

## TITLE 3. AIRPORT AND AIRCRAFT <sup>1</sup>

### Chapter 3.01. Airport and Aircraft.

#### 3.01.010. Name. Location. Control.

The airport facility, located three (3) miles North and West of Brigham City and East of Interstate 15, and owned by Brigham City Corporation is hereby designated as the "Brigham City Municipal Airport."

All ordinances of the City relating to the keeping of the peace, the maintenance of the order and the protection of persons and property; all health ordinances and regulations; and all other pertinent provisions of the Brigham City code shall be applicable to and effective upon the territory included in the Brigham City Municipal Airport.

#### 3.01.020. Authority to Make Rules. Unlawful to Violate.

The Airport Manager, with the concurrence of the Brigham City Airport Advisory Board, is hereby authorized and directed to promulgate rules and regulations not in conflict with law or ordinance with reference to the use of the Brigham Airport and the control and management thereof.

Any person violating said rules may have his/her privilege to use the airport facilities restricted or terminated by the Airport Manager.

#### 3.01.030. Definitions.

**Purpose.** As used herein, the following words and phrases shall have the meanings respectively ascribed to them by this section.

**Accident.** A collision between an aircraft or a vehicle, person, stationary object or other thing which results in property damage, personal injury, or death; or an entry into or emergence from a moving aircraft or vehicle by a person which results in personal injury or death to such person or some other person or which results in property damage.

**Aerobatic Flying.** Any intentional maneuver not necessary for navigation.

**Aeronautical Activity.** Any activity, whether or not conducted on the airport, which involves, makes possible, or is required for the safety of such operations, and shall include, but not be limited to, all activities commonly conducted on airports, such as charter operations, pilot training, aircraft rental and sight seeing, aerial photography, crop dusting, flying clubs, aerial advertising and surveying, air carrier operations, aircraft sales, aircraft service, aviation petroleum product sales, repair and maintenance of aircraft, sale of aircraft parts, sales of aircraft accessories, sales and maintenance, radio sales and repair, navigation equipment sales and repair, and any other activity which, because of its direct relationship with the operation of aircraft, can properly be regarded as an aeronautical activity.

**Aircraft.** A device that is used or intended to be used for flight in the air.

**Airport.** All of the City owned or leased real or personal property comprising Brigham City Municipal Airport, located three (3) miles North and West of Brigham City, as now exists or as may hereafter be expanded and developed which shall include all of its facilities.

**Airport Advisory Board.** The duly appointed Airport Advisory body of the City of Brigham.

**Airport Manager.** The duly appointed manager of the Brigham City Airport.

**Air Traffic.** Aircraft in operation anywhere in the airspace and on that area of the airport normally used for the movement of aircraft.

**Aircraft Operation.** An aircraft arrival at or departure from the airport.

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<sup>1</sup> Entire ordinance revised with Ordinance No. 00-30, dated 8/3/00

Aircraft Parking and Storage Area. The open areas of the airport set aside for aircraft parking and storage space for the parking and storage of aircraft, or areas for the servicing of aircraft with fuel, lubricants or other supplies, or for making minor or emergency repairs to aircraft, or for any and all such purposes.

City. The corporate municipal entity known as Brigham City Corporation

Commercial Aeronautical Activity. Any aeronautical activity, as defined herein, which is conducted for profit and personal or collective gain.

Council. The Municipal Council of Brigham City Corporation.

Fixed Base Operator. Any person meeting the minimum standards for a commercial aeronautical activity established by this ordinance and engaging in at least three (3) of the following commercial aeronautical activities: Public aviation fuel sales; aircraft engine, airframe, and accessory sales and service; flight training; aircraft charter and air taxi service.

Flying Club. An association or group of more than three (3) persons, jointly owning or leasing aircraft where payment is made to the club for the operating time of such aircraft.

Fuel Handling. The transportation, delivery, fueling, and drainage of fuel or fuel waste products.

Fuel Storage Area. Any portion of the airport designated temporarily or permanently by the Airport Manager as areas in which gasoline or any other type of fuel may be stored or loaded.

Airport Layout Plan. The currently approved, scaled dimensional layout of the entire airport properties, indicating current and proposed usage for each identifiable segment as approved by the Municipal Council and amended from time to time.

Motor Vehicle. A vehicle which is self-propelled.

Non-Commercial Aeronautical Activity. Any aeronautical activity, as defined herein, which is conducted by a person or organization incorporated under the laws of the State of Utah as a non-profit corporation, or as a duly organized non-profit functioning incorporated association; and which is not conducted for personal or collective profit.

Off-Airport User. A person owning or controlling one or more aircraft stored, hangared, tied down, maintained or otherwise kept on property adjacent to the airport, and who requires access to the airport for use of said aircraft.

Operational Area. Any place on the airport not leased or demised to anyone for exclusive occupancy.

Owner. A person who holds legal title of an aircraft or vehicle, or in the event that the aircraft or vehicle is the subject of a conditional sale or lease thereof, the person entitled to possession.

Permission or Permit. Permission granted by the Airport Manager, Board, and/or Municipal Council pursuant to this ordinance to engage in a specific aeronautical or other activity on the airport.

Person. Any person, firm, general or limited partnership, corporation trust or other association making application for, leasing or using any land, or facility at the Brigham Municipal Airport.

Standards. The qualifications established herein, as amended from time to time by the Municipal Council, setting forth the minimum requirements to be met as a condition for the right to conduct an aeronautical activity on the Brigham Municipal Airport.

Traffic Pattern. The traffic flow that is prescribed for aircraft landing at, taxiing on, or taking off from the Airport.

Ultralight Vehicles. For the purposes of this part, an ultralight vehicle is a vehicle that:

- 1) is used or intended to be used for manned operation in the air by a single occupant;
- 2) is used or intended to be used for recreation or sport purposes only;
- 3) does not have any U.S. or foreign airworthiness certificate; and,
- 4) if unpowered, weighs less than 155 pounds; or
- 5) if powered:
  - a) weighs less than 254 pounds empty weight, excluding floats and safety devices which are intended for deployment in a potentially catastrophic situation;
  - b) has a fuel capacity not exceeding 5 U.S. gallons;
  - c) is not capable of more than 55 knots calibrated airspeed at full power in level flight; and,
  - d) has a power-off stall speed which does not exceed 24 knots calibrated airspeed.

Vehicle Parking Area. Any portion of the airport designated and made available, temporarily or permanently by the Airport Manager for the parking of vehicles.

### **3.01.040. Airport Advisory Board.**

**Board Created. Member.** There is hereby created an Airport Advisory Board within and for the City, to be known as Brigham City Municipal Airport Advisory Board. The Board shall consist of seven (7) members, one of which shall be a member of the City Council and six (6) shall be appointed by the Mayor, with the consent of the Council, from among qualified electors of the City. Members shall be selected without respect to political affiliations and shall serve without compensation, except for reasonable expenses.

**Terms of Office. Vacancies. Removal.** The terms of office for the City Council Member designated a member of the Airport Advisory Board shall be determined by the Mayor. The terms of office of the original appointive members shall be two (2) and four (4) years; three (3) shall be appointed for two (2) years and three (3) shall be appointed for four (4) years. Vacancies occurring otherwise than through the expiration of terms shall be filled by appointment by the Mayor for the remaining portion of said term, with the consent of the Council. Members may be removed without cause upon recommendation of the Mayor and a majority vote of the Council for such removal.

**Appointment of Chairman. Vice Chairman. Rules. Record of Proceedings.** The Mayor of Brigham City, with the advice and consent of the Brigham City Council shall appoint a Chairman, who shall preside over the meetings of the Board, and a Vice Chairman, who shall sit for the Chairman during his absence.

The Board shall adopt rules for the conduct of its meetings. No action shall be taken by the Board except by the affirmative vote of at least four (4) members. Four (4) members of the Board shall constitute a quorum. It shall also keep a public record of its proceedings.

**Monthly Meeting.** The Brigham City Municipal Airport Advisory Board should meet at least once each month at times and places to be designated by said Board. It shall not be necessary for the Board to meet when there are no agenda items to discuss.

**Powers and Duties of Board.** The Brigham City Municipal Airport Board shall have authority to recommend to the Mayor and Municipal Council of Brigham City, the needs and requirements of the airport and its facilities. It shall study City, state and federal budgetary matters, appraise development that is desirable for the airport, and shall study and appraise an overall plan for the Brigham City Municipal Airport, together with such other duties and responsibilities as the Mayor or Council may expressly delegate to said Board from time to time.

### **3.01.050. General Provisions.**

**Aeronautic Regulations. Compliance Required.** It shall be unlawful for any aviator, or other person, to fail to comply with any of the rules and regulations adopted and promulgated by the Federal Aviation Administration, the Utah State Aeronautics Commission, and the Airport Manager. All said rules and regulations so adopted and promulgated are hereby adopted by reference and made a part hereof as fully as if the same and each of them were completely set forth herein.

**Civil Aircraft. U.S. License Required. Exceptions.** It shall be unlawful for any airman, or other person, to fly or otherwise navigate over, land upon, or fly any aircraft from the Brigham City Municipal Airport except aircraft which have been registered and licensed by the Federal Aviation Administration.

**Fuel Flowage Fee.** Brigham City hereby imposes an aviation fuel flowage fee to be imposed at a rate set by resolution, for all aviation fuels delivered into an aircraft at the Brigham City Municipal Airport. All commercial aeronautical activity fuel flowage reports shall be submitted on a monthly basis. All other users shall submit fuel flowage reports at the discretion of the Airport Manager. The funds derived therefrom

shall be utilized solely for upkeep and improvement of the Airport and for costs involved in the regulation and administration of all aeronautical activities located in Brigham City. Said fee shall be accounted for in the budgets of the City and specifically allocated for the above defined activities.

**Application.** The flowage fee shall be applicable for any fuels delivered into an aircraft at the airport either by a distributor, owner or operator of any airplane which is housed, serviced or landed at the airport.

**Penalty.** Any violation of this section shall be a Class C Misdemeanor. Each day the offense occurs shall constitute a separate offense.

**Aircraft Tie-Down Fees.** All individuals or companies using the tie-down facilities located at the Brigham City Municipal Airport shall be required to sign an agreement setting forth the rights and responsibilities of the user and the City. Said agreement shall be prepared by the airport Supervisor/ Manager and the City Attorney and revised from time to time as necessary. There is hereby established an aircraft tie-down fee for parking of aircraft at the Brigham City Municipal Airport as set by resolution.

**Pilots. Commercial Flights.** It shall be unlawful for any person to carry any passenger for hire or reward in any aircraft unless such person has been properly licensed as a transport pilot or is a commercial pilot, and it shall be unlawful for any person to use any aircraft in commercial flights which has not been licensed and inspected in accordance with air commerce regulations of the Federal Aviation Administration.

**Exceptions.** All officers and members of the United States Army, the United States Air Force, the United States Navy and officers and members of the National Guard, while engaged in the service of the United States and all aircraft owned and operated under the authority of the United States Army, United States Air Force, United States Navy, and National Guard, shall be subject to the provisions of this chapter except as to licensing of aircraft and airmen.

**Landing Field.** It shall be unlawful for any person to set up or maintain within the limits of Brigham City any landing field for aircraft without permission first obtained from the City.

**Tampering with Aircraft Without Permission of Owner.** No person shall interfere or tamper with any aircraft or put in motion the engine of such aircraft, or use any aircraft, aircraft parts, instruments or tools without permission of the owner or by specific direction of the Airport Manager.

**Tampering with Airport or Equipment.** No person shall interfere or tamper with any airport located within or under the jurisdiction of Brigham City, or any landing field, airway, heliports or the equipment thereof.

**Accidents to be Reported.** Persons involved in aircraft accidents occurring on the airport shall make a full report thereof, including names and addresses, time, place and cause, and any inquiries occasioned thereby to the Airport Manager as soon after the accident as possible. When a written report of an accident is required by Federal Aviation Regulations, a copy of such report may be submitted to the Airport Manager in lieu of the report required above.

**Removal of Aircraft.** Aircraft owners, their pilot or agent, shall be responsible for the prompt removal of disabled aircraft, and parts thereof unless required, or as directed, by the Federal Aviation Administration and the Airport Manager, to delay such action pending an investigation of an accident. In the event of failure to promptly remove such disabled aircraft, the Airport Manager will cause the aircraft to be removed and bill the owners thereof for all charges incurred in the removal of same.

**Right of Closure.** The Airport Manager may close the Airport for any reason he believes justifiable to protect life, limb or property. The Airport Manager may also prohibit the use in all or in part, of the Airport, for any purpose, by an individual or group as may be needed to protect public health, safety or welfare.

**Airport Navigational Rules and Regulations.**

A. Federal Aviation Regulations, together with State and City regulations, are the guiding rules for all flying at the Brigham City Municipal Airport.

B. Brigham City and the Airport Manager assume no responsibility for damages or theft done to aircraft or other vehicles operated or parked at the Brigham City Municipal Airport. The field is open to the flying public, day and night, weather permitting.

1. Tie downs are available for both permanent and transient aircraft.

2. Cars should be kept off the ramp, taxiways and runways except for official vehicles on duty. Nonofficial vehicles may be driven to an aircraft for passenger/baggage loading and unloading. Drivers will proceed carefully through access gates and observe a speed limit of twenty miles per hour while inside the fenced area. Upon completion of the passenger/baggage transfer, the vehicle will be driven to a designated parking area.

3. There shall be no maintenance for profit conducted on the ramp or in aircraft hangars. This is not meant to prohibit aircraft owners from performing routine caretaking functions such as oil changes, minor adjustments, washing, waxing and the like. However, repairs to aircraft requiring the expertise of a

licensed airframe and/or power plant mechanic shall only be performed by those commercial operators licensed to so operate on the airport, except for services not available on the airport.

C. Navigational and flight operations aids.

1. A UNICOM is available on a frequency of 122.8 MHZ. The active runway, wind direction and velocity, together with other necessary information may be obtained. Communication between pilots and the UNICOM operator is encouraged to insure all aircraft operating in the vicinity of the airport are aware of each other's presence and of the current airport information.

2. A nondirectional beacon (NDB) is located South and West of the Airport property, and operates twenty-four hours per day on a frequency of 294 MHZ.

3. A segmented circle and wind sock are located East of the South end of runway 34. The wind sock indicates the approximate wind velocity and direction.

4. Runway 16/34 lighting can be activated by keying the microphone rapidly five (5) times on the UNICOM frequency (122.8 MHZ). The lights will remain illuminated for approximately fifteen (15) minutes. Should they go off, immediately key the mike again to re-establish the circuit.

5. The visual approach slope indicator (VASI) and runway end identifier lights (REIL), installed on Runway 34, can be activated at any time by keying the microphone rapidly five (5) times on the UNICOM frequency. The VASI and REILs will remain on for approximately fifteen (15) minutes.

D. Pilot operational procedures:

1. Left traffic patterns prevail at the Brigham City Airport. Pilots should monitor the UNICOM frequency, broadcast location and intentions, and report on the downwind leg.

(a) Visual traffic pattern procedures, as recommended by the Federal Aviation Administration Advisory Circular 90-66A, and any updates thereof with the exception that the pattern altitude abeam the midpoint of the runway shall be 800' AGL.

2. The Brigham City Municipal Airport is an uncontrolled facility. Therefore, at all times, pilots must adhere to the "see and be seen" concept.

(a) Student training may be in progress daily. Persons should taxi aircraft slowly and obtain active runway information through the UNICOM or visual observation of aircraft in the traffic pattern. Prior to taxiing onto the active runway for takeoff, pilots should look for landing traffic. Landing traffic has the right-of-way.

(b) When enplaning or deplaning, pilots will shut down all engines to insure the safety of people around the aircraft.

(c) Pilots are encouraged to check the weather, file a flight plan for cross country flights, and be sure to close the flight plan upon landing. The flight service telephone number will be found in the outside telephone booth.

(d) Ultralight vehicles as defined in Section 3.01.030, shall be regulated by the Federal Aviation Regulation, Part 103 and any changes thereof.

3. Violations to the above rules should be reported to the Airport Manager.

**3.01.060. Aeronautical Activities Standards.**

Airport Use. Permits and Licenses. No person shall be permitted to use any land within the Brigham City Municipal Airport unless a valid contract or agreement has been executed with Brigham City and said land is used in conformance with all laws, regulations, and standards herein and elsewhere established for said use. No person shall be granted an exclusive right to conduct any aeronautical activity upon the airport. Furthermore, no person shall be permitted to use any land or conduct any aeronautical activity or the solicitation of business in connection therewith unless such aeronautical activity is conducted in accordance with the standards herein established and is based upon the issuance of the proper permits or licenses.

Application. Applications for leases of ground and/or facilities on the airport, or for permission to carry on any commercial or noncommercial aeronautical activity on the airport, shall be made to the Airport Manager no later than one week prior to the next scheduled Board meeting. The Airport Manager shall thereafter present the application to the Board. The application shall be signed and submitted by a party owning an interest in the business, or the individual who will be managing the business, or partner of a partnership or a director of an officer of a corporation.

A. Minimum Application Information. The Board will not accept or take action on a request for any commercial or noncommercial activity until after the applicant, in writing, submits a proposal which sets forth the scope of the operation proposed, including the following:

1. The name and address of the applicant.

2. The proposed land use, facility and/or activity sought including layout of buildings, appurtenances, and spaces to be occupied.

3. Names and financial statement of any proposed guarantors.

4. A statement of tools, equipment, services and inventory, if any, proposed to be furnished in connection with such activity.

5. The requested or proposed date for commencement of the activity and the term of conducting the same.

6. The specific types and amounts of insurance proposed in accordance with minimum requirements for the activity.

7. Proposed operational hours.

8. A current financial statement.

9. A current credit report.

B. Notification. The City shall notify all current tenants conducting aeronautical activities on the Airport of the filing of such application and the time and the place of the Board meeting to consider the same.

C. Action of the Board. The Board shall consider the application within a reasonable time and shall thereafter make a recommendation to the City Council, recommending approval of the application, subject to reasonable conditions, or recommending denial of the application for one (1) or more of the following reasons:

1. Not Qualified. The applicant for any reason does not meet the qualifications, standards and requirements established by this chapter.

2. Safety Hazard. The applicant's proposed operations or construction will create a safety hazard on the airport.

3. City Expenditure. The granting of the application will require expenditure of City funds, or use of City labor or materials in connection with the proposed operations to an extent which, or at a time when, the City is unwilling to enter into such arrangements; or the operation will result in a financial loss to the City.

4. Availability. There is no appropriate, adequate or available space or building on the airport to accommodate the entire activity of the applicant at the time of the application.

5. Noncompliance with Master Plan. The proposed operation or airport development or construction does not comply with the master plan of the airport.

6. Misrepresentative. Any party applying, or interested in the business, has supplied the Board with any false information or has misrepresented any material fact in his application or in supporting documents or has failed to make full disclosure on his application or in supporting documents.

7. History of Violations. Any party applying or interested in the business, having a record of violating the provisions of this Title, or the rules or regulations of any other airport, federal aviation regulations or any other rules and regulations applicable to the Brigham City Municipal Airport.

8. Defaulted Performance. Any party applying, or interested in the business, has defaulted in the performance of any lease or other agreement with the City.

9. Undesirable Reputation. Any party applying, or interested in the business, has been convicted of any crime or violation of any ordinance of such nature that it indicates to the Board that the applicant would not be a desirable operator on the airport.

D. Action by City Council. Upon receipt of the recommendation of the Board, the City Council shall act upon the application within a reasonable time and shall approve the application, subject to reasonable conditions, or deny the application for one (1) or more of the reasons above under "action of Board." Upon approval or conditional approval, the City shall enter into a lease agreement with the applicant.

E. Standard Requirement for all Aeronautical Activity. In order for any license request to be recommended for approval by the Board or approved by the City Council, the following findings must be made:

1. That such applicant has a history of management and/or personnel with the ability in conducting the same or similar or comparable type of service or activity in a good and workmanlike manner.

2. That such applicant has the financial responsibility and ability to provide facilities and services proposed.

3. That the applicant has, or can secure, necessary certificates from the F.A.A. or other authority where the same are required for the activity proposed.

4. That applicant has, or can furnish, suitable indemnity insurance or bond to protect and hold the City harmless of the activity proposed.

5. That the applicant can meet the minimum standards herein stated for the activity requested.

Standards for Specific Activities.

A. All persons engaging in commercial aeronautical activities shall meet the following general requirements:

1. Provision of adequate insurance, as determined by the City, including public liability, products liability, property damage liability, each with clauses indemnifying and holding the City harmless and naming the City as an additional insured must be furnished and maintained.

2. Provision of adequate building floor space, as determined by the Airport Advisory Board, meeting applicable laws and ordinances in which to carry on the commercial aeronautical activity.

B. Every person conducting the following specific commercial aeronautical activities shall meet the additional requirements as hereinafter set out.

1. Fixed Base Operator. A fixed base operator must engage in at least three (3) of the following commercial aeronautical activities; public aviation fuel sales; aircraft engine, airframe and accessory sales and maintenance; flight training; aircraft charter and taxi service; or other commercial aeronautical activities subject to the minimum standards set forth below pursuant to each specific activity. In addition, an FBO must meet the following standards:

- (a) Storage space sufficient to hanger aircraft.
- (b) Restrooms or provisions available to the general public.
- (c) Public use telephone.
- (d) Hard-surfaced and parking area for aircraft.

2. Public Aviation Fuel Sales and Services. Except as set forth at subsection (B)(12) below, only Fixed Based Operators shall be licensed to conduct aviation fuel and oil sales or service to the public or the airport and shall be required to provide:

- (a) That all aviation fuel is located in an approved storage facility.
- (b) An adequate inventory of generally accepted grades of aviation engine oil and lubricants.<sup>2</sup>
- (c) Properly trained line personnel on duty.
- (d) Adequate and sanitary handling and disposal, away from the airport, of all trash, waste and other materials, including but not limited to, used oil, solvents, and other waste. The piling or storage of crates, boxes, barrels and other containers will not be permitted within the leased premises or on the airport without approval from the Airport Manager.

(e) All refueling operations, procedures and equipment must be in compliance with applicable federal, state and local fire codes, ordinances and rules pertaining to fire safety and presently, or as hereinafter may be, adopted. These include but are not limited to: the Uniform Building Code, Uniform Fire Code, Uniform Fire Code Standards, National Fire Protection Association Standards. In case of a conflict the most restrictive Code will apply.

3. Private Aviation Fuel Services. Duly licensed commercial aeronautical entities may conduct private fueling services for aircraft owned and operated by each such entity subject to the following:

(a) Provision of approved fuel and oil storage facilities in a location designated by the Airport Manager.

(b) Provision of mobile fuel-dispensing equipment meeting all NFPA criteria to service aircraft.

(c) No refueling of any privately owned aircraft, other than by fixed base operators is permitted, except in areas designated for fueling by the Airport Manager.

(d) Nothing herein shall be construed as waiving the fuel flowage fees to be paid to the City.

(e) All refueling operations, procedures and equipment must be in compliance with applicable federal, state and local fire codes, ordinances and rules pertaining to fire safety as presently, or as hereinafter may be, adopted. These include, but are not limited to, the Uniform Building Code, Uniform Fire Code, Uniform Fire Code Standards, National Fire Protection Association Standards.

4. Aircraft engine, airframe and accessory sales and maintenance. All persons operating aircraft engine, airframe and accessory maintenance facilities to the public for hire shall provide:

(a) In case of airframe and/or engine repairs, sufficient hanger space to house any aircraft upon which such service is being performed.

(b) Suitable inside and outside storage space for aircraft awaiting repair or maintenance or delivery after repair and maintenance have been completed.

(c) Adequate shop space to house the equipment and adequate equipment and machine tools, jacks, lifts and testing equipment to perform top overhauls as required for F.A.A. certification and repair

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<sup>2</sup> Ordinance No. 99-06, 5/13/99

of parts not needing replacements on all single-engine land and light multi-engine land general aviation aircraft.

(d) Proper equipment for repairing and inflating aircraft tires, servicing oleo struts, changing engine oil, facilities for washing and cleaning aircraft, recharging or energizing discharged aircraft batteries and starters.

(e) Adequate towing equipment and parking and tiedown areas to safely and efficiently move aircraft and store them in all reasonably expected weather conditions.

5. Flight Training. All persons conducting flight training activities shall provide:

(a) At least one (1) properly certified flight instructor.

(b) At least one (1) dual-equipped single-engine land aircraft properly equipped and maintained for flight instruction and such additional types of aircraft as may be required to give flight instruction of the kind advertised.

(c) Adequate office and classroom space. Adequate mockups, pictures, slides, film strips or other visual aids necessary to provide proper ground school instruction.

(d) Properly certified ground school instructors.

(e) Continuing ability to meet certification requirements of the F.A.A. for the flight training proposed.

(f) Adequate facilities for storing, parking, servicing and repairing all its aircraft or satisfactory arrangements with other operators licensed or otherwise permitted by the Board on the airport for such services.

6. Aircraft Charter and Taxi Service. Persons conducting an aircraft charter and/or air taxi service shall provide:

(a) Passenger lounge, restroom and telephone facilities.

(b) Adequate table, desk or counter for checking in passengers, handling ticketing or fare collection and handling of luggage.

(c) Suitable, properly certified aircraft with properly certified and qualified operating crew.

7. Aircraft Rental and/or Sales. Persons conducting an aircraft rental and sales activity shall provide:

(a) Suitable office space for consummating sales and/or rentals and the keeping of proper records in connection therewith.

(b) Hangar storage space for at least one (1) aircraft to be used for sales or rental.

(c) For rental, at least one (1) airworthy aircraft suitably maintained and certified.

(d) Adequate facilities for servicing and repairing the aircraft or satisfactory arrangements with other operators licensed by the board on the airport for such service and repair.

(e) The minimum stock of readily expendable spare parts, or adequate arrangements for securing spare parts required for the type of aircraft and models sold.

(f) Current up-to-date specifications and price lists for types and models of new aircraft sold.

(g) Proper checklists and operating manuals on all aircraft rented and adequate parts catalogue and service manual on new aircraft sold.

8. Crop Dusting and Spraying. Certified personnel conducting crop spraying shall provide:

(a) Suitable arrangements for the safe storage and containment of noxious chemical materials; no poisonous or flammable materials shall be kept or stored in close proximity to other facility installations at the airport.

(b) Properly certified aircraft suitably equipped for the agricultural operation undertaken.

(c) Suitable arrangements for servicing, repairing, storing and parking its aircraft with adequate safeguards against spillage on runways and taxiways or pollution or disbursement of chemicals by wind to other operational areas on the airport.

(d) Compliance with all local, state and federal regulations.

9. Aircraft Commuter and Air Carrier Service. Persons conducting aircraft commuter and air carrier service shall provide:

(a) An adequately manned and operated terminal facility including ticket and operations counter area, lounge and restroom facilities.

(b) A published schedule of operating times and rates.

(c) Reservations service with continuity of communication with public which will help to prevent overbooking, provide ease of ticket purchases and cancellations and provide interline reservations.

(d) Baggage handling service.

(e) Satisfactory evidence of reliability and responsibility, including F.A.A. operating permit.



(f) Operator shall furnish airport reports of operations on a monthly basis.

10. Other Commercial Aeronautical Activities. Commercial Aeronautical Activities other than those listed above, such as paint and upholstery shops, propeller shops, avionics shops may also be operated on the Brigham City Municipal Airport provided they comply with applicable local, state and federal rules and regulations.

11. Combination Activities. Any persons conducting a combination of the specific activities listed hereunder shall not be required to duplicate the requirements of the individual activities when the requirements of the combination is sufficient to meet the requirement of the separate activity to be conducted.

(a) Every person conducting the following specific noncompliance aeronautical activities shall meet the requirements hereinafter outlined.

(1) Flying Club. Persons seeking to operate flying clubs shall be required to: furnish the Airport Manager with a current roster of all officers, directors, including places of residence, business address and the telephone numbers, who are responsible for compliance by their members with all aviation laws and the rules and regulations of the Brigham City Municipal Airport; document that the flying club, or any individual member thereof, is not providing instruction for other than its members and is not engaging in charter service or in any other commercial aeronautical activity at the Brigham City Municipal Airport; register all aircraft owned, leased, or used by the flying club with the Airport Manager; assure that each aircraft operated, owned or leased by a flying club is in full compliance with air worthiness requirements of the appropriate federal agency.

(2) Other Commercial or Noncommercial Activities. Other commercial or noncommercial activities may also be conducted at the Brigham City Municipal Airport subject to the issuance of a permit as set forth herein. The general standards stated above shall be applied as deemed appropriate by the City Council, upon the recommendation of the Airport Advisory Board.

12. Automated Aircraft Fueling Operation.

(a) As permitted by Brigham City, an operator may be licensed to conduct an automated, non-staffed, fixed-location aircraft fueling operation.

(b) All operations, procedure, and equipment used by such Automated Aircraft Fueling Operator must be in compliance with applicable federal, state and local fire codes, ordinances and rules pertaining to fire safety and presently, or as hereinafter may be, adopted. These include but are not limited to: the Uniform Building Code, Uniform Fire code, Uniform Fire Code Standards, National Fire Protection Association Standards. In case of a conflict the most restrictive Code will apply.

### **3.01.065. Standard Requirements for the Storage and Sale of Aviation Fuel.**<sup>3</sup>

*Area Designation: The area designated as Future Fuel Farm on the Airport Layout Plan of the 1996-2016 Brigham City Airport Master Plan Update, should remain as the Primary Fuel Storage location isolated from aircraft servicing ramps or aprons. Accordingly, with the exception of property approved self-fueling satellite storage facilities and those fuel storage tanks currently in service, all fuel shall be stored within the designated Fuel Farm area.*

*Self-Fueling Satellite Storage Facilities: Self fueling satellite storage facilities which are located close to aircraft servicing ramps or aprons shall be comprised of an integrated above ground self-contained (including primary and secondary containment) fueling system complying with applicable building and fire codes. Each tank shall be limited to a maximum volume of 12,000 gallons.*

### **3.01.070. Standard Requirements for Aircraft Storage Hangars.**

Applications. Applications for Airport Lease Agreements for the construction of aircraft storage hangars on the Airport property shall be made to the Airport Manager no later than one (1) week prior to the next scheduled Board Meeting. The application shall be signed and dated by the party interested in leasing said space. The Airport Manager, shall thereafter present the application to the Board.

A. Minimum Application Information: The Board will only accept or take action on request for construction of Noncombustible Type II N Structure, as specified in the Uniform Building Code, adopted by Resolution. The applicant shall submit at least two (2) complete sets of Plans and Specifications. The Plans shall include the following:

1. Site Plan.
2. Plot Plan.

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<sup>3</sup> Paragraph 3.01.065 added upon approval of Ordinance No. 02-28, 10/17/02.

3. Elevation Drawing.

B. Action of the Board. The Board shall consider the application within a reasonable time, and shall thereafter make a recommendation to the City Council, recommending approval of the application, recommending approval of the application subject to conditions, or recommending denial of the application. In recommending approval of each application. The Board shall specify the following:

1. Color schemes or color patterns for each individual hanger, or multiple storage hangars to be constructed.
2. Responsibility to each applicant to install asphalt taxiway hookups for each hangar.
3. Any other requirements deemed necessary by the Board.