

ORDINANCE 2020-1

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS AND MINIMUM STANDARDS FOR AVIATION ACTIVITIES AT THE LEMHI COUNTY AIRPORT; ESTABLISHING PENALTIES FOR VIOLATIONS; AND ESTABLISHING AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF LEMHI COUNTY, IDAHO, AS FOLLOWS:

Section 1. The Lemhi County Airport Rules and Regulations and Minimum Standards for Aviation Activities, attached hereto as Exhibit "A," and incorporated herein as if fully set forth, are hereby adopted in their entirety.

Section 2. Lemhi County Ordinance #2014-02, is hereby repealed in its entirety.

Section 3. This Ordinance is effective upon passage and publication as provided in Idaho Code.

Passed this 13th day of January, 2020

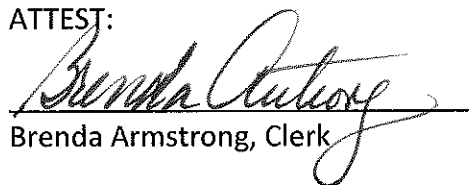
BOARD OF COMMISSIONERS FOR LEMHI COUNTY


Richard W. Snyder, Chairman


Brett Barsalou


Ken Miner

ATTEST:


Brenda Armstrong, Clerk

Lemhi County Airport
Rules and Regulations
And
MINIMUM STANDARDS FOR AVIATION ACTIVITIES

Adopted ~~April 22, 2019~~ ^{January 13, 2020}
Ordinance Number 2020-1

COUNTY COMMISSIONERS

Brett Barsalou, Rick Snyder, Ken Miner

AIRPORT BOARD MEMBERS

Chairman Richard Natelson, Vice Chairman James Crawford
Treasurer David Weston, Secretary Nathan Bills, Other Board Members
Fred McDonald, Bob Deurloo, Dean Shiner

The Lemhi County Airport Board, recognizing the necessity of protecting the public health and interest in Lemhi County hereby promulgate and adopts the following procedures and minimum standards for the use of any land or facility on said airport, or engaging in any aviation activity.

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SECTION I: Authority of Rules and Regulations

1. These Rules and Regulations shall be in full force and effect as a County ordinance from its date of passage under the authority of the Lemhi County Board of County Commissioners.
2. Any person, firm or a corporation that shall violate any of the provisions set forth in this ordinance shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than one thousand dollars (\$1,000) or be confined in jail for a period not to exceed ninety (90) days, or by both such fine and imprisonment and /or by the institution of a civil action in the district court to enforce compliance with this ordinance. The Lemhi County Sheriff and/or Prosecutor's Office will conduct any such criminal action.
3. The Airport Board may make such further rules and regulations consistent with the provisions and intent hereof as it shall deem necessary for the safe and fair use of the Airport and its facilities. Such Rules and Regulations shall not go into effect until 10 days following the adoption thereof, unless the Airport Board shall declare an emergency

in connection therewith, in which case such Rules or Regulations shall go into effect immediately upon adoption. All Rules and Regulations currently in effect at said Airport shall be available for examination at the sponsoring agencies.

4. All ordinances, or parts of ordinances contradicting, insofar as said ordinances in any way conflict with this ordinance are hereby repealed.

5. If any section, sentence, clause, or phrase of this ordinance is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining sections, sentences, clauses or phrases of this ordinance as an entirety, it being the legislative intent that this ordinance shall stand notwithstanding of such section, sentence, clause or phrase.

SECTION II: Definitions

1. AIRPORT – The Lemhi County Airport including runways, hangars, parking areas, ramps, aprons, and all improvements and property used or available for use in connection with said airport.

2. AIRPORT BOARD – “Airport Board” or “Board” means the persons appointed to the Airport Board by the Lemhi County Commissioners

3. AIRPORT MANAGER – “Airport Manager “ means the Manager of the Lemhi County Airport of Salmon named and employed at the Board’s option and serving at the Board’s pleasure. If the Board fails to appoint a Manager then the Airport Manager shall be the Airport Board Chairman.

4. AIRPORT LAYOUT PLAN – “Airport Layout Plan” means the currently approved scaled dimensional layout of the entire airport properties, indicating current and proposed usage for each identifiable segment as approved by the Airport Board based on the AIRPORT MASTER PLAN, which is amended periodically and approved by the FAA.

5. AIRPORT TRAFFIC AREA – “ Airport Traffic Area” means a circular area of 5 statute miles in radius from the geographical center of the Airport with extensions where necessary to include instrument approach and departure paths.

6. AIRCRAFT PARKING & STORAGE AREA – “Parking Area” means those areas designated as parking areas for the parking and maneuvering of aircraft while on the ground. Tie-down area shall also mean parking area and will be marked “tie-downs” for aircraft.

7. LANDING AREAS – “Landing Areas” means the areas that are designated as runways on the Lemhi County Airport of Salmon by the Airport Board.

8. TAXIWAY – “Taxiway” means the areas to and from the ramp and parking areas to the runways.

9. AERONAUTICAL ACTIVITY – “Aeronautical Activity” means any activity on Airport property which involves, makes possible, or is required for the operation of aircraft or which contributes to, or is required for, the safety of such operations and shall include but not via limitation, all activities commonly conducted on airports such as pilot training, aircraft rental and sight-seeing, aerial photography, crop dusting, flying clubs, aerial advertising and surveying, air carrier operation, aircraft sales and services, sale of aviation petroleum products, whether or not conducted in conjunction with other included activities, repair and maintenance of aircraft, sale of aircraft parts sale of maintenance of aircraft accessories, radio, communications and navigation equipment and any other activity which because of its direct relationship to the operation of aircraft can appropriately be regarded as an aeronautical activity.

10. OPERATOR – One who operates aircraft for his own pleasure, passenger service, airfreight, agricultural operations, hire, charter, or flight instruction.

11. FIXED BASE OPERATOR – Any person, firm or a corporation who rents or leases any Airport facility and who engages in the operation or repair of aircraft for gain using the airport as an operating base.

12. AERIAL APPLICATOR – Any person, firm or a corporation engaged in the applications, spraying, spreading, or seeding of fertilizer, sprays, seed or other materials by use of aircraft.

13. PERSON – Any individual, firm, co-partnership, corporation, company, association joint association government agency, or body politic to include any trustees, receiver, assignee or similar representative thereof.

14. MINIMUM STANDARDS – The qualifications herein as amended occasionally by the Board, setting forth the minimum requirements to be met as a condition for the right to engage in a commercial aeronautical activity on the Airport.

15. PRO FORMA STATEMENT – Anticipated revenues and expenses of a business.

16. DISABLED AIRCRAFT – Aircraft or parts of aircraft rendered unairworthy do to an accident or incident and not able to move without assistance.

17. MOTOR VEHICLES – Any motorized vehicles other than aircraft.

18. UNAUTHROIZED MOTOR VEHICLES – Any vehicles other than aircraft which are not associated with aircraft operations, transportation to and from the airport, or maintenance of aircraft hangars or the airport.

SECTION III: General Rules and Regulations

1. **BUSINESS OR COMMERCIAL ACTIVITIES** – No person shall engage in any business or commercial activity of any nature whatsoever on the Airport except in conformance with requirements of the Airport Board and under such terms as they may prescribe.
2. **ADVERTISEMENTS** – No person shall post, distribute, or display signs, advertisements, circulars, printed or written matter at the Airport on County owned property except with the approval of the Airport Board and in such a manner as may be prescribed by it.
3. **ANIMALS** – No dogs or other animals shall be permitted on the airport unless restrained or completely under control. Cats may be kept at commercial operations for rodent control.
4. **AIRPORT PROPERTY** – All persons having entered the Lemhi County Airport shall be governed by the rules and regulations herein prescribed and by orders and instruction of the Airport Board relative to the use or occupation of any part of the Airport property.
5. **OPERATION OF AIRCRAFT** – All persons operating aircraft on or from the Airport shall be in conformity with current FAA rules and regulations, the applicable portions of Idaho Revised Statutes, and the rules and regulations promulgated by the Airport Board.
6. **FAA AIR TRAFFIC RULES** – The Air Traffic Rules as established by the FAA and currently in effect as hereafter adopted, are hereby adopted by reference and made a part herein as fully as if the same and each and all of them were set forth herein.
7. **FLIGHT RULES** – Instructors will fully acquaint their students with all rules and regulations pertaining to the Airport and shall be responsible for the conduct of students under their direction during dual instruction. When the student is flying solo, it shall be the student's sole responsibility to observe and abide by the rules and regulations.

8. BRAKES REQUIRMENT – No aircraft shall be operated on the Lemhi County Airport unless it is equipped with proper brakes that are in good operating order and condition, unless the aircraft was originally manufactured without brakes.

9. SECURING OF UNATTENDED AIRCRAFT –

- a. No aircraft shall be left unattended on the Airport unless properly secured with tie-downs, brakes set, chocked, or within a hangar. The securing of aircraft shall be the sole responsibility of the owner or operator of the aircraft. Lemhi County, its employees or agents shall in no way be held responsible, therefore.
- b. Lemhi County will in no way be help responsible for the theft of any article left in the aircraft, any part, or accessory of or for the aircraft, or for any damage done to the aircraft as a result of theft or attempted theft or vandalism of any nature.

10. AIRPORT LIABILITY – Lemhi County, its agents or employees shall not be liable for loss, damage, or injury to persons or property arising out of any accident, incident, or mishap of any nature whatsoever or from any cause whatsoever to any individual, aircraft or property.

11. AIRCRAFT TAKE-OFFS AND LANDINGS – Except during an emergency, all takeoffs and landings will be made on or from the designated runways.

12. AEROBATICS PROHIBITED – No aircraft shall be flown within a five-mile radius of the Airport in maneuvers other than those required in normal routine operation with the exception that a waiver may be obtained from the FAA for such activities such ad Air Fairs, Air Shows, or such activities approved by the Airport Board.

13. INFLUENCE, INTOXICANTS, DRUGS, ETC. – No pilot or other member of the crew of an aircraft on the Airport, or any person attending or assisting said operation on the Airport shall be under the influence on intoxicating liquor or drugs.

14. **DISABLED AIRCRAFT** – Aircraft owners or operators shall be responsible for the prompt removal of disabled aircraft and parts thereof, unless required or directed by the Airport Manager or the National Transportation Safety Board to delay such action pending an investigation of an accident. In the event of failure to promptly remove such disabled aircraft, the Airport Manager may cause the aircraft to be removed and bill the owners thereof for all charges incurred in the removal of same. The County shall not be responsible for damage to disabled aircraft removed by the owner, the pilot, the County, or other persons. The owner of the offending aircraft is liable for any damage that occurs in the removal of the aircraft unless it is gross negligence. This requirement may be waived by the Airport Manager upon receipt of a written application detailing the owner's plans for the aircraft.

15. **DAMAGE TO AIRPORT PROPERTY** – Any and all Airport property damaged or destroyed by accident or otherwise shall be paid for by the party or parties responsible for such destruction or damage thereof.

16. **DISORDERLY CONDUCT** – No person shall commit any disorderly, obscene, indecent or unlawful act, or commit any nuisance on the Airport.

17. **SANITATION** – Garbage, papers and refuse or other material shall be placed in receptacles provided for that purpose.

18. **MODEL AIRPLANES AND UAS** – Model airplanes and UAS (Unmanned Aircraft Systems or "Drones") may not be flown at the Airport.

19. **UNAUTHORIZED AIRCRAFT OR VEHICLES** – An unauthorized aircraft or vehicle, which has been parked in any unauthorized space, may be removed by the Airport Manager.

20. **HOURS OF OPERATION AND ACCESS** – The Airport landing areas, ramps, apron, and parking areas shall be open for public use at all hours

subject to these Rules and Regulations, and such additional conditions as may be determined by the Airport Board as necessary.

21. USE OF THE AIRPORT – Any person, firm or corporation desiring to use the Airport as a base for conducting a business or engaging in any form or commercial activity, shall first make application in writing and secure permission from the Airport Board, and shall pay such fees and charges as the Board may determine for the use of the Airport or any of its facilities thereon, or for services rendered.

22. FIXED BASE OPERATORS – Fixed Base Operators may be limited in number consistent with space availability. Fixed Base Operators or other business firms using the Airport shall not engage in any commercial activity on the Airport other than that for which they have received written permission from the Airport Board.

23. SALE OF AVIATION FUELS – No firm, person or corporation shall sell aviation fuel on the Airport, except by a holder of a written contract with the Airport Board where the Airport Board shall receive an amount per gallon for each gallon of fuel dispensed, as established by the Airport Board.

24. STORAGE OF GASOLINE OR JET FUEL – Gasoline or Jet Fuel must be stored in the fuel tank of a motor vehicle, including but not limited to a fuel tank, truck, aircraft, or in metal storage tanks.

25. STORAGE OF HIGHLY FLAMMABLE OR HIGHLY EXPLOSIVE MATERIAL – No highly flammable/explosive material or substance may be brought or stored upon the Airport except with the written consent of the Airport Board and if such storage is permitted it must be stored under such conditions as directed by the Board.

26. CLEANING OF AIRCRAFT – No person shall use flammable or volatile liquids in the cleaning of aircraft engines, propellers and appliances unless such cleaning operations are conducted in open air or in a room

specifically set aside for that purpose, which room shall be properly ventilated and equipped with adequate and readily accessible fire extinguishing apparatus.

27. OPEN FLAME OPERATION – No person shall conduct any open flame operation in any hangar or part thereof in such a manner as to create a fire hazard to any person or property.

28. SMOKING – No person shall smoke on the Airport where it is specifically prohibited by the Airport Manager and so marked with “ NO SMOKING” signs.

29. FIRE REGULATIONS – All persons using the Airport area or the facilities of the Airport in any way shall exercise the utmost care to guard against fire and injury to persons or property.

30. All buildings shall conform to applicable fire codes and be subject to annual inspection by the County Fire Marshal.

31. All persons must obey any posted signs.

32. Airport users shall comply with all rules, regulations and other requirements of the FAA including Grant Assurances.

SECTION IV: Motor Vehicle Regulations

1. GENERAL OPERATIONS

- a. Motor vehicles shall not be driven on the landing areas proper unless the official airport business, rescue, bona fide airport maintenance or with expresses permission of the Airport Board or Airport Manager.
- b. Shall not be parked on the Airport property except in areas designated by signage for that purpose.
- c. Shall pay parking fees as assessed by the Airport Board.

- d. Shall at all times yield the right-of-way to all moving aircraft
- e. Fuel trucks shall be equipped and maintained to comply at all times with all applicable safety and fire prevention requirements or standards.

2. LONG TERM PARKING – Vehicles left at the Airport for periods greater than 30 days must meet the following criteria:

- a. The vehicle must be associated with an aircraft operator and parked for logistical reasons and not for long-term storage of the vehicle.
- b. Recreational vehicles and personal possessions may be stored in hangars as long as they do not block access to airworthy aircraft.
- c. Vehicles must have a current state registration and be in working order.
- d. All vehicles parked at the Airport for greater than 30 days shall be parked in the area designated for long term parking by the Board.
- e. Parking of County owned vehicles are exempt from this regulation.

SECTION V: Aircraft Taxiing and Ground Rules

1. TAXIING RESPONSIBILITY – No person shall taxi an aircraft until he has ascertained that there will be no danger of collision with any person or object in the immediate area and, when available, shall obtain assistance from Airport attendants.

2. TAXIING SPEED – Aircraft shall be taxied only at a safe and reasonable speed.

3. DEFECTIVE BRAKES – Aircraft with defective brakes and aircraft originally manufactured without brakes shall not be taxied near buildings or parked aircraft unless an attendant is at a wing of the

aircraft to assist the pilot

4. **STARTING AIRCRAFT** – No aircraft or aircraft engine shall be started or operated without a competent person at the controls or properly secured.

5. **HOLDING LINE** – Aircraft awaiting takeoff shall stop at least 50 feet, or at painted holding lines, from the runway in use, and in a position to have a direct view of aircraft approaching for landing.

6. **UNAUTHORIZED TAXIING** – Taxiing aircraft outside designated taxiways, parking areas and ramps shall not be permitted except with written approval of the Airport Board and in such a manner as may be prescribed by it.

7. **RUN-UP** – At no time shall an engine be run-up when other aircraft, hangars, buildings or other persons in the observation area are in the propulsion stream. Aircraft moving from the parking ramp shall avoid damaging other aircraft, persons or property with propulsion airflow.

8. **PARKING** – Aircraft shall be parked in the areas and in the manner designated by the Airport Board. All pilots, when directed by an attendant, will comply with the attendant's directions and park as directed. Aircraft shall not be left unattended in ramp loading areas or fueling areas.

9. **REPAIRS** – All repairs to aircraft or engines shall be done on the ramp or within a hangar.

10. **RESTRICTED AREAS** – No persons except airmen, duly authorized personnel, passengers going to and from aircraft or other persons assisting airmen or airport attendants shall be permitted to enter the loading, runway, taxiway or service areas. This does not give any person so exempted the privilege of unrestricted use of this area. No person may enter this space except in connection with flights, inspection or routing duties. Pedestrian or ground vehicular traffic in other than the

public use area (loading, parking, serving) without permission of the Airport Manager shall be considered as trespassing.

11. INSTRUCTORS – Instructors shall fully acquaint their students with the rules and shall be responsible for the conduct of the flight under their direction during dual instruction. When a student is flying solo, it shall be his sole responsibility to observe and abide by these rules.

12. OWNERS/OPERATORS – Each owner/operator occupying the hangar or tie-down area will be responsible for:

- a. Adequate securing of his aircraft.
- b. Proper inspection of tie-down apparatus.
- c. Damage to their aircraft in the parking, tie-down or hangar area caused by his improper handling or securing of his aircraft is the responsibility of the owner/operator.
- d. Any aircraft parked at the Airport longer than 72 hours outside leased property shall be assessed a tie-down fee. The Board shall assess the tie-down fee occasionally based on prevailing rates at similarly situated airports.
- e. Hangar and tie-down areas shall be kept clean and free from debris

SECTION VI: Landing and Take-off Rules

1. UNICOM – It is recommended that pilots use and monitor Unicom frequency 122.8 within five miles of the Airport.

2. –TRAFFIC PATTERN – All airplanes taxiing, landing and taking off shall do so in accordance with Unicom advisories. In the absence of such advisories, aircraft utilizing Runway 35 shall use left-hand traffic procedures and aircraft utilizing Runway 17 shall use left-hand traffic procedures during daylight operations and right-hand traffic procedures for night operations. Traffic entry shall follow AIM recommendations and shall be beyond the departure end of the runway. All operations are to be at a safe distance from other aircraft and obstructions.

3. RIGHT-OF-WAY – The aircraft in the established traffic pattern shall have right-of-way over aircraft approaching the traffic pattern.

4. INTERSECTION TAKE-OFF – Take-off from the runway intersections will be allowed at pilot discretion.

5. ROTORCRAFT – Rotorcraft shall conform to traffic pattern for entry and departure. All other aircraft shall have right-of-way over rotorcraft within the airport traffic control zone.

6. RESPONSIBILITY - In the landing and taking off the pilot will at all times be responsible for the safety of his aircraft. He will be responsible for using common sense and good flying judgment. If at any time there is a question regarding right-of-way in landing or taking off, he shall give way immediately instead of risking an accident. In case of aircraft accident or incident where responsibility cannot be determined both or all aircraft involved will be held equally responsible and dealt with accordingly.

SECTION VII: Aircraft Fueling and Defueling

1. ENGINE RUNNING – No person may fuel or defuel any aircraft while the engine is running. Aircraft owned, leased or operated by government agencies are exempt from this regulation if conducted within their agency guidelines.

2. SMOKING – No smoking shall be permitted within 50 feet of any aircraft while it is being fueled or defueled or within 50 feet of any fuel carrier when not in motion or when it is being used for fueling or defueling an aircraft.

3. ELECTRICAL SWITCHES – No person shall operate any radio transmitter or receiver or switch any electrical device on or off in any aircraft during fueling or defueling operations.

4. **GROUNDING DEVICES** – All hoses, funnels and other equipment used in fueling or defueling aircraft shall be equipped with grounding devices to prevent sparking and ignition of volatile aircraft fuels. During fueling or defueling operations both the aircraft and fuel dispensing apparatus shall be grounded to a point zero electrical potential.

5. **FUEL OVERFLOW** – No aircraft shall be fueled without a person directly operating the fuel hose nozzle.

6. **FIRE EXTINGUISHERS** – Adequate fire extinguishers shall be readily available with ready reach of persons engaged in fueling or defueling operations.

7. **EQUIPMENT** – Fueling and defueling equipment shall be maintained in a safe and non-leaking condition.

8. **AUTOMOTIVE FUELS (MOGAS)** – If automotive fuels are used at the Airport, the user shall sign a hold harmless agreement stating they are using automotive fuel at their own risk. Automotive fuels used in aircraft are subject to the flowage fee assessed by the Board.

9. **SPILLS** – In the event of spillage of gasoline, jet fuel, oil, grease or any material, which may be unsightly or harmful to the Airport, shall be removed immediately. The person causing the spill, or the tenant, or concessionaire responsible for the spill shall assume the responsibility for the immediate removal of such materials.

Spillage of 20 gallons of fuel or more shall be immediately reported to County 911 Center.

In the event of spillage in excess of 20 gallons and the failure of the Service Provider to restore the area to its original safe and environmentally sound status, the County may clean up any material unlawfully spilled, placed, or otherwise deposited at the Airport and may charge the responsible person(s) for the cost of the cleanup and

any required environmental remediation and any expenses, fines or damages imposed on the County as a result of the spillage. Such an event constitutes ground for denying access to the Airport.

SECTION VIII: Special Restrictions on Airport Land and Facility Use

1. RENTALS, LEASES AND FIXED-BASE OPERATOR FEES – Fees and charges for rentals, leases and fixed-base operators will be set by the Airport Board and when fixed will be available for examination upon request.

2. BUILDING – Building specifications regarding size and construction and requirements will be set by the Airport Board. The Board must approve all new construction. The party wishing to build must submit an FAA 7560-1 “Notice of Proposed Construction or Alteration Form”, and the FAA must approve the document prior to beginning construction.

3. HANGARS – Hangars are to be utilized under the following conditions:

- a. For the purpose of aircraft storage or aircraft maintenance.
- b. Recreational vehicles and other personal possessions may be stored in hangars as long as they do not block access to airworthy aircraft.
- c. No short-term or long-term human habitation. Aircraft crews may use a hangar for standby or crew rest but may not be used as aircraft crew quarters for greater than 24 hours.

4. AERIAL APPLICATORS – Any person, firm or corporation engaged in the business of, or known as aerial applicators and operating as such and desiring to fly commercially from Lemhi County Airport of Salmon, other than fixed base operators with permanent facilities, shall make application to the Airport Board and pay such fees and charges as established by said Board.

5. PERMITS, LICENSES OR AGREEMENTS – No person shall be

permitted to use any land or conduct any commercial aeronautical activity or the solicitation of business in connection therewith unless such aeronautical activity is conducted in accordance with the standards herein established and as hereinafter amended occasionally by the Airport Board and the issuance of the proper permits, licenses, or unless said persons shall have a valid contract or agreement to conduct such activities with Lemhi County.

6. NONEXCLUSIVE RIGHTS CLAUSE - No person shall be granted an exclusive right to conduct any commercial aeronautical activity upon the Airport.

7. APPLICATIONS – Applications for leases or ground facilities on the Airport, or for permission to carry on any commercial business or aeronautical activity on the Airport, with the necessary permits and licenses shall be made to the Airport Board. The applicant shall submit all information and material necessary or requested by the Board to establish to the satisfaction of the Board that the applicant will qualify and will comply with these rules and regulations. The application shall be submitted by a party owning an interest in the business, or the Individual who will be managing the business or a partner or a partnership, or a director, or an officer of a corporation.

(A) MINIMUM APPLICATION INFORMATION – The Board will accept and act on a request to lease land area or in any way permit the installation of a commercial activity after the proposed lessee, in writing, submits a proposal which sets forth the scope of operation he proposes, including the following:

1. The name and address of the applicant.
2. The proposed land use, facility, or activity sought.
3. The names and the qualifications of the personnel to be involved in conduction such activity.
4. The financial responsibility and ability of the applicant and operator to perform the activity sought.
5. The tools, equipment, services and inventory, if any, proposed to be furnished in connection with such activity.

6. The requested or proposed date for commencement of the activity and the term of conducting the same
7. The estimated cost of any structure or facility to be furnished, the proposed specifications for same and the means or method of financing such construction or acquisition of facilities.
8. The specific types and amounts of insurance proposed in accordance with minimum requirements of the activity.
9. Names and financial statement of proposed guarantors of the lease.
10. Submit pro forma operating statement.
11. The appropriate FAA Certificates.

(B) SUPPORTING DOCUMENTS – If requested by the Board the applicant shall submit the following supporting documents to the Board with such other documents and information as may be requested by the Board.

1. A current financial statement certified by a Certified Public Accountant, or a licensed accountant.
2. A written listing of the assets owned or being purchased which will be used in the business on the Airport.
3. A current credit report covering all areas in which the applicant has done business on the Airport.
4. A written authorization for the FAA and all aviation or aeronautical commissions, administrators or department of all states in which the applicant has engaged in aviation business to supply the Board with all information in their rules relating to the applicant or his operation. The applicant shall execute such forms, releases and discharges as may be requested by any of these agencies. The Airport Board shall determine whether or not the applicant meets the standards and qualifications as herein set out and whether or not such application should be granted in whole or in part, and if so, upon what terms and conditions.

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8. CAUSE FOR DENIAL OF APPLICATION – In reviewing an application the following items will be considered:

- a. NOT QUALIFIED – The applicant for any reason does not meet the qualifications, standards and requirements established by these

- Rules and Regulations and minimum standards.
- b. **SAFETY HAZARDS** – The applicant’s proposed operations or construction will create a safety hazard on the Airport.
 - c. **BOARD EXPENDITURE** – The granting of the application will require the Board to spend finds, or to supply labor or materials in connection with the proposed operations to an extent which, or when the Board is unwilling to enter such an arrangement, or the operation will lead to a financial loss to the Board.
 - d. **AVAILABILITY** – There is no appropriate, adequate, or available space on the Airport to accommodate the entire activity of the applicant at the time of the application.
 - e. **NON-COMPLIANCE WITH LAYOUT PLAN** – The proposed operation, or Airport development, or construction does not comply with the layout plan of the Airport.
 - f. **CONGESTION** – The development or use of the area requested by the applicant will result in depriving existing fixed base operators of portions of the area requested by the applicant will result in depriving existing fixed base operators of portions of the area in which they are operating, or will result in a congestion of aircraft or buildings, or will result in unduly interfering with the operations of any present fixed base operator on the Airport through problems in connection with aircraft traffic or service, or preventing free access to the fixed base operator’s area.
 - g. **MISREPRESENTATION** – 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.
 - h. **HISTORY OF VIOLATIONS** – Any party applying or interested in the business has a record of violating these Rules and Regulations, or the rules and regulations of any other airport, Federal Air Regulations or any other rules and regulations applicable to the Lemhi County Airport.
 - i. **DEFAULTED PERFORMANCE** – Any party applying or interested in the business has defaulted in the performance of any lease or other agreement with the Board.

- j. **POOR CREDIT RECORD** - Any party for, or interested in the business, has a credit report which contains derogatory information and whom does not appear to be a person of satisfactory business responsibility and reputation.
- k. **LACK OF FINANCES** - The applicant does not appear to have, or have access to, the finances necessary to conduct the proposed operation. Operating resources shall not include anticipated profits.
- l. **UNDESIREABLE REPUTATION** - Any party applying for or interested in business has been convicted of any crime or violation of any ordinance of such nature that indicates to the Board that the applicant would not be a desirable operator on the Airport.
- m. **ECOLOGICAL CONSIDERATIONS** - The protection of the health, welfare of safety of the inhabitants of the Salmon area requires such denial.

9. **LEASE OR CONTRACT** - Upon the approval of any such applications as submitted or as modified the Board shall cause to be prepared a suitable lease or contract agreement setting for the terms and conditions of the land or the facility use, which lease, or contract shall in every instance be conditioned upon or contain language assuring:

- a. That there be original and continued compliance with the standards required for each aeronautical activity approved.
- b. That any structure or facility to be constructed or placed upon said Airport shall be constructed in a manner to conform to all safety regulations of the State of Idaho and the County of Lemhi and shall be in compliance with the requirements of current building codes and fire regulations of the County of Lemhi and that any construction once commenced will be diligently prosecuted to completion. These shall be minimum requirements and may be increased by the Board.
- c. That the right shall be reserved by the Board to modify or add to the Standards of Operations of Aeronautical Activities at the Airport and that any lease, contract or agreement entered into with the applicant shall be terminated or canceled in the event of failure to comply with any modification or amendments to

Standards after notice thereof shall have been given.

- d. Proper insurance and hold harmless clauses shall be incorporated in said lease.
- e. Each air taxi/commercial operator shall maintain in force liability insurance at equal to that required for air taxi operations by the Federal Aviation Administration.
- f. That a fuel flowage fee shall be paid to the Lemhi County Airport Board for aircraft fuels delivered to Lessee. Operators may be exempt from this rule if excluded within their lease or approved by the Board.
- g. That the controlling interests in the operation shall not be transferred by stock purchase or other control of the lease business or corporation to which the lease is granted without prior written consent of the Lemhi County Airport Board.
- h. Leases must be for aviation related activities.

SECTION IX: Standards for Specific Duties

Every person conducting the following specific activities shall meet the additional requirements as hereinafter set out:

(A) PUBLIC FUEL, OIL, SALES AND SERVICES – Persons conducting aviation fuel and oil sales or service to the public on the Airport shall be required to provide:

1. Offer both Avgas 100LL and Jet Fuel.
2. An adequate inventory of generally accepted grades of aviation engine oil and lubricants.
3. Adequate grounding facilities at fueling locations to eliminate the hazards of static electricity and shall provide approved types of fire extinguishers or other equipment commensurate with the hazard involved in refueling and servicing aircraft and such additional regulations that might be hereafter specified by any Federal, State or Lemhi County Agency.
4. Fuel storage facilities using an aviation fuel filtration system.
5. Adequate and sanitary handling and disposing, away from the
6. Current Proof of Insurance.

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 without permission of the Airport Board.

(B) AIRCRAFT CHARTER AND AIR TAXI SERVICE – Fixed Base Operators conducting an aircraft charter service shall be required to provide:

1. Passenger lounge, rest room and telephone facilities.
2. The office shall not be less than 600 square feet.
3. A valid FAA Certificate for the activity in which engaged
4. Current Proof of Insurance.

(C) MINIMUM REQUIREMENTS FOR THE CONSTRUCTION OF FIXED BASE OPERATOR SPACE.

1. The office building construction shall comply with the State, County and Federal including Federal Housing Administration (F.H.A.) statutes, rules, regulations and ordinances in effect at the time of construction.
2. The office shall include one rest room.
3. The layout and floor plan must be approved by the Board prior to construction.

(E) AERIAL APPLICATORS – Persons seeking to conduct crop dusting or spraying of agricultural chemicals shall be required to satisfy the Board that:

1. Suitable arrangements have been made for the safe storage and containment of noxious chemical material, no poisonous or inflammable, or explosive materials shall be kept or stored in close proximity to other facility installations of the Airport.
2. The operator shall make 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.

3. Operator shall provide \$5,000,000.00 in liability insurance to protect the operator and the Board from liability in connection with such operations.
4. Shall pay a use fee as assessed by the Airport Board.
5. Shall pay a fuel flowage fee as required for fuel pumped, but not purchased from the airport.

(F) FLYING CLUBS – To operate under this category:

1. The club shall be a nonprofit entity organized for the express purpose of providing its members with an aircraft, or aircrafts, for their personal use and enjoyment only. The ownership of the aircraft, or proof of a bona fide lease, must be vested in the name of the flying club or owned ratable by all its members. The property right of the members of the Club shall be equal and no part of the net earnings of the Club will inure to the benefit of any member in any form (salaries, bonuses, etc.). The Club may not derive greater revenue from the use of its aircraft than the amount necessary for the operations, maintenance and the replacement of its aircraft. It is the intent that flying shall not be in direct competition with commercial operators, as defined by FAA rules and regulations.

(G) FIRE FIGHTING OPERATIONS – Fire fighting operating from the Airport for a period greater than 72 hours must adhere to the following rules:

1. Must operate from leased areas.
2. Any operations outside leased property must be approved by the Airport Manager if extended past 72 hours.
3. Government agencies must pay a fair market use fee for any activity outside leased areas if greater than 72 hours. The use fee is to be established by the Board prior to operations past 72 hours.

SECTION X – Airport Security

1. SECURITY/WILDLIFE EXCLUSION – The Airport fence and gates shall be maintained in manner that will prevent the entrance of unauthorized persons and wildlife onto the airfield. Gates shall either be automated so that they will close after entry or shall be closed manually after each use. Under no circumstances shall gates be allowed to stand open when unattended.

2. TRESPASS – Persons entering the Airport for any activity not related to aviation, facility maintenance or other bona fide aviation related activity without the permission of either the Airport Board or County Commission shall be considered in trespass.

SECTION XI – Authority of Airport Manager

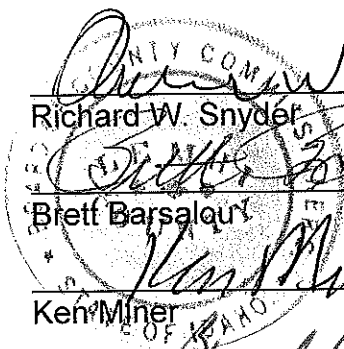
1. It shall be unlawful for any person to violate or refuse to obey any of the provisions hereof. Whenever, in these rules, permission is requested from the Airport Board or Manager, that permission shall be given in writing.

2. Any person operating or handling any aircraft or motor vehicle in violation of the provisions herein contained, or refusing to comply with the Rules and Regulations may be removed or ejected from the Airport, or may be temporarily grounded by, or under the authority of the Airport Board and may be deprived of the further use of the Airport and its facilities for such a length of time as may be deemed necessary to insure the safeguarding of the same and the public and its interest therein in addition to all other penalties herein provided.

3. The Airport Manager shall have the authority to close the Airport or any part thereof at any time he deems necessary for the safety of operations of all concerned. In the absence of the Airport Manager, any officer of the Airport Board may exercise this function.

4. The Airport Manager has sole authority to request the issuance of NOTAMs (Notice to Airmen) with the FAA. In the absence of the Manager, any officer of the Airport Board may exercise this function.

Approved by Lemhi County Commissioner


Richard W. Snyder
Brett Barsalou
Ken Miner
Attest: Brenda Armstrong
Brenda Armstrong, Clerk