lease from the City of Venice, or provide under terms agreeable to the City of Venice, for his exclusive use a minimum of 2,000 square feet of paint shop and office space. Facilities shall meet all applicable codes and ordinances as to construction of painting facilities.

G.2 Lease from the City of Venice a minimum of two (2) acres of land on which will be located all required improvements.

G.3 Provide the necessary equipment and competent personnel to spray paint and letter aircraft in a neat and workmanlike manner.

G.4 Provide equipment for dealing with out-of-ordinary fire hazards of a paint shop, which meets the approval of the City Fire Chief.

CATEGORY "H" - OTHER COMMERCIAL ACTIVITIES

All commercial activities not covered by the foregoing, shall be subject to the approval of the City. Prior to beginning such activities, a letter of application, explaining in detail the nature of the operation shall be submitted to the City which shall determine its requirements for such activities and notify the applicant thereof. Applications for commercial activities will be judged on their adherence to the Master Plan. The City may designate the location and size of areas in which such activities may be carried on and the City may enter into a lease or agreement with such applicant authorizing and permitting his to function on the Venice Airport. No such activity shall be started or carried on without written permission from the City.

Land lease requirements for any fixed base operator authorized to conduct business in more than one category, the land lease will be the subject of negotiations with the City, however, under no circumstances will this requirement be less than two (2) acres.

APPROVED AND ADOPTED AS EXHIBIT "A" TO
CITY OF VENICE RESOLUTION 626-78
February 14, 1978