

Grand Forks International Airport

*Minimum  
Standards*

August 1, 1995

**MINIMUM STANDARDS FOR OPERATORS OF**  
**COMMERCIAL ACTIVITIES**

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Original Date: 8/1/95  
Revised: 9/19/02

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Original Date: 8/1/95  
Revised:

**RECORD OF CHANGED MATERIAL**

- 1/6/02 Flying club material amended and relocated to *Rules and Regulations*; subsequent section renumbered.
- 9/19/02 Section 1.05 Development of Additional Standards updated. Paragraphs 2.04 Single Service Operator; and paragraph 2.04.D Flight Training and subparagraphs modified.
- 3/24/10 Paragraph 3.01.1 Lease of Space modified.

Original Date: 8/1/95  
Revised: 3/24/10

**GRAND FORKS INTERNATIONAL AIRPORT**  
**MINIMUM STANDARDS FOR OPERATORS OF**  
**COMMERCIAL ACTIVITIES**

**SECTION 1 - GENERAL PROVISIONS**

**1.01 Introduction**

The Grand Forks Regional Airport Authority adopts these minimum standards in order to protect and promote the best interests of the public with regard to development and provision of aeronautical services and activities and other commercial activities at the Airport.

**1.02 Required Conditions**

Any Person desiring to engage in one or more commercial activities at the Grand Forks International Airport must adhere to applicable minimum standards as a condition to establishing and providing the permitted activity and must be a party to a written lease and/or use agreement with the Authority.

**1.03 Commercial Services Defined**

Commercial Services are defined as certain commercial activities conducted at or from the Airport for the purpose of securing earnings, income, compensation, or profit, whether or not such objectives are actually accomplished. Commercial Services which shall be subject to these Minimum Standards include the following aeronautical and ground transportation activities: Aircraft sales, airframe or power plant repair, Aircraft rental, flight training, air taxi/charter, avionics, instrument or propeller service, commercial flight services, car rental, baggage or limousine services and courtesy transportation.

**1.04 Non-Discrimination**

A fair and reasonable opportunity, without discrimination, shall be afforded all applicants to qualify, or otherwise compete, for available Airport facilities; or to engage in selected commercial activities, subject to the Minimum Standards and requirements as may be established and amended from time to time by the Authority.

The Authority, through its Minimum Standards, attempts to maintain a "level playing field" on which all commercial operators of similar classification or aeronautical activity are to conduct business on a fair and equal basis for the benefit of the aviation public. In developing these Minimum Standards, the Authority intends neither to block competition between service providers nor to protect any existing or incumbent provider from competition.

Original Date: 8/1/95  
Revised:

Commercial Operators on the Airport are required to (1) furnish services on a fair, equal, and not unjustly discriminatory basis to all customers, and (2) charge fair, reasonable, and not unjustly discriminatory prices for each unit or service, provided that the Operator is allowed to make reasonable and nondiscriminatory discounts, rebates, or other similar types of price reductions to volume purchasers.

No commercial operator shall exclude from employment in participation, access to, benefits of its operations or otherwise discriminate against persons on the ground of race, color, national origin, handicap, age, sex, or veteran status. Commercial Operators shall be responsible for compliance with any applicable local, state and Federal rule, regulation, ordinance or law regarding nondiscrimination.

**1.05 Development of Additional Minimum Standards**

Authorized commercial services are not limited to those listed in these minimum standards. In the event a prospective operator desires to conduct a commercial activity not listed in these standards, the minimum standards for that activity may be identified as a part of the application process. Further, the Authority may, at any time, identify additional activities to be subject to minimum standards. In developing new minimum standards for aeronautical services the following guidelines are to be considered:

- A.** The minimum hangar space, office space, land, equipment, personnel, operating hours, and other standards required of a commercial operator shall be those appropriate for the services provided and shall be sufficient to facilitate good customer service
  
- B.** The Authority is not obligated to provide or construct public ramp/apron or connecting taxiways for commercial operators. Further, the Authority's ability to construct such ramp/apron or taxiway facilities is limited to the availability of funds, which may be dedicated to higher priority projects on the airport. Thus, the prospective operator should expect to fund all facility needs (building, parking lots, ramps/aprons, connecting taxiways) as a part of the total plan.

Original Date: 8/1/95  
Revised: 9/19/02

**1.06 Pre-Qualification Requirements.**

The prospective Operator shall submit, in written form, to the Executive Director, at the time of application, the following information as may be requested by the Authority:

**A. Intended Scope of Activities**

As a condition precedent to the granting of an operating privilege on the Airport, the prospective operator must submit a detailed description of the intended activity(s), and the means and methods to be employed to accomplish the applicable operating standards and requirements, in order to provide high quality service to aviation and the general public in the Grand Forks area, including the following:

1. The services to be offered.
2. The amount of land to be leased or subleased.
3. The building space to be constructed, leased, or subleased.
4. The number of Aircraft (or Vehicles) to be provided, if applicable.
5. The number of qualified and/or certified employees.
6. The hours of proposed operation.
7. Evidence of required minimum insurance coverage as established by the Authority.
8. Evidence of operator's financial capability to perform the proposed services and provide and maintain the required facilities.
9. Evidence of the operator's level of competency and experience in successfully performing the proposed service.

**B. The Written Agreement (City Code 20-0110)**

With the approval of the application by the Executive Director, prior to the commencement of Commercial Operations, the prospective operator will be required to enter into a written agreement with the Authority. The agreement will detail the terms and conditions under which the operator will conduct his business on the Airport, including, but not limited to, the term of agreement; the rentals, fees, and charges; the rights, privileges and obligations of the respective parties; and other relevant covenants. The conditions contained in the schedule of Minimum Standards and Requirements do not represent a complete recitation of the provisions to be included in the written agreement. Agreement provisions, however, will not change, modify, or be inconsistent with, the Minimum Standards and Requirements.

Original Date: 8/1/95  
Revised:

**C. Site Development Standards**

1. The minimum space requirements hereinafter provided may be satisfied by the lease, construction or sublease of single abutting, or separate parcels having one (1) building, attached buildings, or separate buildings. The use of mobile home type buildings, or T-Hangar space, to satisfy space requirements is prohibited. A minimum 50' setback from aviation apron areas is required for new construction.

For construction of any new facilities not already contained on the Airport, the operator shall be subject to the standards of development contained in the Airport Master Plan for the Grand Forks International Airport as well as all applicable Federal, state, and local laws, ordinances, and codes.

2. No Person shall make any alterations of any nature whatsoever to any buildings, aprons, or other airport space. Nor shall any building or other structure be erected without prior submission of a written request, including detailed plans and specifications, and the receipt of written permission from the Authority. Prospective operators shall comply with all building codes of the City of Grand Forks and shall deliver to the Executive Director "as built" plans upon completion.
3. Further, a notice of alterations or construction must be submitted to the Federal Aviation Administration by the perspective operator, FAA Form 7460-1 (Notice of Proposed Construction and/or Alteration) and receive a favorable determination, prior to commencement of any construction.

**D. Personnel**

1. The prospective operator shall have in his employ, and on duty during the required operating hours, such numbers and types of trained personnel with proper FAA credentials, certificates, and ratings as applicable to provide adequate and efficient services.
2. Operator must demonstrate that procedures have been established to assure that all persons employed, or to be employed, who have unescorted access to any area on the Airport controlled for security reasons, have background checks to the extent required by law, or regulation including, at a minimum, references and prior employment histories to the extent necessary to verify representations made by the employee/applicant relating to employment in the preceding five years.

Original Date: 8/1/95  
Revised:



3. Operator's employees shall be neat, clean, and courteous. Operator shall not permit its agents, servants, or employees to conduct business in a loud, noisy, boisterous, offensive, or objectionable manner, or to solicit business outside the space assigned as stated in lease or operating agreement.

**E. EXPERIENCE / FINANCIAL STABILITY:**

1. The prospective Commercial Operator, and/or the Operator's key management personnel assigned to the airport, must demonstrate that it will be able to meet the minimum experience requirement for the specific business classification being proposed as detailed below. Experience must be in the successful operation of a business in the proposed business classification, as its primary business, at an airport approximately the same size and activity mix as the Grand Forks International Airport. Specific minimum experience requirements per classification are:

**Single Service Operator:** No requirement. Some recommended.

**Limited Service Operator:** Two (2) years experience.

**Full Service FBO:** Five (5) years experience.

2. **Capital Improvement / Equipment Funding:** The Operator must demonstrate that it has, or is able to secure, the necessary level of capital for the purpose of constructing new facilities, or remodeling existing leased facilities, and acquiring maintenance equipment and aircraft, as may be necessary to service existing and future business demands.
3. **Operating Capital:** The prospective Operator must demonstrate that it has the necessary available operating capital to enable it to hire the necessary personnel, pay airport rents and operating expenses and fees and generally cover all other business operating expenses for the initial 12 start up period of the business. Operator must also demonstrate that the proposed business is projected to generate the level of revenue to sustain business operations past the initial 12 months.

Original Date: 8/1/95  
Revised:

4. **Security for Payment** - The prospective Operator shall agree to provide Authority, at the effective date of an operating agreement , a surety bond, or other similar security acceptable to Authority ("Contract Security") in an amount equal to the estimate of six (6) months' rentals, fees and charges payable by the Operator to guarantee the faithful performance by the Operator of its obligations under the agreement and the payment of all rentals, fees, and charges. Operator must maintain such contract security in effect until the expiration of eighteen (18) consecutive months during which period Operator commits no event default as detailed in the operating agreement. Security shall be in a form and with a company reasonably acceptable to Authority.
5. **Waiver of Contract Security:** The Authority may waive such Contract Security requirements conditioned upon the Operator having successfully operated a business, similar to the one being proposed, at a minimum of two (2) other airports with activity levels and characteristics similar to the Grand Forks Airport, during the most recent eighteen (18) month period, without committing any material default under the terms of the respective lease and use agreements at each of the two (2) facilities, and without any history of untimely payments for rentals, fees, and charges.

#### **1.07 INDEMNITY AND INSURANCE**

##### **A. Indemnification.**

1. Perspective operator's must agree to indemnify, save, hold harmless, and defend the Authority, its agents and employees, its successors and assigns, individually or collectively, from and against all liability for any claims and actions and all reasonable expenses incidental to the investigation and defense thereof, in any way arising out of or resulting from any acts, omissions or negligence of the Operator, its agents, employees, licensees, successors and assigns, or those under its control; in, on or about leased premises or upon leased premises; or in connection with its use and occupancy of leased premises or use of airport; provided, however, that the Operator shall not be liable for any injury, damage, or loss occasioned by the negligence or willful misconduct of the Authority, its agents or employees.

Original Date: 8/1/95  
Revised:

2. The Operator must also agree to indemnify, save, hold harmless, and defend the Authority, its agents and employees, its successors and assigns, individually or collectively, from and against all liability for any claims and actions and all expenses incidental to the investigation and defense thereof, in any way arising from or based upon the violation of any federal, state, or municipal laws, statutes, ordinances, or regulations by the Operators agents, employees, licensees, successors and assigns, or those under its control. The Operator shall not be liable for any claims and actions and expenses incidental to the investigation and defense thereof, in any way arising from or based upon violation of any federal, state, or municipal laws, statutes, ordinances, or regulations by the Authority, its agents, employees, licensees, successors and assigns, or those under its control.

**B. Minimum Liability / Auto Insurance Requirements:**

1. Without limiting the Operator's obligation to indemnify the Authority, the Operator shall provide, pay for, and maintain in force at all times during the term of this Agreement a policy of:
  - a. Comprehensive general liability insurance to protect against bodily injury liability and property damage in an aggregate amount of not less than:
    - Single Service Operator** - \$1,000,000.00 per occurrence;
    - Limited Service Operator** - \$5,000,000 per occurrence;
    - Full Service Operator** - \$10,000,000 per occurrence
  - b. Comprehensive automobile liability insurance in a combined single limit of not less than \$1,000,000.00 per occurrence for all vehicles that will be operating in the aviation areas of the airport, or the maximum coverage available under the laws of State of North Dakota for publicly owned vehicles, whichever is the lesser.
  - c. Statutory Workman's Compensation insurance; and any other policies of insurance reasonably required by the Authority.
2. The above mentioned insurance amounts and types of insurance shall be reviewed from time to time by the Authority and may be adjusted by the Authority if the Authority reasonably determines such adjustments are necessary to protect the Authority's interests. The Operator shall furnish the Authority, as evidence that such insurance is in force, a certified copy of the insurance certificate including the Authority as additional insured within 30 days after the policy(s) is issued. Said policies shall be in a form and content satisfactory to the Authority and shall provide for thirty (30) days written notice to the Authority prior to the cancellation of or any material change in such policies.

Original Date: 8/1/95  
Revised:

**C. Environmental Impairment:** Operators must agree to comply with any environmental regulations affecting its operations, including furnishing of insurance or other security against environmental impairment risks as required by the Authority, State of North Dakota, or agencies of the Federal Government.

**D. Fire and Extended Coverage Insurance.** Operators must agree to, at their expense, procure and keep in force all times during the term of this agreement with a company suitable to the Authority, insurance on the buildings and other improvements on the airport against loss and damage by fire, aircraft and extended coverage perils. The Operator shall furnish evidence of insurance in an amount no less than the replacement cost of the improvements. Insurance shall name the Authority as additional insured.

**E. Performance Bonds.**

Operators must agree to cause a surety bond, or other acceptable security, to be issued in the name of the Authority in the amount equal to 100% of the future building construction costs, prior to the beginning of any construction financed by the Operator.

Original Date: 8/1/95  
Revised:

## **SECTION 2 AERONAUTICAL SERVICES**

**2.01. Introduction:** The following Minimum Standards For Commercial Aeronautical Services incorporated by Reference FAA Advisory Circular No. 150/51909-1A, Minimum Standards for Commercial Aeronautical Activities on Public Airports (1985), and the Grand Forks Regional Airport Authority's rules and regulations, as may be adopted or amended. The Authority does not certify that the required minimum land, and building areas, personnel or equipment levels are adequate for the successful operations of the commercial activities described. Additional land and building space, personnel and equipment exceeding the minimums, may be necessary for the operator to ensure that services are effectively provided to meet the needs of the public. All Aeronautical services and use of the Grand Forks International Airport shall be conducted in strict compliance with federal regulations and state and local laws.

**2.02. Development of Quality Services:** It is the Authority's intent to ensure that the Airport, through its authorized commercial operators, provide a full range of quality services to the aviation public. To accomplish this objective, the Authority has established a FBO development process. The development process is founded on the principle that only experienced, well capitalized, operators have the greatest chance of successfully providing these quality services. The process also provides opportunities for interested parties, with limited experience, to establish aviation service businesses, to gain the necessary experience, and to grow into FBO service levels of greater responsibility to the public.

**2.03. Exclusive Rights:** No private aeronautical service provider will be granted an exclusive right to solely provide any aeronautical service on the airport. Any interested party meeting the Minimum Standards may qualify for authorization to begin business.

The Authority was the Airport's exclusive retail fuel dispenser until November 12, 1994, when fueling was privatized and made available to Full Service Fixed Base Operators. It is the intent of the Authority to promote private retail fuel sale activities. The Authority, however, reserves the right to again establish its retail fuel operations at anytime it believes that in doing so would be in the best interest of the public.

Further, in the absence of a qualified Full Service Operator, as detailed in 2.10, the Authority reserves the right to provide retail fuel sales, and any other aeronautical service absent an authorized commercial service provider, as an "exclusive right" unto itself. Once such an aeronautical service is thus declared an "exclusive right" of the Authority, the service can no longer be considered a service that can be offered by private commercial operators at the airport.

Original Date: 8/1/95  
Revised:

## **2.04 SINGLE SERVICE OPERATOR:**

A person or organization meeting the appropriate minimum standards may apply to the Authority, in accordance with Section 1.06, for permission to operate as a Single Service Operator (1st Entry Level - Exhibit A). Single service operators are prohibited from retail sales of fuel or petroleum products and providing aviation line services. Fuel/petroleum retail sales and line services are privileges reserved for full service operators. Single service operations are considered "entry level" business activities and thus no actual experience in operating such a business is required. Some experience is, however, recommended. A single service operator may conduct business "under the umbrella of" an authorized full service operator. When supporting "under the umbrella" activities, the full service operator must meet the minimum standards associated with that additional aviation service

### **A. AIRCRAFT SALES**

Any operator desiring to engage in the sale of new or used aircraft must lease or provide as a minimum the following:

1. **Services**  
Operator must be capable of repairing the engines and other operational components of the Aircraft being sold. Repairs also include warranty work on new aircraft. **Operator is prohibited from performing aircraft maintenance and repair work for the general public.**
2. **Land Area**  
A minimum area of 10,000 square feet of land on the Airport is required for buildings, storage of aircraft, display and auto parking.
3. **Buildings**  
Lease, sublease, or construct a building having a minimum of 4,800 square feet of properly lighted and heated space for offices, hangar storage, maintenance, and public waiting areas, including restroom facilities and public telephones. A minimum of 3,600 s.f. of hangar is required.
4. **Personnel**  
Provide one or more persons holding current commercial pilot certificate with ratings appropriate for the type of aircraft to be demonstrated or for sale. One person currently certificated by the FAA to perform aircraft maintenance work on the aircraft being sold, if the operator intends to do his own maintenance.

Original Date: 8/1/95  
Revised: 9/19/02

5. **Hours of Operation**  
Dealer shall provide normal operating hours of at least eight (8) hours per day, five (5) days per week.
6. **Dealership/Aircraft**  
A new Aircraft dealer shall be an authorized factory dealership or sub-dealership having a license or permit as required by the state, and knowledge of North Dakota applicable statutes concerning sales, contracts, and warranties. A dealer in new Aircraft shall own or have exclusive lease on a minimum of one current model demonstrator, not more than twelve (12) months old.
7. **Parts and Service**  
Dealer shall have an adequate supply of parts and servicing facilities to provide maintenance service to customer's aircraft during warranty period.
8. **Maintenance**  
Aircraft must be maintained in accordance with FAA regulations and the manufacturers maintenance standards..

**B. AIRFRAME AND POWERPLANT REPAIR (aircraft maintenance & repair)**

Any operator desiring to engage in airframe and/or powerplant repair service must provide as a **minimum** the following:

1. **Land Area**  
An area of 14,500 square feet of land on the Airport is required for the building, temporary parking of aircraft, and customer Vehicle parking.
2. **Buildings**  
Lease, sublease, or construct a building having a minimum of 7,000 square feet of properly lighted and heated maintenance shop, parts storage space, office space, and a public waiting area including public restrooms and telephones. A minimum of 4900 s.f. of hangar is required.
3. **Personnel**  
In addition to 1.06 D. Operator shall employ a minimum of one person currently certificated by the FAA with ratings appropriate for work to be performed. Additional personnel shall be provided to keep office attended during normal hours of operation.

Original Date: 8/1/95  
Revised:

4. **Hours of Operation**  
Hours of operation shall be a minimum of eight (8) hours per day, five (5) days per week, with provisions for emergency on-call service during nights, weekends, and holidays.
5. **Equipment**  
Sufficient equipment, supplies and availability of parts to perform maintenance in accordance with manufacturer recommendations or equivalent on various types of based aircraft.

**C. AIRCRAFT RENTAL**

Any service desiring to engage in the rental of aircraft to the public shall provide as a minimum the following:

1. **Land Area**  
An area of 10,000 square feet of land on the Airport to provide space for aircraft parking, auto parking and building.
2. **Building**  
Lease, sublease, or construct a building consisting of 4,800 square feet of office space, adequately lighted and heated, with public use telephones, public restrooms, flight planning, and customer waiting areas.
3. **Personnel**  
In addition to 1.06 D Operator shall employ a minimum of one person holding a current commercial pilot certificate with appropriate ratings. Additional persons to provide for office to be attended during normal working hours.
4. **Aircraft**  
Operator shall own or have an exclusive lease in writing for two (2) air worthy single-engine or multi-engine aircraft with one (1) aircraft equipped for flight under both visual and instrument conditions.
5. **Hours of Operation**  
Minimum hours of operation shall be eight (8) hours per day, six (6) days per week.
6. **Maintenance**  
Aircraft must be maintained in accordance with FAA regulations and the manufacturers maintenance standards.

Original Date: 8/1/95  
Revised:



**D. FLIGHT TRAINING**

To engage in commercial flight instruction Operator shall as a minimum:

1. **Land Area**  
Lease or sublease for building space and customer/employee parking 4,700 square feet of land if abutting an aircraft parking apron or 3,300 square feet of land if not abutting an aircraft parking apron.
2. **Buildings**  
Lease, sublease, or construct a permanent building of at least 700 square feet of heated and properly lighted office, classroom, flight planning, and restroom space. If public restrooms are available in the same building as the leased space, the requirement is reduced to 600 square feet.
3. **Personnel**  
Employ one person qualified to provide ground and flight instruction culminating in private pilot and instrument ratings.

Note: If an Operator under this section furnishes or otherwise provides the aircraft used for flight training, that Operator is also required to meet the minimum standards for Aircraft Rental service.

Original Date: 8/1/95  
Revised: 9/19/02

**E. AIR TAXI AND CHARTER SERVICES**

Any operator desiring to engage in air taxi or charter service shall provide as a **minimum** the following:

1. **Land Area**  
An area of 10,000 square feet on the Airport to provide space for buildings, Aircraft parking, and Vehicle parking.
2. **Buildings**  
Lease, sublease, or construct a building consisting of 4,800 square feet for office, customer lounge, flight planning, and hangar space, including restrooms and public telephones. A minimum of 3,600 s.f. of hangar is required.
3. **Personnel**  
In addition to 1.06 D Operator shall employ a minimum of one (1) FAA certified commercial pilot appropriately rated to conduct air service offered. Additional personnel as required to attend office during normal working hours.
4. **Aircraft**  
A minimum of one (1) twin engine aircraft capable of carrying six (6) passengers, and equipped for flight under instrument conditions, shall be owned or exclusively leased by the operator.
5. **Hours of Operation**  
Minimum hours of operation shall be eight (8) hours per day, six (6) days per week and provide 7 day a week, 24 hour a day, on call service during non-office hours.
6. **Certification**  
Operator and all pilots must meet all provisions of FAR Part 135.
7. **Ground Transportation Services**  
The Operator may make provisions for the transportation of pilots and passengers of transient General Aviation Aircraft to and from the Operator's facilities across the Airport's Apron areas as a part of his business operations. The Operator performing this service with motor vehicles driven on the Airport property shall do so only in strict compliance with any Airport rules and regulations, applicable federal, state and municipal laws, ordinances, codes, or other similar regulatory measures as may be hereafter added, modified, or amended.  
The Operator shall procure and maintain for any motor vehicles he operates on the Airport, motor vehicle liability insurance in the limits specified in Exhibit A.

Original Date: 8/1/95  
Revised:

8. **Maintenance**  
Aircraft must be maintained in accordance with FAA regulations and the manufacturers maintenance standards..

**F. AVIONICS, INSTRUMENTS, AND/OR PROPELLER SERVICES**

Operator desiring to provide avionics, instrument, or propeller service must hold the appropriate FAA repair station certificates and ratings for same and provide as a minimum the following:

1. **Land Area**  
An area of 5,000 square feet of land on the Airport for buildings, vehicle parking, and temporary Aircraft parking.
2. **Buildings**  
Lease, sublease, or construct a building of at least 3,000 square feet for office, restroom and hangar space for aircraft undergoing repair.
3. **Personnel**  
In addition to 1.06 D Operator shall employ a minimum of one (1) FAA certified repairman, qualified in terms of the applicable FAA repair station certificate.
4. **Hours of Operation**  
Minimum hours of operation shall be eight (8) hours per day, five (5) days per week.

**G. SPECIALIZED COMMERCIAL FLIGHT SERVICES**

Operators desiring to engage in specialized commercial flight services including, but not limited to: banner towing and aerial advertising; aerial photography or survey; fire fighting or fire patrol; power line or pipeline patrol; any other operations specifically excluded from Part 135 of the FAA Regulations shall provide as a minimum the following: (Note does not include those aeronautical services conducted incidental to the operators primary off-airport business).

1. **Land Area**  
An area of 10,000 square feet of land on the Airport to provide for buildings, aircraft parking and tie downs.
2. **Buildings**  
Lease, sublease, or construct 4,800 square feet of building for office, hangar space, customer reception area with public telephone. A minimum of 3,600 s.f. of hangar is required.

Original Date: 8/1/95  
Revised:

3. **Personnel**  
In addition to 1.06 D, Operator shall employ one (1) person having a current commercial certificate with appropriate ratings for the aircraft to be flown.
4. **Aircraft**  
One (1) properly certificated Aircraft owned or leased by written agreement.
5. **Hours of Operation**  
The operating hours will be eight (8) hours a day five (5) days per week.
6. **Maintenance**  
Aircraft must be maintained in accordance with FAA regulations and the manufacturers maintenance standards..

**2.05. AIRCRAFT / AUTO FUELS, DISPENSING, STORAGE AND LINE SERVICES**

- A. **General:** The retail sale, storage and dispensing of aircraft and automobile fuels and other petroleum products shall be conducted strictly in accordance with Federal Aviation Regulation (FAR) Part 139, Federal and State environmental laws, and Airport Rules , Regulations and Standards.
- B. **Fuel Storage:** The storage of aviation or auto fuels on the Grand Forks International Airport is reserved as a business conducted by the Authority as an “exclusive right”. Fuel storage activities shall be controlled in accordance with the following conditions:
  1. Only fuel deliveries authorized by the Authority may be brought onto airport property.
  2. All fuels brought onto airport property shall be stored in the Airport Authority’s fuel storage facility. Privately owned fuel storage on airport property is prohibited.
  3. Fuel deliveries brought onto Airport property shall be in trucks having a capacity of not less than 7,000 gallons.

Original Date: 8/1/95  
Revised:

4. Mobile fuelers, or fuel trucks/trailers, may not be used solely for fuel storage. Fuel trucks approved by the Authority to dispense fuels directly into aircraft, having capacities of no more than 5,000 gallons, shall not be considered to be “storage” as long as the fuel truck is used to fuel aircraft daily.
5. Authorized commercial operators, and aircraft owners desiring to self fuel their privately owned aircraft fleet, may request authorization to rent excess storage space capacity in the Authority’s fuel storage facility for the their exclusive use. Such an exclusive use fuel space set-a-side may only be considered by the airport when the operator or self fueler demonstrates that their fueling activities exceed 300,000 gallons per year. Authorized exclusive use space shall be discontinued if the operator fails to maintain fueling levels of at least 300,000 gallons annually.

**C. Commercial Aviation Fueling:** Sales of aviation fuels and petroleum products, and providing flight line services, are specifically reserved for qualified Full Service Fixed Base Operators, as detailed in Section 2.06 of these Minimum Standards. Single and Limited Service Operators are prohibited from commercial fueling activities.

**D. Auto and Wholesale Fuel Sales:** The sale of auto fuels (gasoline and diesel) and the sale of fuels to other parties for resale are business activities specifically reserved as “exclusive rights” of the Authority.

**E. Self Fueling of Private Aircraft:** A person or organization owning aircraft shall be permitted, personally or using the organization’s employees, to fuel their own aircraft in accordance with the Airport’s Fire Safety / Fuel Handling Standards. Self fueling activities must be accomplished with the owners own equipment. The aircraft owner is not permitted to contract with an off-airport company to enter upon the airport to refuel his aircraft. Further, the Authority prohibits the use of a “CO-OP” ( an organization formed by several aircraft owners for the purpose of self fueling) as a single aircraft owner for the purpose of self fueling. Self fueling operators may not dispense fuel from their privately owned fueling equipment into aircraft not directly owned by the operator. Further, the operator’s fuels may not be sold, given, or ownership otherwise transferred, to other aviation operators.

**F. Use of the Fuel Storage Facility:**

1. Use of the Authority’s fuel storage facility by commercial fuel operators is limited to the storage of aviation (100 octane) gasoline, and jet fuel, both being purchased by the operator . The selection of fuel, maintaining fuel quality once in the operator’s fuel trucks and the dispensing of the fuel, are the sole responsibility of operator.

Original Date: 8/1/95  
Revised:

2. Authorized operators shall have the access to the Authority's fuel storage facility as necessary to fill its mobile fuelers.
3. Authorized operators shall fully comply with the operating procedures of the fuel storage facility including those procedures required to test for contaminated fuel, and EPA, FAA, and Authority regulations regarding the handling and dispensing of hazardous materials.
4. Operators authorized to have exclusive use storage space in the fuel storage facility shall perform the following fuel quality tests in accordance with its use of the fuel storage facility, unless other tests are required by the Authority:
  - a. Perform and make record of daily "white bucket" tests on fuel samples taken from storage tank thiefs and the filter separators.
  - b. Perform and make record of, daily pressure differential tests to determine the condition of storage tank fuel filters.
  - c. Perform and make record of monthly filtration (Millipore) tests on fuel stored.
  - d. Perform and make record of "white bucket" tests on all fuel deliveries prior to placing the fuel into storage. Each compartment of the delivery truck shall be tested before the fuel in that compartment is placed into storage.
  - e. Copies of the operators test records and results shall be sent to the Airport Operations monthly.
  - f. Evidence of contaminated fuel, fuel storage leaks, system malfunctions, or fuel spills shall be immediately reported to Airport Operations.

#### **2.06. MULTIPLE COMMERCIAL AERONAUTICAL SERVICES**

The prospective Operator of multiple commercial activities may select a combination of services covered by Section 2.04 of these Minimum Standards and request Authority approval to provide services as a **Limited Service Operator, or a Full Service Operator** as defined below.

Where more than one activity is proposed, the actual building, land, equipment and personnel requirements may have to exceed the minimum space requirements listed for Limited Service Operator and Full Service Operator classifications below in order to ensure that safe and comfortable services are provided for the **customer**. When determining actual space and other requirements, **all doubts, questions or decisions will be resolved in the favor of the customer**. Actual space requirements will also be dependent upon:

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1. The nature of proposed individual commercial services to be operated combination,
2. The design and configuration of the proposed building, the operator's expansion plans,
3. The proposed geographic location on the airport, and
4. What has been required of other operators on the airport who provide a similar combination of services..

Further, actual space requirements will not necessarily be the sum of the minimums for each individual aeronautical services in all instances. Because of the above variables, the applicable Minimum Standards on combinations of service will be discussed with the prospective Operator at the time of this application.

**A. LIMITED SERVICE OPERATOR:**

A person or organization meeting the Minimum Standards of any two (2) or more aeronautical services described in this Section 2, may apply for permission to conduct business as a Limited Service Operator (2nd Entry Level - Exhibit A) on the Grand Forks International Airport. Limited Service Operators are prohibited from selling fuel or petroleum products and line services. Fuel sales and line services are privileges reserved for qualified Full Service Operators.. Minimum facilities required of Limited Service Operators are:

**1. Land:** A minimum of 13,000 s.f. of land on Airport property is required for Limited Service operations **not** involving Airframe and Powerplant (aircraft maintenance and repair) services, to accommodate buildings, and aircraft parking, equipment, and customer parking. A minimum of 20,000 s.f. of land is required of Limited Service operations that **include** Airframe and Powerplant services. This land need not be the sum of the combined services, so long as a combination can be feasibly used to provide the services proposed. The land area however, shall not be less than the largest land area required of any one aeronautical service.

**2. Buildings:** A minimum of 6,400 s.f. of total building floor space, including a minimum of 4800 s.f. of hangar, is required of Limited Service operations, **not** involving Airframe and Powerplant services, to include hangars, shops, offices, classrooms, a pilots lounge, public restrooms, a flight planning/weather information area, and public telephones. A minimum of 9600 s.f. of total building space, including 7200 s.f. of hangar, is required if Airframe and Powerplant services are offered.

**B. FULL SERVICE FIXED BASE OPERATOR (FBO):**

A person or organization meeting the Minimum Standards of the following required aeronautical services as described in this Section 2, may apply for permission to conduct business as a Full Service

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Fixed Base Operator (3rd Entry Level - Exhibit C) on the Grand Forks International Airport. Full Service Operator is the only commercial operator classification authorized sell fuel or petroleum products and provide line services at the airport. Minimum facilities and services required of Full Service Operators are:

1. **Aircraft Maintenance and Repair Services:**
  - a. FAA approved repair facility
  - b. Jet Aircraft (DC9/727 and smaller)
  - c. Twin engine (turbine/reciprocating) aircraft
  - d. Single engine aircraft
  
2. **Pilot Training:** Operator shall own or have available at all times at least one (1) aircraft capable of providing each of the following services:
  - a. Basic pilot training (private license - ground school/VFR certification in single engine)
  - b. Twin engine aircraft instruction/certification
  - c. IFR/Instrument ratings
  - d. Commercial pilot ratings.
  
3. **Charter Service (Part 135 Certificate):** Operator shall own or have available at all times at least one (1) aircraft capable of providing non-scheduled twin engine passenger / cargo charter services. Operator shall also provide or coordinate jet aircraft charter services upon request with at least a 5 day notice.
  
4. **Aircraft Rental:** Operator shall own or have available at all times a minimum of two (2) aircraft, single-engine and or multi-engine, with one (1) aircraft equipped for flight under instrument flight rules and conditions. Rental Aircraft will be available for rent to general aviation pilots who meet the FBO criteria for renting aircraft.
  
5. **Commercial Fuel Sales/Line Services:** Operator shall have available at all times a minimum of one (1) 750 gallon aviation gasoline truck and one (1) 3000 gallon jet fuel truck equipped and maintained in accordance with State and Federal Regulations and Authority standards. Operator is prohibited from selling fuels or other aviation products to individuals or organizations who plan to resale those products to others at the Grand Forks International Airport. Operator shall provide, but not be limited to, the following services in a quantity and level of quality to meet the needs of the airlines and general aviation:
  - a. Aviation fuel sales for end user consumption.
  - b. Into-plane Airline Fueling
  - c. Associated aviation line (ramp) services including, but not limited to:

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- aircraft deicing
- aircraft preheating / starting
- aircraft towing/parking
- pilot supplies
- aircraft meeting/greeting
- tie down services
- in/out hangar services
- aircraft washing

**d.** Authority shall retain the exclusive right to provide all fuel storage, all fuel sales on the Airport to other individuals or other organizations who intend to resale the product to others at the Airport, and all fuel sales to aircraft owners who desire to self-fuel their own aircraft at the Airport using approved mobile fuel trucks. All fuel brought onto the Airport shall be processed through the Authority's fuel storage facility. FBO and Authority quality control personnel will ensure that the quality of all outgoing fuel is consistent with airline fueling, and Airport Fire Safety/Standards.

**6. Aircraft Hangar/Tie-down Services:** Operator shall provide space as available for the storage of aircraft visiting or based at the Airport on a first come, first serve basis.

**7. Additional Services:**  
Operator shall arrange for, or provide, the following services:

1. Avionics Repair
2. Propeller Repair
3. Aircraft Painting
4. Aircraft Engine Rebuilding (Recip/Turbine)

The Operator will make an effort to recruit or establish these services physically, on the Airport, as part of an FBO 5 year development plan.

**8. Marketing / Promotion:**  
Operator must demonstrate the ability to develop and maintain a marketing and promotion program in an effort to market Grand Forks general aviation services on a regional, national, and international basis.

**9. Hours of Operation:**  
**a. Fuel and Line Services:** Operator agrees to have qualified staff available in levels necessary to meet airline and public fuel and line service needs 7 days a week as necessary to meet the aircraft fueling demand at the Airport or at operating hours mutually agreed to by both parties. Operator shall arrange for emergency on-call service during periods of closure.

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**b. Aircraft Maintenance, Repair, Pilot Training Services:** Operator agrees to have qualified staff available a minimum of eight (8) hours per day, five (5) days per week, for the purpose of providing aircraft maintenance, repair, pilot training, and other services to the general public, with provisions for emergency on-call service for aircraft maintenance during nights, weekends, and holidays.

**10. Future Development and Expansion:**

The Operator represents that it has, and will continuously maintain, the knowledge and experience to work in partnership with the Authority in the further expansion and development of general aviation services (quality and quantity).

**11. Required Facilities:**

**a. Land:** A minimum of 45,000 s.f. of land on Airport property is required for Full Service FBO operations to accommodate buildings, and aircraft, equipment, and customer parking.

**b. Buildings:** A minimum of 17,000 s.f. of building space is required to include hangars, shops, offices, classrooms, a pilots lounge, public restrooms, a flight planning/weather information area, and public telephones. A minimum of 15,000 s.f. of hangar is required.

**12. Maintenance:** All of the Operator's aircraft must be maintained in accordance with FAA regulations and the manufacturers maintenance standards..

**2.07. TERMINATION OR MODIFICATION OF COMMERCIAL OPERATING AUTHORIZATION:**

The Authority's prime objective in granting permission to the conduct commercial services at the airport is to meet the aviation needs of the public. The Authority reserves the right to immediately terminate the Operator's commercial operating authority, or reduce the Operator's operating authority to that of a lower operating classification, as detailed in Exhibit A, if the Operator reduces its service activities to a level that is less than the required services or the quality and/or quantify of required services, in the Authority's sole opinion, deteriorates to a level at which the services fail to meet the operating needs of the aviation public.

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## **SECTION 3 GROUND TRANSPORTATION SERVICES**

Any commercial operator desiring to provide transportation for passengers, baggage, or freight from the Airport shall comply with the following minimum standards:

### **3.01 On-Airport Car Rental Concession**

Persons desiring to provide cars to the traveling public from a location on Airport property shall meet the following minimums:

1. **Lease of Space**
  - a. The operator shall lease by way of the percentage of gross income the following
    - i. Eight (8) linear feet of counter space in designated area of the Airline Terminal, plus office space from which it shall conduct its rental car activity.
    - ii. Ready/Return parking in an amount to accommodate twenty (20) cars.
  - b. Operator, desiring to maintain vehicles on Airport property, shall lease or sublease 12,000 square feet of land and construct, lease, or sublease a building for vehicle maintenance.
  - c. Operator shall lease over-flow vehicle parking space to accommodate the balance of the fleet not stored in Ready/Return area.
2. **Nationwide Reservation**

Have, or be able to obtain, nationwide reservation services.
3. **Fleet Size/Age**

Have a car rental fleet of at least 25 cars. Rental cars must be current model year or one (1) year older.
4. **Services**

The operator shall furnish good, prompt, and efficient service, adequate to meet all reasonable demands for automobile rental service at the Airport, on a fair and reasonable basis, and to charge prices for such services in accordance with its usual standards, on a basis substantially similar to that charged for similar size automobiles, within the State of North Dakota.

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5. **Vehicle Maintenance**  
Operator shall maintain rental Vehicles in good operative order, free from known or reasonably ascertainable mechanical or physical defects, and in clean, neat and attractive condition, inside and outside.
6. **Operating Hours**  
Car Rental offices shall remain open for such periods during each day and such days during each week as may be necessary to meet airline flight schedules and reasonable demands for car rental services.
7. **Personnel**  
Operator's employees shall be neat, clean, and courteous. Operator shall not permit its agents, servants, or employees to conduct business in a loud, noisy, boisterous, offensive, or objectionable manner, or to solicit business outside the leased space except through the use of signs as stated in the lease.

### **3.02 Off-Airport Car Rental Concession**

Any operator desiring to provide rental cars to the traveling public from an off-Airport site and to pick-up and drop-off its customers at the Airport, must meet the following minimums:

1. **Courtesy Vehicles**  
Operator shall comply with the minimum standards for courtesy vehicles contained herein. If the operator is picking up the customer in the vehicle to be rented, operator is exempt from courtesy "equipment" requirements.
2. **Nationwide Reservations**  
Have, or be able to obtain nationwide reservation services.
3. **Fleet Size/Age**  
Have a car rental fleet of at least 10 cars. Rental cars must be current model year or three (3) year older.
4. **Services**  
The operator shall furnish good, prompt, and efficient service, adequate to meet all reasonable demands for automobile rental service at the Airport, on a fair and reasonable basis, and to charge prices for such services in accordance with its usual standards, on a basis substantially similar to that charged for similar size automobiles, within the State of North Dakota.

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5. **Vehicle Maintenance**  
Operator shall maintain rental Vehicles in good operative order, free from known, or reasonably ascertainable, mechanical or physical defects, and in clean, neat and attractive condition, inside and outside.
6. **Operating Hours**  
Car Rental offices shall remain open for such periods during each day and such days during each week as may be necessary to meet reasonable demands for car rental services.
7. **Phone Service**  
So long as the operator has a valid Airport use permit, the operator shall have the privilege of acquiring a direct line phone to its place of business in the Terminal building in the same manner and to the same extent offered to the public by the Authority or its advertising agent.
8. **Advertising**  
So long as the operator has a valid Airport use permit, the operator shall have the privilege of purchasing display advertising in the Terminal building in the same manner and extent offered to the public by the Authority or its advertising agent.
9. **Car drop-off/parking**  
Operator is authorized to drop off rental cars at the Airport for customers. All drop off cars must be parked only in the Authority's pay parking lot. Operator shall be responsible for payment of such parking lot fee.
10. **Personnel**  
In addition to 1.06 D, Operator's employees shall be neat, clean, and courteous. Operator shall not permit its agents, servants, or employees to conduct business in a loud, noisy, boisterous, offensive, or objectionable manner, or to solicit business on the Airport except through the use of signs as herein above set forth.
11. **Terminal Area Solicitation**  
Operators and their employees are prohibited from soliciting business in any manner whatsoever upon Airport property unless specific Authority approval is received. Operator, drivers, or other employees may enter the Terminal building only for the purpose of locating the customer requesting service and assisting a customer in moving his or her luggage from the baggage claim area to the courtesy vehicle.

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### **3.03 Limousine/Baggage Delivery Concession:**

Persons desiring to operate an Airport Limousine/Baggage delivery concession on the Airport must provide as a minimum, the following:

1. Compliance with City Ordinances:

Perspective operators must be licensed, and continue to operate, in accordance with Chapter 21, Article 14, of the Grand Forks City Code.

2. Application and Use Agreement:

Perspective Operators shall have complied with the provisions of Section 1.06 of these Minimum Standards.

3. Personnel:

In addition to 1.06 D, Operator shall employ properly trained and licensed drivers for all hours of their operation. Drivers shall be clean and neatly dressed. Operator shall not permit its agents, or employees to conduct business in a loud, noisy, boisterous, offensive, or objectionable manner, or to solicit business on the Airport except as provided in the approved operating agreement.

4. Vehicles/Service:

- a. Vehicles shall receive annual safety inspections in accordance with Chapter 21-0310 of the Grand Forks City Code.
- b. A schedule of fares shall be conspicuously displayed in each Vehicle.
- c. Operator must ensure that the level of service provided, and the associated rates or charges for those services, to individuals with disabilities are equal to the level of service provided to individuals without disabilities in accordance with the provisions of the American Disabilities Act.
- d. A company logo shall be prominently displayed on the exterior of the Vehicle.
- e. Vehicles shall be maintained mechanically in accordance with manufacturer's recommendations. Vehicles shall be clean (interior and exterior) with damaged or rusted areas being promptly repaired.

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Vehicles having missing, damaged, or partly repaired parts, may not be operated on the Airport.

- f. Vehicles shall have sufficient storage or trunk space to transport one (1) bag per passenger seat.
- g. Smoking in vehicles shall be prohibited.

5. Hours of Operation:

Service shall be provided for passengers departing from and arriving at the Airport, seven days a week. Operator shall change his schedule of operation to conform to the flight schedule changes of various airlines serving the Airport, insuring that passengers have a wait of no longer than one (1) hour.

**3.04 Courtesy Vehicles**

A courtesy Vehicle shall mean a Vehicle providing transportation at no charge to the passenger, for passengers and their baggage to a commercial operation located off-Airport including, but not limited to, rental car, hotel/motel, and resort destinations.

Operators desiring to operate courtesy Vehicles shall have a written Airport use agreement with the Authority that includes the operator's commitment to complying with the following operating standards:

1. **Equipment/Services**

- a. Vehicles shall be maintained mechanically in accordance with manufacturer's recommendations. Vehicles shall be clean (interior and exterior) with damaged or rusted areas being promptly repaired. Vehicles having missing, damaged or partly repaired parts, may not be operated on the Airport.
- b. Services provided must be in accordance with the provisions of the American Disabilities Act.
- c. A company logo shall be prominently displayed on the Vehicles.
- d. Vehicles shall have sufficient storage space to transport one (1) bag per passenger seat.

2. **Customer Loading/Unloading**

Operator shall stop courtesy vehicles in the loading zone adjacent to the Airport Terminal building in spaces designated solely for the purpose of loading or unloading customers.

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3. **Personnel**  
In addition to 1.06 D, Operator shall employ properly trained and licensed drivers. Drivers shall be clean and neatly dressed at all times. Operator shall not permit its agents, or employees to conduct business in a loud, noisy, boisterous, offensive , or objectionable manner.
4. **Hours of Operations**  
Operator's service shall be available to all of its customers arriving/departing on all flights at the Airport daily.
5. **Terminal Area Solicitation**  
Operators and their employees are prohibited from soliciting business in any manner whatsoever upon Airport property unless specific Authority approval is received. Operator, drivers, or other employees may enter the Terminal building only for the purpose of locating the customer requesting service and assisting a customer in moving his or her luggage from the baggage claim area to the courtesy vehicle.

## **SECTION 4 - PENALTIES FOR FAILURE TO MAINTAIN COMPLIANCE WITH MINIMUM STANDARD REQUIREMENTS.**

### **4.01 Failure to Comply with Minimum Standards of the Authority**

All persons upon Airport property, except those whose presence is specifically authorized and/or mandated by federal or state law, shall be considered as business invitees or guests of the Authority. In the event a failure to maintain compliance with any of these Minimum Standards, the authorization of any and all commercial activities may be terminated by the Authority's Executive Director, subject to appeal by the Airport Authority Board.

### **4.02 Authority of the Executive Director:**

The Authority hereby vests power and authority in the Executive Director or his designee to enforce these Minimum Standards and otherwise to perform all acts which may be necessary and proper for the safe and efficient operation of the Airport. Failure on the part of any person to immediately comply with any reasonable request and direction of the Executive Director or his designee shall be grounds for the ejection or removal of such persons from the Airport in any lawful and reasonable manner.

### **4.03 Termination of Lease**

The Authority, at its discretion, reserves the right to terminate the lease of any tenant found to be in violation of these Minimum Standards.

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#### **4.04 Civil Remedy or Criminal Prosecution**

The Authority, in its discretion, reserves the right to commence any civil action or suit or file a complaint for criminal prosecution against any person or persons violating any Minimum Standard which causes injury or damage to person or property or if such violation appears to constitute the commission of a criminal act.

#### **4.05 Liability for Fines**

Any Person whose act, or failure to act, results in a fine or penalty being assessed against the Airport or Authority by any governmental agency having jurisdiction including security, safety, and environmental, or the FAA shall be fully liable for the payment or reimbursement of such fine or penalty in addition to the costs associated with the restitution, repair, or clean-up of conditions resulting from such violations.

**ADOPTED: JULY 13, 1995**  
**EFFECTIVE: AUGUST 1, 1995**

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Original Date: 8/1/95  
Revised:

# FULL SERVICE FBO DEVELOPMENT PROCESS

