

BOARD OF COMMISSIONERS
HENRY COUNTY, GEORGIA

RESOLUTION # 12 - 205

A Resolution of the Henry County Board of Commissioners Requesting Approval and Adoption of a Minimum Standards and Rules and Regulations for Atlanta South Regional Airport.

WHEREAS, In order to provide certain services at an airport, the services must be uniform, meet a minimum standard and be available in a way that does not place an advantage of one over another; and

WHEREAS, FAA strongly recommends airports adopt Rules and Regulations and Minimum Standards in order to assure fair and objective access by operator in the performance of commercial services; and

WHEREAS, The fair and objective access is a condition of the AIP grant assurances that airports must comply with as part of receiving Federal Funds under the AIP program; and

WHEREAS, each time the airport sponsor accepts a grant it certifies that it will comply with all grant assurances; and

WHEREAS, the airport rules and regulations and minimum standards are an accepted method of compliance with grant assurances.

NOW THEREFORE BE IT RESOLVED, the Henry County Board of Commissioners hereby approves and adopts the Minimum Standards and Rules and Regulations for the Atlanta South Regional Airport.

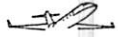
This the 2nd day of October 2012.

HENRY COUNTY BOARD OF COMMISSIONERS

By: 
Elizabeth "BJ" Mathis, Chairman

Attest:


Shay Mathis, County Clerk



Minimum Standards & Rules & Regulations For



Prepared For:



Prepared By:



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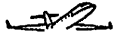
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1. Introduction

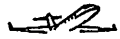
1.01 *Atlanta South Regional Airport (4A7) is a public use facility* owned and operated by Henry County, Georgia. The County is subject to numerous Federal obligations including those imposed by the Federal Aviation Administration (FAA) pursuant to Grant Agreements. Applicable laws and regulations include:

- Federal Aviation Act of 1958, as amended, and its precedent, Civil Aeronautics Act of 1938.
- Civil Rights Act of 1964
- FAA Order 5190.6A, Airport Compliance Requirements
- Advisory Circular 150/5190-16A Airport Improvement Program Grant Assurances Number One – General Federal Requirements, specifically terms and conditions for accepting Airport Improvement Program Grants
- Advisory Circular 150/5190-6 Exclusive Rights at Federally – Obligated Airports
- Advisory Circular 150/5190-7 Minimum Standards For Commercial Aeronautical Activities

1.02 *Under each Grant Agreement, the County has agreed* to assume certain obligations pertaining to the operation, use and maintenance of Atlanta South Regional Airport. These obligations remain in full force and effect throughout the useful life of facilities developed under the funded projects, not to exceed 20-years. Failure to meet its obligations could result in the County becoming ineligible for federal funding or other sanctions.

1.03 *The FAA encourages airport operators to develop and publish minimum standards* to be met by all who use or occupy the airport property. It is the prerogative of the County to impose conditions on users of the airport to ensure its safe and efficient operation. Such conditions must be fair, equal and not unjustly discriminatory. They must be relevant to the proposed activity, reasonably attainable, and uniformly applied. A fair and reasonable opportunity will be afforded to all applicants to qualify, or otherwise compete, for available airport facilities and the furnishing of selected aeronautical services; subject to the Minimum Standards as established herein by the County.

1.04 *These activities must be framed within the context of the airport's ability to sustain it financially* and shall be consistent with the goals and objectives of the Airport Master Plan. It is by these means that the Airport can attract economic development opportunities and safely serve the citizens of and visitors to Henry County.



**Atlanta
South
Regional**

1.05 *To meet this objective, a fair and reasonable opportunity, without discrimination,* shall be afforded to all applicants to qualify, or otherwise compete, for available Airport facilities and the furnishing of selected aeronautical services subject, however, to the minimum requirements and standards established by the County and as set forth herein ("Rules and Regulations and Minimum Standards").

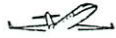
2. Authority

- 2.01 *Effective on August 19, 2011, the ownership of Atlanta South Regional Airport (4A7) – previously known as Clayton County Airport / Tara Field, transferred to Henry County. Enforcement of all Minimum Standards, Rules and Regulations documents became the province and responsibility of the County on that date. These provisions shall be applied uniformly to all similarly situated, prospective developers and operators. No development of aviation facilities or operations will be permitted except in compliance with the provisions set forth herein.***
- 2.02 *In order to foster, encourage and insure the economic health and orderly development of aviation and related aeronautical activities at 4A7, the County has established certain policies, standards and requirements for General and Commercial Aeronautical Operators (hereinafter referred to as “Operators”).***
- 2.03 *Any operator of a commercial aeronautical venture based on the Airport will be subject to applicable Federal, State and local laws, codes, ordinances and other regulatory measures, including Airport Rules and Regulations. The County reserves the right to change these standards at its discretion. Any adjustments by Operators necessitated by such changes will be negotiated as to time of implementation.***
- 2.04 *A written agreement, permit or lease executed by the County and the Operator is a prerequisite to tenancy or any entity conducting business on the Airport and the commencement of any operations thereon. The agreement, permit or lease provisions must be compatible with the Minimum Standards. The Minimum Standards are included as part of all leases between the County and any person or persons firm or corporation based on the Airport and engaged in any commercial aeronautical services or activities. Information relative to rentals, fees and charges applicable to aeronautical services included herein will be made available to all prospective commercial aeronautical operators by the Airport Manager.***
- 2.05 *Benefits derived from Minimum Standards include:***
- Promotion of safety in airport activities
 - Maintenance of high quality service for all airport users
 - Providing financially equitable treatment to all tenants and users
 - Defining the minimum operating threshold for prospective commercial operators
 - Protection of airport users from unlicensed and unauthorized products and/or services

- Promotion of orderly development of airport property
- Fostering mutually beneficial tenant-landlord relationships.

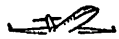
2.06 *Minimum Standards establish a template for safe, operations,* address environmental liability issues, minimize exposure to claims of discrimination or unfair treatment by providers of aeronautical services, and minimize accident exposure. Minimum Standards are the format for which Airport Management can measure requests for business activity on the airport and allow providers of aeronautical services to make sound business decisions concerning the future of their business.

2.07 *The details for construction of structures and other facilities are not included in the Minimum Standards.* In accordance with the continuing aesthetic and environmental improvement of the Airport, Airport Management shall review and approve all site plans, new construction, remodeling projects, signage and color schemes proposed by a lessee prior to such improvement by the Lessee. Construction proposed by a prospective lessee must be submitted through the Tenant Alteration Application (which must be in accordance with local building codes or such other revised code as may subsequently be adopted by the County.



3. Definitions

- 3.01 *Aeronautical Activity*** means any activity 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. These activities include, but are not limited to, air taxi and charter operations, pilot training, aircraft rental, sightseeing, aircraft lease back, weather service provision, aircraft flight simulator, aerial photography, crop dusting, aerial advertising, aerial surveying, air carrier operations, skydiving, ultralight operations, aircraft sales and services, sale of aviation petroleum products, air ambulance services, repair and maintenance of aircraft, sale of aircraft parts, aircraft de-icing, aircraft cleaning, catering and aircraft storage.
- 3.02 *Aeronautical Service*** means any aeronautical activity which renders any service or function that produces revenue or valuable consideration to the person and/or persons or corporation providing the service.
- 3.03 *Airport*** means the Atlanta South Regional Airport and all of the property, buildings, facilities, and improvements within the exterior boundaries of the airport as it now exists on the appropriate Airport Layout Plan or as it may hereinafter be extended, enlarged or modified.
- 3.04 *Aviation Service Provider*** means an individual, corporation, government or governmental subdivision, partnership, association or any other legal entity providing aeronautical services at the airport.
- 3.05 *Airport Manager*** means the Airport Manager of Atlanta South Regional Airport (4A7) or his/her designee acting at the direction of and with authority from (or under direct employment of) the County.
- 3.06 *Below-Wing Ground Handling*** means all activities supporting an air carrier including aircraft marshalling, chocking, ground power, preconditioned air, baggage and container loading and unloading, baggage make-up and delivery to baggage claim, aircraft cleaning and servicing to include lavatory service, cabin cleaning, potable water, dispatching and weight and balance computation, and push-back services.
- 3.07 *FAA*** means the Federal Aviation Administration of the United States Department of Transportation.
- 3.08 *FAR*** means Federal Aviation Regulation.



3.09 *Flying Club* means a noncommercial organization established to promote flying, develop skills in aeronautics, and the awareness and appreciation of aviation requirements and techniques.

3.10 *Fixed Base Operator or FBO* means a Person maintaining facilities at the Airport for the purpose of: (1) engaging in retail sale of aviation fuels to general aviation users; (2) performing other aircraft line services; and (3) providing aircraft airframe and engine repair maintenance services. Section V of these Minimum Standards specifies the minimum services which FBO's at Airport must provide. In addition to those required services, an FBO may provide any of the services of a SASO.

3.11 *Fueling Operations* means the transportation, storage and dispensing of fuel in aircraft. Any FBO authorized to conduct aircraft fueling operations shall be required to meet local conditions as appropriate, develop, enforce and maintain standards for the storage, handling and dispensing of fuels and lubricants on the airport as prescribed in:

- Reference No. IV: FAA Advisory Circular 150/5230-4 Changes 1 and 2, Aircraft Fuel Storage, Handling and Dispensing of Airports, Appendix 7 Minimum Standards for Fuel Storage, Handling and Dispensing on Airports
- NFPA 30, Flammable and Combustible Liquids Code 2000 Edition
- Air Transportation Association Specification 103, Standards for Jet Fuel Quality at Airports 1998 Revision – 2000.1
- NFPA 407 – Standard for Aircraft Fuel Servicing (2001 Edition), NFPA Standard 415, Airport Terminal Buildings, Fueling Ramp Drainage, and Loading Walkways (1997 Edition), and
- American Petroleum Institute Standard 1542, Airport Equipment Marking for Fuel Identification (Fifth Edition, January 1991)

3.12 *Improvements* includes, without limitation, any buildings, hangars, paved areas such as parking lots, ramps or apron or other improvements constructed or installed by an Operator on its premises.

3.13 *Lease* means the use of County owned land, building, equipment or facilities in which the Aeronautical Service Provider has a written agreement with the County regarding such.

- 3.14 *Minimum Standards*** means these standards which are established by the County as the minimum requirements to be met as a condition for the right to conduct an aeronautical activity at the airport.
- 3.15 *NOTAM*** means Notice to Airmen.
- 3.16 *Operator*** means either a Fixed Base Operator, or a Specialized Aviation Service Operator or both as the context indicates.
- 3.17 *Person*** means an individual, corporation, government or governmental subdivision, partnership, association or any other legal entity.
- 3.18 *Premises*** means a defined area on the Airport which the County has either leased to an Operator, or has granted an Operator the preferential right to use, by lease or other written agreement to provide its Aeronautical Services
- 3.19 *Henry County*** is the governing body responsible for exclusive control over airport activities including construction, improvements, equipment, maintenance and operations ,including the establishment of fees and charges for the use of the airport.
- 3.20 *Specialized Aviation Services Operator or SASO*** is a person maintaining facilities and necessary operating permits at the Airport for the purpose of providing one or more of the following services: (1) specialized aircraft repair services (radios, painting, upholstery, propeller, instruments, accessories, etc.); (2) aircraft airframe and powerplant maintenance and repair; (3) flight training; (4) aircraft sales; (5) aircraft rental; (6) aircraft charter and air taxi service; (7) aircraft de-icing service; (8) aircraft catering; and/or (9) aircraft into-plane fueling, and above and below-wing ground handling services to commercial air carriers. The right to provide services to commercial air carriers must be engaged through an agreement or other appropriate written authorization between the SASO and the air carrier operating from 4A7 with the written consent of the Airport Manager.

4. Minimum Standards

4.1. Policy

4.1.1 The Minimum Standards ***do not*** apply to:-

- a. Henry County, Georgia.
- b. Agencies of the State of Georgia
- c. Air carriers certified under Title 14 CFR Part 121 that are operating to or from the Airport.
- d. Persons that need to perform services on their own aircraft in cases where none of the authorized FBO's on the airport are capable of providing the services needed. An outside mechanic or the aircraft owners employee(s) may be used for a specific repair job. In all circumstances, prior approval of the Airport Manager is needed and all work shall be done in accordance with Airport Rules and Regulations and applicable contract, permit, or lease provisions.

4.1.2 *These Minimum Standards shall apply to all Fixed Base Operators (FBO), Lease and Operating Agreements ("Lease") and Commercial Operating Permits ("Permit")* granted or renewed after the effective date of these rules. The provisions of the Lease or Permit will be compatible with the Minimum Standards herein contained and will not change or modify the Minimum Standards themselves.

4.1.3 *To the extent consistent with the terms of the Lease or Permit,* the requirements contained in this document shall apply to all Leases and Permits existing on the effective date of these Minimum Standards.

4.1.4 *These Minimum Standards are not intended to be all-inclusive.* The Operator will be additionally subjected to applicable federal, state and local laws, codes, ordinances or regulations including Airport Rules and Regulations pertaining to all such services.

4.1.5 The County :-

- a. ***Will not grant or permit any exclusive rights*** at the Airport forbidden by Section 308 (a) of the Federal Aviation Act of 1958 (49 U.S.C. 1349 (a)) as amended.

- b. Agrees, that in furtherance of the Policy of the FAA under this covenant, unless authorized by the Administrator, it will not, either directly or indirectly, grant or permit any person, firm or corporation the exclusive right at the Airport, or at any other airport now owned or controlled by it, to conduct any aeronautical activities, including, but not limited to charter flights, pilot training, aircraft rental and sight-seeing, aerial photography, crop dusting, aerial advertising and surveying, air carrier operations, aircraft sales and services, sale of aviation petroleum products, aircraft catering, aircraft cleaning whether or not conducted in conjunction with other aeronautical activities, repair and maintenance of aircraft, sale of aircraft parts and any other activities which because of their direct relationship to the operation of aircraft can be regarded as an aeronautical activity.

4.1.6 *The County reserves the right to modify or add to the Minimum Standards at any time.*

4.2. Lease Requirements

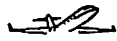
4.2.1 *No person, persons, corporations, companies, or partnerships shall develop and/or use facilities on the Airport without a properly executed lease or contract with the County.*

4.2.2 *All potential Tenants must complete and submit a Lease Application (Lease Application Form, Appendix C) made out to Henry County and any necessary engineering approvals for consideration by the County. The application and engineer approvals must be submitted a minimum of two weeks prior to the regularly scheduled meeting of the County Board Commission meeting at which the Application is to be initially considered.*

4.2.3 *The provisions of any such leases or contracts must comply with the Minimum Standards.*

4.2.4 *The Requirements of the Minimum Standards shall be incorporated by reference into all leases and agreements between the County and any person or persons, firm, or corporation desiring to be based on the Airport and engage in any commercial aeronautical services and activities. Said leases shall also include a condition that subordinates the lessee to the federal grant assurances.*

4.2.5 *The Minimum Standards and information relative to rentals, fees and charges applicable to the aeronautical services, included herein, will be made available to the prospective commercial operator at the time of application or*



during contract negotiations. The County reserves the right to deviate from any elements of the stated fees and charges where it deems such deviation is appropriate provided that any such deviation is made available to similarly situated Operators at the airport.

4.2.6 A commercial operator shall have the right and privilege of engaging in and conducting the selected activity or activities on the Airport as specified by the written contract, provided:

- a. The commercial operator's qualifications, and abilities meet the Minimum Standards;
- b. A written agreement with the Airport Operator and the County has been executed;
- c. The payment of the prescribed rentals, fees and charges have been received by the County.

4.2.7 The granting of such right and privilege shall not be construed in any manner as affording a commercial operator any exclusive right or use of the premises and facilities of the Airport, other than those premises which may be leased exclusively to the commercial operator, and then only to the extent provided in a written agreement.

4.2.8 No lease issued under these standards shall be transferable except with prior written consent and approval of the County.

4.2.9 Where there is a transfer of controlling interest of a lessee holding a permit, the new management must satisfy the County that it is able to meet the requirements of these standards. Failure to satisfy the County shall be a ground for revocation.

4.3. Aviation Development

4.3.1 Only aviation related activities and development will be permitted on the Airport and shall be consistent with the goals and objectives of the Airport Master Plan. Such activity or development must be in one of the following categories as defined:-

- a. **Full Service Fixed Base Operator (FBO)**. A full service FBO shall provide or cause to be provided a minimum of 9 of the following aeronautical services and specifically including items that are underlined.

1. Fuel and Line Service – both Jet A and 100LL. An FBO serving 4A7 must construct a fuel farm on an area at 4A7 so designated by the Airport Manager containing storage volumes no less than
 - a. 12,000 Gallons of Jet A
 - b. 12,000 Gallons of 100LL
 2. Airframe Repair
 3. Engine Repair
 4. Avionics Repair
 5. Instrument Repair, Including Use of Vacuum Equipment
 6. Propeller Shop
 7. Aircraft Catering
 8. Aircraft Management Services
 9. Transient Aircraft Parking
 10. Weather Services and Flight Planning
 11. Air Taxi/Charter – multi engine, IFR capable
 12. Flight Training
 13. Aircraft Rental
 14. Aircraft Sales – New and/or Used
 15. New Avionics Sales
 16. Hanger Rental
 17. Tie-down Rental
 18. Aircraft Parts and Supplies Sales
 19. Pilot Supplies Sales
 20. Aircraft Painting
 21. Aerial Photography
 22. Interior and Exterior Aircraft Cleaning
- b. **Specialized Aviation Services Operator (SASO).** A Commercial Operator that provides Aeronautical Activity services not included in the minimum services listed under a **Full Service FBO (para 4.3.1, a)** above. This class of operator is not authorized to sell fuel. The scope of services permitted will be limited to those authorized under the permit.
- c. **Private Hangars.** Aircraft storage structures built for individual or corporate use which are not rented or subleased for income purposes.
- d. **Commercial Hangars.** Aircraft storage structures built to rent or sublease as a revenue producing enterprise.
- e. **Light Aviation Manufacturing.** The manufacturing and or rebuilding of aircraft, aircraft components, and/or aircraft sub-assemblies.

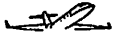
- f. **Flying Club.** A group of individuals organized to share the costs of operating one or more aircraft; or to share the costs of using a facility on the airport with no profit or commercial objective. A flying club must have at least five [5] members, all of whom share equal responsibility for club debts. No person may be a bona-fide member of a club unless that person's name has been submitted to the Airport Manager thirty [30] days prior. Part 5, Airport Rules and Regulations, of this document more specifically defines flying clubs and associated operating rights.
- g. **Aviation Service Organization.** A group of individuals organized to promote aviation safety, perform search and rescue operations and offer aviation educational opportunities.
- h. **Federal Facilities.** Structures and equipment owned and operated by the federal government engaged in aviation related activities.

4.4. Leasehold Improvements.

4.4.1 All leasehold improvements become the property of the County at the end of the lease term.

4.4.2 Unless otherwise specifically agreed to in the lease, the following improvements must be made by the developer and amortized pursuant to the developer's independent investment analysis undertaken at its sole discretion at risk within the life of the lease:-

- a. **Buildings** - A combination of hangar, shop, and office areas must equal not less than 10% of the land area leased but not more than 25% of the land area. The lessee's facilities must include public restrooms.
- b. **Aircraft Ramp** - A paved area designed to accommodate aircraft with pavement strengths commensurate with the proposed use as consented to by the Airport Manager. Maximum gross weight shall be constructed within the leased area sufficient in size to accommodate the aircraft movements and tie-down parking needed by the Lessee.
- c. **Auto Parking** - Paved auto parking sufficient in area to accommodate the lessee employee and customer needs.
- d. **Utilities** - Installation of all utilities necessary for operation of the lessee's facilities



- e. **Fencing and Security** - As necessary to prevent unauthorized persons and vehicles from straying through the lessee's area to the aircraft operating area (AOA). Specifications for said fencing must be approved by the Airport Manager.
- f. **Paved Walkways and all points of access** - will conform to the criteria specified in the Americans with Disabilities Act (ADA)

4.5. Facility Maintenance

- 4.5.1 **All lessees must maintain their facilities** in good operating repair and appearance at all times.
- 4.5.2 **Operators shall be responsible for the maintaining and repairing of all ramps** and access ways on or leading from airport runways or taxiways within leased premises.
- 4.5.3 **FBO's shall have an approved written Spill Prevention Control and Countermeasure Plan ("SPCC Plan")** that meets federal, state, local, and the County's Rules and Regulations for above ground fuel, glycol, and other petroleum products defined as "hazardous materials" that are stored and used at the Airport. An updated copy of the SPCC Plan shall be filed with the Airport Manager at least five days prior to commencing operations.

4.6. Insurance Coverage

- 4.6.1 **Each lessee must carry at its own expense adequate insurance** to replace all leasehold improvements and cover potential liabilities of the lessee's operations.
- 4.6.2 **Such policies will name the following as insured parties:-**
 - a. Henry County GA
 - b. AFCO AvPORTS Management, LLC
- 4.6.3 **All leases will contain a clause wherein the lessee indemnifies and holds harmless the parties listed within this article**, paragraph 4.6.2 a & b above, for any and all claims arising as a result of the lessee and/or operator's conduct of any operations on the Airport.
- 4.6.4 **Insurance coverage must be approved by the County** and certificates provided to the Airport Manager.

4.6.5 *Minimum insurance coverage and requirements are listed in Appendix B and be amended from time to time at the County's sole discretion.*

4.7. Nuisances

4.7.1 *All operators shall keep the sound level of their operations as low as reasonably possible, particularly during the hours of 10 p.m. to 7 a.m.*

4.7.2 *Operator will endeavor to avoid and eliminate annoyances to others on or off the airport as may be caused by noise, dust, fumes, vibrations, lighting, or other characteristics of the lessees operation as much as possible and consistent with safe operations.*

4.8. Sub-letting

4.8.1 *No lessee shall sub-let any portion of its leased premises without specific written approval of the county.*

4.8.2 *No lessee should assume that the county would grant such approvals.*

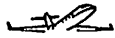
4.9. Rates and Charges

4.9.1 *The rates and charges of each operator must be conspicuously posted in a public area within the leased premises at all times.*

4.9.2 *The County establishes Rates and Charges and other airport fees for the use of the Airport and for services and activities at the Airport. All Airport rates and charges shall be paid on or before the date due. The schedule of Rates and Charges are listed Appendix A.*

4.10. Other Requirements

4.10.1 *Ramp Vehicle* - Each FBO and SASO must ensure that it has a vehicle equipped with a 2-way radio capable of communicating with air traffic. Said vehicle must be road-worthy pursuant to State of Georgia Motor Vehicle Statutes and the top of the vehicle will have mounted at least one [1] amber strobe or rotating beacon light in accordance with 4A7's Rules and Regulations.



4.10.2 Aircraft Support Equipment - Each Full-Service operator must have in their possession or available for using by agreement adequate equipment to move any type of aircraft using the airport in the event said aircraft becomes disabled on an aircraft taxiway or runway.

4.10.3 Trained Personnel - Each FBO must have adequate trained personnel staff at all times to sufficiently and safely perform the scope of services the lessee/operator has agreed to provide.

4.10.4 Fire Extinguishers - Each operator of all categories shall have available at least one operable A.B.C. fire extinguisher on its ramp area and each FBO shall also carry one in each of their ramp vehicles.

4.10.5 Hours of Operation - All Full-Service FBO operators must have employees on duty to provide the lessee's fuel and line services from 7:30 AM - 5:30 PM, 5 days a week. Line service shall be available on an on-call basis outside of those hours. All other services provided can be on a "call-in" basis.

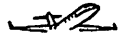
4.10.6 Trash Removal - Each lessee shall provide, at the lessee's expense, adequate closed storage and frequent removal of trash.

4.10.7 Airport Rules and Regulations - All operators and lessees agree to adhere to the rules and regulations as may be amended by the County. Said regulations shall not unduly restrict the operator's ability to perform its services.

4.11. Proposals

4.11.1 All prospective or current commercial operators wishing to provide or extend current services on the airport as the case may be, must submit, in addition to the prerequisite documents, a complete proposal including, but not limited, to the following:-

- a. Description of services to be provided
- b. Description of facilities to be built.
- c. Layout Site Plan of proposed facilities including utilities, drainage, and landscaping.
- d. Designated Professional Engineer that the operator will use to design the facilities.
- e. Proposed development construction schedule.
- f. Engineering cost estimates.
- g. Details of construction equipment to be used.
- h. Insurance coverage to be maintained.
- i. Number of persons to be employed.



4.11.2 If construction on leased premises, or alteration of existing or future structures on leased premises is planned, the operator shall comply with the notification and review requirements of FAA Regulation Part 77, Objects Affecting Navigable Airspace and other government entities as may be required.

4.11.3 Operator must prepare and submit to the Airport Manager, a FAA Form 7460-1, Notice of Proposed Construction or Alteration, or, Form 7460-2 Notice of Actual Construction or Alteration, as may be applicable, to FAA no less than 45 days prior to the intended commencement of such construction or alteration. No construction or alteration shall commence until FAA has reviewed and responded to such submittals and the Airport Manager in addition, has reviewed such operator submittals and FAA responses.

4.12. Airport Access and Security

4.12.1 Airport access and security shall be maintained by operator at all times in accordance with standards established and required by the Airport Manager, FAA, or other governmental entity.

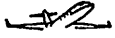
4.12.2 Access to airport gates shall be granted to lessees via electronic gate key or access code. A refundable deposit in the amount of \$25.00 will be collected at the time gate keys are issued. Key holders shall abide by the published airport driving rules.

4.12.3 FBO's, SASO's and other commercial operators shall be entitled to airport access for all employees via gate key or access code and will maintain a roster of all employees with access to the airfield and ensure that all employees follow published driving rules. These entities shall be exempt from gate key deposits but will be responsible for the replacement cost of lost or damaged gate keys.

4.13. Through-the-Fence Operations

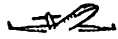
4.13.1 Through-the-Fence Operations is defined as the use of Airport property by operators offering an aeronautical activity on land adjacent to, or by Aircraft based on land adjacent to, but not part of, the Airport property. Through-the-Fence Operations are only permitted at the Airport with written consent of the Airport Manager and the County in the form of an access agreement. The County retains the sole discretion to permit through-the-fence arrangements at 4A7 and to set fees.

4.14. Revocation and Suspension



4.14.1 The Airport Manager shall revoke any lease or permit which it has issued for:

- a. ***False statements*** knowingly made in either the application or in any statement of fact which may have been knowingly made by the applicant to the County;
- b. ***Willful or repeated failure to operate substantially as required by these standards;***
- c. ***Willful or repeated violation of or repeated failure to observe any requirement of these standards*** or any applicable rule or regulation of the County, the FAA, or the State of Georgia;
- d. ***Default in the payment of a required fee***, continuing for a period of thirty [30] days unless there is a legal contest as to the fee, where the required fee is paid "under protest" or some similar procedure is employed.



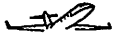
5. Rules and Regulations

5.1. General

- 5.1.1 No persons shall carry any weapons, explosives or flammable material on the airport except those authorized by existing laws or airport regulations.**
- 5.1.2 No person, other than personnel authorized by the Airport Manager, shall enter the field or the restricted areas.** No person shall travel on the airport other than on the roads, walks, or places provided.
- 5.1.3. Persons involved in an accident on airport property shall make a full report to the Airport Manager** as soon after the accident as possible. The report shall include the names and addresses of all persons involved. This shall not relieve any operator from complying with provisions of the Georgia Motor Vehicle Code as it pertains to the reporting of accidents.

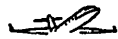
5.2. Motor Vehicles

- 5.2.1 No person shall operate any motor vehicle on the public area of the airport** except in accordance with the Georgia Motor Vehicle Code and rules prescribed by the County any other applicable laws for the control of such vehicles.
- 5.2.2 No person, other than personnel authorized by the Airport Manager, shall operate any motor vehicle on the airport operations area (AOA) including ramps and aprons.**
- 5.2.3 Only Airport-owned and/or FBO-operated automobiles motor vehicles may be driven on the Airport's runways and taxiways.** Such automobiles and other motor vehicles must have in operation a flashing beacon mounted so as to be visible in a 360-degree radius at a minimum of 500 feet in all conditions
- 5.2.4 Unregistered and/or uninsured vehicles are prohibited on the airfield.**
- 5.2.5 All vehicle operators must comply with the provisions as set forth within the Airport's Driving Rules.**
- 5.2.6 Taxiing aircraft shall have the right of way over all ground vehicles.**
- 5.2.7 No vehicles or trailers may be stored on the airfield.**



5.3. Aircraft

- 5.3.1 *Aircraft operators shall not perform warm-up*** or prolonged engine test operations in any area that would result in a hazard or inconvenience to other aircraft, persons or property.
- 5.3.2 *The owners of all aircraft based on the airport will register their aircraft*** with the Airport Manager's office prior to beginning operation. Any change in the ownership will require a change in registration.
- 5.3.3 *Aircraft maintenance activities conducted in the T-hangers or tie-down areas will be confined to those activities allowable under existing FAR's*** for the owner/pilot to perform. Under no circumstances will maintenance be performed in ramp parking areas.
- 5.3.4 *All rental aircraft will be provided by a Fixed Base Operator or Specialized Aviation Services Operator only.***
- 5.3.5 *Any persons damaging any runway, taxiway, or ramp light fixture*** by any means; shall report each damage to the Airport Manager immediately.
- 5.3.6 *No aircraft shall land, take off, or taxi in areas other than those authorized by the Airport Manager.***
- 5.3.7 *No person shall use flammable volatile liquids*** having a flash point of less than 110 degrees Fahrenheit in the cleaning of aircraft, aircraft engines, propellers, appliances or for any other purpose, unless such operations are in open air or in a room specifically set aside for that purpose. The room must be properly fireproofed and equipped with adequate and readily accessible fire extinguishing apparatus. If in the open, the clearing activity must be performed at least two hundred [200] feet from any hangar, building, aircraft or other vehicle.
- 5.3.8 *No person shall keep or store any flammable liquids, gasses, signal flares, or other similar material in the hangers*** or in any other building on the airport except that such materials may be kept in an aircraft for such purpose, or in rooms or areas specifically approved for such storage.
- 5.3.9 *Only that amount of lubricating oil necessary for one oil change*** will be kept in T-hangers.
- 5.3.10 *No person will keep or store waste oils in T-hangers.*** Waste oils will not be poured on the ground. The Airport Manager will designate a safe and



environmentally sound location where disposal of such waste oils can be handled by Operators on 4A7.

5.3.11 Only airworthy aircraft may be stored in tie-downs or ramp storage areas.

5.4. General Safety Practices

5.4.1 Lessees shall provide suitable metal containers for the storage of waste, rags, or other materials. Lessees may contract with other agencies or persons for the removal of this material subject to the approval of the Airport manager.

5.4.2 No persons shall conduct open flame operations in any hanger or on the airport except as may be approved by the Airport manager.

5.4.3 No person shall smoke on the airport apron, in any hangar or shop, service station area, gasoline storage area, or in any building, room, or place on the airport where smoking is specifically prohibited by the Airport manager.

5.4.4 "Doping" processes shall be conducted only in properly designated, fireproofed and ventilated rooms or buildings in which all illumination, wiring, heating, ventilation equipment, switches, outlets, and fixtures are explosive proof, spark proof and vapor proof, and all windows and doors open easily. No person shall enter or work in a "dope" room while doping processes are being conducted unless spark proof shoes are worn.

5.4.5 Concessionaires and other tenants will adhere to all fire regulations in effect, and will keep and maintain an adequate number of fire extinguishers of an approved type and instruct employees in the proper use of such equipment.

5.5. Fueling and Defueling

5.5.1 No aircraft shall be fueled or defueled while the engine is running or being warmed by the application of exterior heat or while such aircraft is in a hanger or enclosed space.

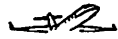
5.5.2 No person shall smoke within one hundred [100] feet of an aircraft being fueled or defueled

5.5.3 No person shall operate any cell phone, radio or electrical appliances during fueling or defueling.

- 5.5.4 During fueling operations, the aircraft and fuel dispensing apparatus will both be grounded to a point of zero electrical potential.**
- 5.5.5 No person shall use any article or material during fueling or defueling which is likely to cause a spark or be a source of ignition.**
- 5.5.6 Adequate fire extinguishers shall be within ready reach of all persons engaged in fueling or defueling aircraft.**
- 5.5.7 No person shall start the engine of any aircraft when there is any fuel on the ground under such aircraft.**
- 5.5.8 Fueling hoses and equipment will be maintained in a safe, sound, and non-leaded condition,**
- 5.5.9 All FBOs authorized to conduct fuel services on 4A7 shall maintain accurate records of all fuel received and dispensed.** Each month, the FBO shall submit to the Airport Manager a copy of the original report received from the FBO's fuel supplier showing the amount of fuel delivered, regardless of amount.
- 5.5.10 All FBO's shall allow the County to audit the records of fueling operations** at any time by a representative of the County or by an independent certified public accountant selected by the County
- 5.5.11 Each month, the FBO shall submit a reconciled inventory report of fuel to the County upon which monthly fuel flowage fees will be calculated.**

5.6. NOTAMS

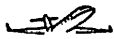
- 5.6.1 The Airport manager is authorized to issue and post operating procedures and advisories as Notices to Airman [NOTAMs] which he/she deems necessary in the public interest to ensure safety of operations and to mitigate undesirable environmental impacts due to airport operations. Such procedure NOTAMs may promulgate noise abatement rules and security measures and will have the same full force and affect as all other airport regulations.**



Appendix A – Rates and Charges

ATLANTA SOUTH REGIONAL AIRPORT		
Rates and Charges Special Events		
FY 2012-2013		
TRANSIT CUSTOMER FEES		
Landing Fees (Commercial Operators only--Charters (part 135), Fractionals, etc)		2.00/1,000 lbs MGTOW (\$10.00 min) (Waived w/minimum fuel purchase)
Ramp Fees:		
	Piston	\$40/SE \$60/ME - per day
	Turbine	\$100/150/200 -per day
	Helicopter	\$100 - per day
	Lighter than Air	\$100 - per day
Overnight Fees:		
	Piston	\$10/SE \$15/ME - per day
	Turbine	\$25/SE \$40/ME - per day
	Helicopter	\$25 - per day
	Lighter than Air	\$50 - per day
Callout Fees		\$50/Hr 2 Hr min
BASED CUSTOMER FEES		
Open Tie-down		\$40 - per month
Shelters / Drive through Shelters		\$88 - 118 per month
	C1 - C8	\$88.00 - per month (860 sq. ft. @ \$0.10 per foot)
	C9 - Office Space Trailer	\$200.00 per month
	D1 - D6	\$118.13 per month (860 sq. ft. @ \$0.14 per foot)
T-Hangar		\$115 - \$276 per month depending on square footage
	CH1 & CH4	\$276.48 per month (1728 sq. ft. @ \$0.16 per foot)
	CH2 & CH6	\$115.20 per month (720 sq. ft. @ \$0.16 per foot)
	CH3 & CH5	\$218.88 per month (1368 sq. ft. @ \$0.16 per foot)
	BH1 & BH2	Amount varies by sq. ft. but cost per foot is \$0.11 on each hanger
	BH3, BH4, BH6 BH7	Amount varies by sq. ft. but cost per foot is \$0.20 on each hanger
	BH5 - Office Space	\$150.00 per month (440 sq. ft @ \$0.34 per foot)
	BH8	\$1,000 per month (5155 sq. ft @ \$0.19 per foot)
FBO / Other Hangars		\$3 - \$4 /Sq F/Yr subject to specific conditions
	G1	\$3,728.69 per month (12,000 sq. ft. = \$3.73 per sq. ft. per year)
	W1A	\$1,500.00 per month (5,600 sq. ft. = \$3.21 per sq. ft. per year)
	W1B	\$1,500.00 per month (5,600 sq. ft. = \$3.21 per sq. ft. per year)
COMMERCIAL DEVELOPMENT		
Raw Land Rent:		* \$.34 psf/yr
Land Rent Paved Surfaces: (Non-common areas)		* Negotiable (but not less than the \$.34 psf/yr raw land rate)
KEY: SE = Single Engine Airplane	ME = Multi-Engine Airplane	
NOTE: Rates will be reviewed by Henry County Annually.		

* Leases will include inflationary formula



Appendix B – Insurance Requirements

Any prospective Operator at 4A7 shall procure and maintain insurance of the types and in the minimum limits set forth in the agreement (lease, permit, etc.). The insurance company or companies writing the required policies shall be licensed to do business in the State of Georgia. In all cases, the Operator must comply with Georgia Statutes with respect to Worker's Compensation and Unemployment Insurance.

Such policies will name the following as insured parties and all agreements will contain a clause wherein the Operator indemnifies and holds harmless Henry County and AFCO AvPORTS Management LLC for any and all claims, damages, costs or judgments arising as a result of the Operator's conduct of any operations on the Airport. Insurance coverage must be approved by the County and certificates must be provided to the Airport Manager and maintained in full force and effect at all times.

Insurance required by the County shall include coverage of:

- Premises and Operations
- Independent Contractors and Subcontractors Liability
- Real Property (Fire)
- Personal Injury,
- Workers Compensation
- Employer's Liability
- Builder's Risk
- Product/Completed Operations

The applicable insurance coverages shall be in force during construction of the Operator's facilities and/or prior to entry upon the airport for the conduct of business.

Appendix C – Lease Application Form

Please refer to the **Rules and Regulations, Minimum Standards and Definitions** for explanation/clarification of terminology used in this **Lease Application Form**.

1. Personal name of Tenant(s):

2. Home address(es) and contact information for Tenant(s):

Street/P.O. Box
City, State, and Zip Code
Telephone – Office
Mobile
Fax
Email address(es)

3. Business name of Tenant(s):

4. Legal name of Tenant(s): (Please attach copy of legal entity paperwork filed with named state.)

5. Business address and contact information for purpose of notices:

Street/P.O. Box
City, State, and Zip Code
Telephone – Office
Mobile
Fax
Email address(es)

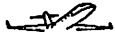
6. Commercial Aeronautical Activity to be provided: (If prospective Tenant is leasing space for General Aviation purposes as a User, then skip to 11.)

- a.
- b.
- c.

7. If a Commercial Aeronautical Activity(ies) is(are) to be provided, what are the intended hours of operation?

8. If a Commercial Aeronautical Activity(ies) is(are) to be provided, what is(are) the name(s) and qualifications of the persons conducting the Commercial Aeronautical Activity(ies) if different from the Tenant(s) named above. Please provide contact information requested in #5 for this(these) individuals:

Street/P.O. Box



**Atlanta
South
Regional**

City, State, and Zip Code
Telephone – Office
Mobile
Fax
Email address(es)

9. Total number of employees, including management but excluding Tenant(s):

10. Tools, equipment, and inventory required to conduct Commercial Aeronautical Activity:

11. Description of Leasehold:

12. Type and extent of construction or required improvements to Leasehold and associated budget:

(Note: Before any construction or improvements may commence, Tenant(s) will have to submit additional supporting paperwork per Section A. under V.)

13. List aircraft, by type and tail number to be operated by Tenant(s):

14. Proposed effective date of Lease:

15. Proposed Term of Lease: 5 years, 10 years, or 15 years

16. Insurance provider:

(Note: Henry County, Georgia, and AFCO AvPORTS Management LLC must be listed as an additional insured and be provided a copy of the Certificate of Insurance prior to occupying the Leasehold.)

Street/P.O. Box
City, State, and Zip Code
Telephone – Office
Mobile
Fax
Email address(es)