I. Purpose:

These standards are prepared in compliance with Section 51J of Chapter 90 of the General Laws of the Commonwealth of Massachusetts, and in accordance with Federal Aviation Administration Advisory Circular 150/5190-1A. The Pittsfield Municipal Airport Commission ("Commission") hereby establishes Minimum Standards for Commercial Operations at the Pittsfield Municipal Airport ("Airport").

II. Definitions:

**Person:** Any individual, firm, corporation, partnership, club organization or association either formal or informal.

**MAC:** The Massachusetts Aeronautics Commission.

**Minimum Standards:** The qualifications established by the Commission as the minimum requirements to be met as a condition for the right to conduct a commercial activity at the Airport.

**Aeronautical Activity:** The following activities commonly conducted at airports are aeronautical activities within this definition: charter operations, flight training, aircraft rental and leasing, sightseeing, aerial photography, aerial advertising and survey, air carrier operations, aircraft sales, aircraft service, aircraft fueling and any other activity deemed by the Commission which, because of its direct relationship to the operation of aircraft can appropriately be regarded as an aeronautical activity.

**Primary Aeronautical Services:** Those services which because of their nature are considered to be essential to the operation of the airport. Those operators wishing to provide any one of the primary services must meet the minimum standards listed for each and provide all of these primary services. These services are listed in Section V items A-D.
Unique Services: Those services which because of their nature are considered to be beneficial to the airports success. Commercial Operator's wishing to offer these services must meet the minimum standards stated for the unique services category.

Commercial Operator: Any company or person which offers any product or service for compensation, whether or not for profit.

Fixed Base Operator: A Commercial Operator which is required to offer as a minimum the following primary aeronautical services and activities: line service, aircraft fuel services, air charter, flight training and aircraft rental, and aircraft maintenance services.

Limited Fixed Base Operator: A Commercial Operator who offers a unique service as described in Section V item E, or a specialized service within the primary service category. The minimum standards required of operators wishing to specialize within a primary aeronautical service category are required to meet the minimum standard stated for that primary service activity.

Non-Aeronautical Operator: A Commercial Operator providing a service and or product which because of its nature does not require access to the airport operations area, though may still be related to aviation. Non-Aeronautical Operators will be required to meet those minimum standards deemed appropriate by the Commission based on the proposed operation.

III. General Agreements and Requirements for all Commercial Operators at the Pittsfield Municipal Airport

The Commercial Operator agrees to comply with such enforcement action as the United States may demand that the Commission take in order to comply with the Sponsor's Grant Assurances.

It is clearly understood by the Commercial Operator 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 in accordance with the Airport's Operating Rules and Regulations.
It is clearly understood and agreed that nothing herein contained shall be construed to grant or authorize the granting of an exclusive right.

The Commission reserves the right to further develop or improve the Airport as it sees fit, without interference or hindrance from any tenant or Commercial Operator.

The Commission 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 Commercial Operators from erecting, or permitting to be erected, any building or other structure on or adjacent to the Airport which, in the opinion of the Commission would limit the usefulness of the Airport or constitute a hazard to aircraft.

A. No Commercial Operator shall use the Airport or any portion thereof for Commercial Activities who has not first obtained consent and a permit for such activities from the Commission and entered into such written leases and/or other agreements as may be required by the Commission.

B. All Commercial Operators and any person, firm, partnership, or corporation which operates a concern on the Airport premises whether or not for profit must comply with all current regulations promulgated by the Federal Aviation Administration ("FAA"), the Massachusetts Aeronautics Commission ("MAC"), and the regulations of the Pittsfield Municipal Airport, as they may be amended from time to time. Commercial Operators also agree to operate in compliance with any programs initiated by the Commission including, but not limited to those programs regulating: Noise Abatement, Pollution Prevention, Waste Disposal, Product Quality and Safety.
C. All Commercial Operators and any person, firm, partnership, or corporation which operates a concern on the Airport premises whether or not for profit must procure liability insurance in an amount determined by the Commission and which names the City of Pittsfield, the Commission, the MAC and the Airport Manager as additional insured. Evidence of said insurance must be provided to the Commission on an annual basis and upon request. The specific amount of coverages to be determined shall be reasonable and comparable to that required at similar municipal airports.

D. All personnel employed by a Commercial Operator must be trained, certified, and supervised, in a manner consistent with the respective duties to be performed.

E. All Commercial Operators agree to furnish good, prompt, and efficient services sufficient in the judgment of the Commission to meet the demands for services at the Airport.

F. All Commercial Operators and any person, firm, partnership, or corporation which operates any concern on the Airport premises whether or not for profit shall indemnify, defend and hold harmless the Commission, its agents and employees, the MAC and the City of Pittsfield, and its agents and employees against all liability for injuries to persons or damage to property arising out of its operations at the Airport.

G. The Commission shall have the continuous authority to require of any Commercial Operator evidence of its FAA and/or MAC certification; Certificate of Incorporation, DBA Certificate or other verification of company organization and tax status; a list of personnel and verification of their training; copies of all applicable licenses; and any other documentation as determined by the Commission to be relevant to the conducting of Commercial Operations at the Airport.

H. All Commercial Operators and any person, firm, partnership, or corporation which operates any activity on the Airport premises shall conduct said activity in compliance with the standards set forth in FAA Advisory Circular 150/5190-1A, or subsequent revisions thereof.
I. All Commercial Operators will be responsible for providing adequate paved parking areas, access roads and walkways, security fencing and utilities as may be required associated with their exclusive use of the facility.

J. All construction within the airport operations area must meet the criteria of the most current Federal Aviation Administration Advisory Circular for Design, Construction and Alteration of Airports. All construction within the vicinity of the airport shall comply with Federal Aviation Regulation Part 77 and any appropriate State and Local regulations designed for the protection of navigable airspace.

K. All Commercial Operators are required to provide services on a fair, equal, and non-discriminatory basis to all users.

L. All Commercial Operators are required to charge fair, reasonable, and nondiscriminatory prices for each unit of sale or service, provided that the Operator may be allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

IV. Initial Application for Commercial Operation

A. Any prospective Commercial Operator shall demonstrate an initial investment in buildings, equipment, furniture, fixtures, tools, aircraft, and other assets pertaining to his operation at the Airport which meets the approval of the Commission.

B. Any prospective Commercial Operator shall demonstrate to the satisfaction of the Commission current financial status, proof of minimum of three months operating expenses, two year business plans for the proposed operation, previous history of payment, three credit references, tax ID number, tax resale number and worker's compensation insurance as required.
V. Minimum Standards for Commercial Operations

A. Fuel Storage and Dispensing

A Commercial Operator engaged in the storage and dispensing of fuel will be expected to provide:

1. Fuel storage tanks approved by the Commission for dispensing 100LL and Jet A aviation fuels with a minimum capacity of 10,000 gallons of each grade, located at the area designated by the Commission. Fuel storage and dispensing facilities will be equipped with meters and filtering equipment considered to meet industry standards. Mobile dispensing equipment shall have at least a total capacity of 750 gallons for each grade and/or type of fuel, and shall be manufactured for the purpose of aviation fuel distribution.

2. Requirements for All fuel Storage and Distribution

a. All systems shall meet applicable Federal State and regulations for fuel storage and distribution system design, construction and operation.

b. All systems Shall be equipped with overfill warning and automatic shut-off protection systems.

c. All above ground components shall be adequately protected from vehicle damage and vandalism.

d. All electrical components shall be of explosion proof design and installation.

e. Adequate means shall be designed to minimize and or contain contaminated storm water runoff.

f. Gravity flow and tank pressurization distribution systems are prohibited.

g. All systems shall be equipped with an automatic leak monitor and inventory control system.
3. Requirements for Above Ground Storage Tanks (ASTs)
   a. ASTs shall be Fire Proof rated.
   b. ASTs shall be of double wall design, or be constructed within a steel or concrete spill containment system, which eliminates or prevents contaminated storm water runoff.

4. Requirements for Underground Storage Tanks (USTs)
   a. All underground piping shall be cathodically protected from corrosion.
   b. All USTs shall be of double wall design.

5. Premises Liability insurance of at least $2,000,000 CSL for bodily injury and property damage. Product and Completed Operations liability insurance of at least $2,000,000, and Hangar Keeper’s insurance of at least $100,000 naming the City of Pittsfield, the Commission, the MAC and the Airport Manager as additional insured.

6. Approved grounding cables and fuel nozzles to eliminate static electricity hazards.

7. A listed telephone under the company name which is attended during operating hours.

8. Proper space to service the types of aircraft using the Airport must be provided.

9. Fixed and mobile metered pumping equipment capable of refueling the largest aircraft likely to be fueled at the Airport.

10. Auxiliary equipment including at least one preheater, one battery cart, aircraft towing capability, and other equipment that may be required to serve the aircraft using the facility.

11. Fueling services by uniformed personnel seven days a week at least from 8:00 a.m. to 6:00 p.m.
12. A formal training program approved by both the Fire Department and the Airport Manager for line personnel engaged in aircraft refueling. At least one properly trained person shall be on duty during normal operating hours.

13. A formal, documented procedure for maintenance and inspection of the fuel dispensing equipment, and product quality, including a fuel testing program the records of which shall be made available to the Airport Manager, the MAC and the Commission upon request.

14. A commitment to keep the fueling area clean and free of vegetation, snow, debris, and hazardous conditions.

15. A Commercial Operator who operates a fuel farm shall comply with all applicable federal, state and local environmental statutes and regulations, including, but not limited to, requirements for the disposal of waste oil/fuels and other potentially hazardous substances, and for the refueling of aircraft and vehicles.

16. An operator of a fuel farm and distribution system shall have adequate materials and personnel available for the clean up of fuel spills. The equipment necessary shall include, but not be limited to adequate and accessible amounts of absorbent materials, tools, and disposal containers. All financial responsibility for the cleanup and remediation of fuel spills associated with the Operation is that of the Operator and its principals, and as provided in Federal and State laws and regulations.

B. Ground Operations and Aircraft Maintenance Services

A Commercial Operator engaged in ground operations and aircraft maintenance services will be expected to provide:

1. A well lighted and heated waiting room of at least 200 square feet and hangar space of at least 3000 square feet, located within walking distance of the aircraft.
2. A telephone number listed in the company name and attended during normal business hours.

3. Premises and liability insurance of at least $1,000,000 CSL for bodily injury and property damage, Products and Completed Operations insurance of at least $1,000,000, and Hangar Keeper’s insurance of at least $100,000 naming the City of Pittsfield, the Commission, the MAC and the Airport Manager as additional insured.

4. At least one full time licensed airframe and power plant mechanic, certified by the FAA in accordance with the terms of the Repair Station Certificate, on duty during normal business hours, five days a week.

5. Minimum equipment including but not limited to jacks and lifts for high and low winged aircraft and engine testing equipment, battery cart, preheater, aircraft towing equipment.

6. A minimum stock of spare parts peculiar to the type of aircraft normally maintained at the facility.

7. Suitable facilities for washing and cleaning aircraft, in accordance with the Storm Water Pollution Prevention Program of the Airport.

8. A service to remove any non-airworthy aircraft from the Airport within a reasonable time.

9. A plan approved by the Airport Manager for the storage and removal of any and all waste aircraft fluids or cleaning material.

C. Flight Instruction and/or Aircraft Rental

A Commercial Operator who provides services of flight instruction and/or aircraft rental will be expected to provide the following:

1. A well lighted and heated office and or classroom of at least 200 square feet within walking distance of the aircraft.
2. Suitable commercial tie-downs or hangar space for all company aircraft.

3. A minimum of two fixed wing aircraft, or one rotary wing aircraft approved for flight instruction.

4. A telephone listed under the company name and attended during normal business hours.

5. Evidence of FAA, State and Local certification requirements.

6. Premises and liability insurance of $1,000,000 CSL for bodily injury and property damage, and commercial aircraft liability insurance of $1,000,000 CSL bodily injury and property damages for all aircraft owned, leased, leased back, or rented with $100,000 minimum per passenger seat, naming the City of Pittsfield, the Commission, the MAC and the Airport Manager as additional insured.

7. A formal, documented program for educating students and pilots of Noise Abatement and the safety procedures at the Airport.

8. Evidence of at least one Certified Flight Instructor who is employed on a full-time permanent basis, and is appropriately rated for flight and ground instruction.

D. Charter Flight Operations

A Commercial Operator engaged in Charter Flight Operations will be expected to provide:

1. A telephone listed under the company name and attended during normal business hours.

2. Premises and liability insurance of $1,000,000 CSL bodily injury and property damage, and commercial aircraft liability insurance of $1,000,000 CSL bodily injury and property damage with $100,000 minimum per passenger seat for all aircraft owned leased or operated, naming the City of Pittsfield, the Commission, the MAC and the Airport Manager as additional insured.
3. Evidence of appropriate FAA, State and Local certifications.

4. At least one multi-engine aircraft certified for all-weather Part 135 operations which is owned or under long-term (five year minimum) exclusive use lease to the permittee and based in Pittsfield. The aircraft is to be operated by the permittee or his or her employees and must be continually available for charter within a reasonable period of time.

5. Full time personnel during normal business hours five days a week.

6. Suitable tie-down or hangar space for all company aircraft.

7. A formal, documented program for educating all pilots of the noise abatement and safety procedures at the Airport.

E. Unique Services

A Commercial Operator who provides aerial photography, advertising, surveying, sightseeing, aircraft sales, aircraft storage or other such specialized services must provide:

1. A well-lighted and heated office of at least 200 square feet within walking distance of the aircraft.

2. Evidence of licensure and/or authorization to do business in the Commonwealth of Massachusetts.

3. Telephone number listed under the company name and attended during normal business hours.
4. Premises and liability insurance of $1,000,000 CSL for bodily injury and property damage, and if appropriate, commercial aircraft bodily injury and property damage liability insurance of $1,000,000 CSL with $100,000 minimum per passenger, naming the City of Pittsfield, the Commission, the MAC and the Airport Manager as additional insured. Additional insurance for Products and Completed Operations liability, and Hangar Keeper’s Insurance may also be required.

5. A suitable commercial tie-down for each company aircraft.

F. Commuter Air Carrier/Scheduled Air Taxi Service

Commuter air carriers and scheduled air taxi services at the Airport will be expected to meet the requirements of Charter Flight Operations stated above and provide the following:

1. Evidence as may be necessary to support the need for such service, including a marketing study to reflect the market potential, the support of the business community, a plan of proposed operations, scheduling and passenger forecasts, environmental impact assessment for the proposed schedule as may be required, and approval of destination airports.

2. Availability of facilities to accommodate public users in the numbers forecasted, including parking, passenger processing areas, sanitary facilities, and baggage handling areas.

3. Flight scheduling shall be subject to the approval of the Commission.

4. Monthly reports or copies of daily manifests to show the number of enplaning and deplaning passengers at the Airport.
G. Non-Aeronautical Operations

Those operators providing non-aeronautical services shall be required to provide the following:

1. Well lighted and heated space appropriate for the operation and services to be provided.

2. A telephone listed in the companies name and attended during normal business hours.

3. Evidence of licensure and or authorization to conduct business in the Commonwealth of Massachusetts appropriate to the services to be provided.

4. Premises liability insurance of $1,000,000 for bodily injury and property damage, and additional insurance coverages appropriate to the respective industry standard, naming the City of Pittsfield, the Commission, the MAC and the Airport Manager as additional insured.

VI. Minimum Standards for the Operation of Flying Clubs

The following minimum standards pertain to all flying clubs desiring to base their aircraft at the Airport:

1. Each club must be registered as a non-profit organization or similar acceptable organizational structure.

2. Each aircraft user must be a bona fide member of the flight club having equal rights within the club.

3. The club may not derive greater revenue from the use of its aircraft than the amount necessary for the actual operation, maintenance, and replacement of its aircraft, or the future expansion of the available fleet.

4. The club shall submit annually to the Airport Manager, a complete list of the club's membership and designate a member to act as communications liaison with the Commission and Manager.
5. The club's aircraft may not be used for commercial operations and may not be used by other than bona fide members for rental nor instruction.

6. Flight instruction may be given in club aircraft to club members, provided that such instruction is given by a Commercial Operator authorized by the PMAC for such activities, or by a bona fide member of the club who is appropriately rated.

7. Aircraft maintenance performed by club members at the Airport shall be limited only to that maintenance which does not require a certified mechanic. All other maintenance must be provided by a Commercial Operator authorized by the PMAC for such activities or by a bona-fide member of the club appropriately certificated by the by the FAA, or as is permitted by the PMAC "Operating Rules and Regulations."

8. Flying clubs shall comply with all federal, state, and local laws and regulations.

9. Flying clubs shall provide the Commission with evidence of appropriate and reasonable aircraft liability, bodily injury and property damage insurance annually and upon request by the Commission, naming the City of Pittsfield, the Commission and the Airport Manager as additional insured.

VII. Maintenance

Each Commercial Operator shall be responsible for keeping its designated area in a clean and neat condition at all times. The accumulation of oil caps, oil drums, hoses, debris, trash, unserviceable aircraft parts, and other used material that would cause either a safety hazard or disorderly appearance to the area is prohibited. Buildings and all other structures under the care of a Commercial Operator, on or in close proximity to the Airport, shall be maintained in good repair and appearance subject to the approval of the Commission.
VIII. Fees and Lease Rates

All fees or charges associated with Commercial Operators shall be set and all lease agreements shall be negotiated by the Commission in accordance with Massachusetts General Law and Federal Regulation.

XIV. Vehicles

No unauthorized vehicles shall enter the ramp, runway, or taxiway area without permission from the Airport Manager or other authorized personnel designated by the Airport Manager. Renting or leasing hangar or tie-down space or being a Permitted Commercial Operator will not be construed as an implied permission for vehicular access.

X. Parking

Parking of vehicles or aircraft shall be permitted only in those areas designated by the Commission or the Airport Manager. The circle in front of the terminal building is for the pick-up and drop-off of passengers, and parking is not permitted in this area.

XI. Soliciting

No Solicitation, such as the passing out of circulars, flyers, posters, signs, or other similar materials shall be permitted by anyone on any portion of the Airport premises without the prior permission of the Airport Manager.

XII. Signs

No sign, either fixed or mobile, shall be displayed on Airport premises without first obtaining approval of the Commission. Those signs erected without authorization will be subject to immediate removal and discard by the Airport Manager.
XIII. Reservation of Rights by the Commission

The Commission reserves the right to take any action it considers necessary to protect and insure safe operation at the Airport, including but not limited to preventing operators from erecting or permitting to be erected any building or other structure on or adjacent to the Airport which, in the opinion of the Commission, would limit the usefulness of the Airport or constitute a hazard to aircraft; preventing Operators, other than the Airport Manager or his designated representative from transmitting radio messages or Airport advisories on the published UNICOM frequency.

The Commission reserves the right to request that any Commercial Operator or any person, firm, partnership, or corporation which operates a concern on the Airport premises whether or not for profit to produce evidence of its FAA and MAC certification; certificate of incorporation, DBA certificate or other verification of company organization and tax status; a list of personnel and verification of their training; copies of all applicable licenses; and any other documentation as determined by the Commission to be relevant to the conducting of any operations at the Airport.

XIII. Violations of Rules and Regulations

Violations of these rules shall be promptly reported to the Commission through the Airport Manager. Based upon the seriousness of the infraction, the Commission may impose penalties such as monetary fines, temporary suspension of a permit or privileges, or the permanent revocation of a permit or privileges.

Approved and accepted by the Pittsfield Airport Commission as of the 25th day of May, 1998.

PITTSFIELD AIRPORT COMMISSION   MASSACHUSETTS AERONAUTICS COMMISSION

George Noble, Jr., Chairman   Stephen R. Muench, Director