



WISCASSET
MUNICIPAL
AIRPORT

Minimum
Standards

Adopted March 2024

Record of Changes

Date	Section	Description Change

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1.0 INTRODUCTION

The Wiscasset Municipal Airport is federally obligated, which means the Town of Wiscasset, the owner-operator (sponsor), must comply with federal standards and regulations, including Federal Aviation Administration (FAA) [Grant Assurances](#). These assurances are addressed in §2.0, Background. As such, the following minimum standards for Commercial and Non-Commercial Operators at the Wiscasset Municipal Airport (Airport) have been adopted by the Selectboard on March 5, 2024.

Terms and abbreviations used in this document are in §11, page 15.

2.0 PURPOSE

Airport minimum standards regulate the conduct of Aeronautical Activities, specify specific provisions included in airport lease, license, permit, or concession agreements, and apply uniformly to all persons operating at the Airport. Any person operating at the Airport consents to be bound by these standards. Therefore, failure by users to comply with these minimum standards could result in loss of use of the Airport.

Airport minimum standards set forth the requirements an individual or entity wishing to provide aeronautical services to the public on a public-use airport must meet to provide those services, such as minimum leasehold size, required equipment, hours of operation, and fees. Minimum standards are imposed to ensure an adequately safe and efficient service is available to the public. In addition, once established, the minimum requirements benefit the airport sponsor. These include, but are not limited to:

- A. A safe operating environment.
- B. Providing higher quality services to the public.
- C. Airport sponsors can avoid conflicts and political entanglements.
- D. The orderly and efficient development of the Airport and its services
- E. Helps maintain compliance with Federal Grant Assurances
- F. Protects the Airport Sponsor by ensuring service providers maintain a minimum level of insurance coverage.

In addition, minimum standards provide benefits to existing and potential service providers.

- A. Current service providers' investment is protected from devaluation by new competing providers operating with substantially lower initial investment.
- B. Potential aeronautical service providers can accurately predict initial investment, allowing a more thorough business plan.

3.0 BACKGROUND

Most federal airport funding comes from the FAA [Airport Improvement Program \(AIP\)](#). The AIP is designed to fund planning and development at public-use airports. Once receiving federal grants, the airport's entity is referred to as the airport sponsor.

As part of receiving funds through the AIP program, airport sponsors must sign documents that ensure the airport will be used for the public good. These documents are known as grant assurances. Grant assurances ensure that airports receiving federal funds are operated to benefit the public and guarantee a level playing field for companies or individuals wishing to provide commercial aeronautical services. Two of the 39 current grant assurances are particularly important to minimum standards.

- **Grant Assurance 22 – Economic Non-Discrimination.** The sponsor will make the airport available for public aeronautical use on reasonable terms and without unjust discrimination. In any agreement under which a right or privilege at the Airport is granted, the sponsor will insert and enforce provisions requiring the contractor to meet specific requirements. The lessee must primarily furnish said services on a reasonable, not unjustly discriminatory basis.
- **Grant Assurance 23 – Exclusive Rights.** The airport sponsor will permit no exclusive right to use the Airport by anyone providing aeronautical services to the public. Providing services by a single Fixed-Based Operator (FBO) shall not be construed as an exclusive right if the following two conditions apply.
 - A. It would be unreasonably costly, burdensome, or impractical for more than one FBO to provide such services and
 - B. Allowing more than one FBO would require reducing space leased under an existing agreement between the FBO and the Airport.

The Town of Wiscasset will not grant the exclusive right to conduct aeronautical activities at the airport.

4.0 IMPLEMENTING OFFICIAL

The Airport Manager is the authorized representative of the Town Manager in enforcing these minimum standards.

4.1 AIRPORT OPEN ON A NONDISCRIMINATORY BASIS

Facilities at the Airport shall be open to all users on a fair and nondiscriminatory base.

4.2 HANGAR SPACE

Unless authorized by the Town, no person may offer for hire on the Airport any hangar for Aircraft, related service equipment, or surface vehicle unless such person has leased premises from the Town as an FBO or Specialized Aviation Services Operator (SASO).

4.3 COMPLIANCE WITH LAWS AND HEALTH, FIRE, CONSTRUCTION, AND ZONING

All persons utilizing the Airport shall comply with federal, state, and local laws, including the requirements of all Town health, fire, construction, and zoning codes applicable to the Airport and its operation.

All construction on the Airport shall comply with all applicable building codes adopted by the Town.

4.4 INSPECTIONS

To the extent necessary to protect the rights and interests of the Town or to assure compliance with the minimum standards or a lease, the Airport Manager or authorized representative, or any representative of the FAA or state agency having jurisdiction over the Airport shall have the right to enter and inspect, upon notice, during reasonable hours, structures, premises, facilities, and improvements on the Airport to determine compliance with these minimum standards and any applicable lease provisions.

4.5 CIVIL RIGHTS

Persons using the Airport shall comply with the [Civil Rights Act of 1964](#) and implement U.S. Department of Transportation, [Title 49, Part 21](#), and are expressly prohibited from discrimination against any group or individual based on race, creed, color, national origin, or sex.

4.6 COMPLAINTS

Complaints against any contractor or employees for violations of these minimum standards shall be in writing and filed with the Airport Manager.

4.7 USE OF LAND WITHIN THE AIRPORT

Airport property use is for aeronautical activities, but secondary nonaeronautical uses are permitted if three conditions are met.

- A. The primary aeronautical activity does not interfere with it and is not in violation of FAA regulations.
- B. The Town expressly authorizes it.
- C. Secondary use will benefit the Airport or provide better maintenance or development.

Nonpermanent activity may require approval by the FAA. The Airport Layout Plan (ALP) must show the permanent activity.

4.8 LIVING QUARTERS

No person may make any temporary or permanent living quarters on Airport property. However, the Airport Manager may grant an exception for "Emergency Response" personnel.

4.9 TAXIWAY ACCESS

If not provided, each operator conducting Aeronautical Activities shall provide paved access from its leased premises to the Airport's taxiway, taxilane, or apron system. Such access shall meet all applicable FAA standards for the largest aircraft type anticipated to use the operator's premises.

4.10 LICENSE, CERTIFICATES, AND AUTHORIZATIONS

Each person conducting activities at the Airport, whether for compensation or not, must possess all licenses, certificates, and authorizations required by these minimum standards and the applicable law to conduct such operations.

- A. Rights under a license, authorization, or contract granted by the Town are not exclusive rights.
- B. The Town may terminate a license, permit, or agreement after giving notice of default if the recipient fails to cure its default within 30 days or at other times specified in the license, permit, or agreement.
- C. The Town may terminate the lease, license, permit, or agreement upon fourteen (14) days' notice if the licensee fails to maintain the required insurance.
- D. No improvements or modifications to Airport property may be made without the prior written consent of the Town.
- E. No lease, license, permit, agreement, or any rights shall be assigned without the prior approval of the Town. In addition, the Town may require any potential assignee to submit biographical, financial information, credit, and background checks at least 30 days before a proposed assignment.

5.0 DOING BUSINESS AT THE AIRPORT

All commercial operators must obtain a permit, license, lease, or other agreement with the Town before conducting any Commercial operation at the Airport. The minimum standards are part of each commercial operator's lease, license, permit, or agreement with the Town unless any such standards or provisions are expressly waived or amended. Existing commercial operators and other activities listed in these minimum standards and operating at the Wiscasset Municipal Airport must comply within 180 days of the Town's adoption.

5.1 REQUIREMENTS OF ALL COMMERCIAL OPERATORS

Each commercial operator shall:

- A. Have adequate space through a lease or other agreement to accommodate the proposed operation.
- B. Maintain insurance as required by the minimum standards.

- C. Pay all applicable established fees when due. Such fees shall be set by Selectboard and published in the *Airport Rates and Charges*. Airport fuel prices and flowage fees may be revised periodically and adjusted as the market dictates.
- D. Control the conduct and demeanor of its personnel, subtenants, licensees, and invitees. Upon objection by the Airport Manager concerning the conduct or demeanor of any such person, they shall immediately take all lawful steps necessary to cure the objection.
- E. Shall do nothing that interferes with the effectiveness or accessibility of any public utility systems.
- F. Provide for proper handling and disposal of all hazardous materials the business generates. The handling and disposal must meet all federal, state, and local guidelines.
- G. Meet all environmental rules and policies, including applicable spill prevention and control measures. The Airport's Storm Water Pollution Prevention Program (SWPPP) and Spill Prevention Control and Countermeasures Program (SPCC) are available for review in the Airport office and on the Town's website.
- H. An operator may not utilize space or land leased to another operator without permission from the lessee and the Town.

5.2 MULTIPLE ACTIVITIES BY ONE COMMERCIAL OPERATOR

Whenever a commercial operator conducts multiple activities under one agreement with the Town, the commercial operator shall comply with the minimum standards for each undertaken activity. In addition, the minimum requirements most beneficial to the Airport or most protective of the public's health, safety, and welfare shall apply.

5.3 ACTIVITIES NOT COVERED BY MINIMUM STANDARDS

Any activity for which no specific minimum standards are set forth herein shall be subject to such standards and provisions developed by the Airport Manager on a case-by-case basis and outlined in such commercial operator's written lease, license, permit, or permit agreement with or from the Town.

5.4 WAIVER OR MODIFICATION OF STANDARDS

The Town may temporarily waive or modify any portion of the minimum standards to benefit any organization performing nonprofit public services, emergency response, fire protection, or fire-fighting operations. The temporary waiver shall not exceed 30 days.

5.5 AIRPORT BUSINESS PERMIT APPLICATION PROCESS

To conduct a commercial operation at the Airport, the applicant must submit a business proposal and receive approval from the Town. In addition to the following requirements, the Airport Manager may require the applicant to provide additional information to ensure compliance with the minimum standards. Therefore, the applicant shall, at minimum, submit the following documentation with the application.

- A. A detailed description of the scope of the intended operations and all services offered

- B. The amount of land, office space, or aircraft storage areas required for the operation
- C. A detailed description of any improvements or modifications to be constructed or made to Airport property, including cost estimates and a construction timetable
- D. The proposed hours of operation
- E. Documentation of the applicant's financial capabilities to construct any improvements and conduct any proposed activities
- F. A detailed description and evidence of the applicant's technical abilities and experience in conducting the proposed activities, including personal references
- G. The commencement date for the applicant's activities and the lease term, license, permit, or agreement sought, including all option periods.
- H. Corporate applicants shall provide A copy of the Articles of Incorporation and bylaws.
- I. Limited Liability Company applicants shall provide their Certificate of Formation and company agreement.
- J. Limited Partnership applicants shall provide a copy of the Certificate of Limited Partnership and Limited Partnership Agreement.
- K. General Partnership applicants shall provide a certified copy of the written partnership agreement.
- L. In the amounts outlined hereunder, a copy of a current Certificate of Insurance naming the Town of Wiscasset as additional insured. In addition, upon request, the Airport Manager may review a commercial operator's insurance policy and licenses at any time.
- M. A copy of a current lease/sublease or other agreement with the Town or an Airport tenant
- N. A schedule of rates and charges for all services to be provided
- O. Copies of all applicable FAA certificates
- P. Individual flight instructors not affiliated with a Commercial Operator and FAA Designated Examiners may provide services to pilots who operate their Aircraft without obtaining a license from the Town.

5.6 APPLICATION PROCESSING

The Town shall review fully completed and submitted applications. The Town may approve or disapprove an application for a license, permit, or agreement to conduct activities at the Airport. The Town may approve any such application that meets the criteria stated in the minimum standards. Grounds for denial include the following:

- A. The applicant does not meet the minimum qualifications and standards set forth.
- B. The proposed activities will likely create a safety hazard at the Airport.

- C. The activities will require the Town to expend funds or supply labor or materials because of the applicant's activities if the Town chooses not to do so or if it will result in a financial loss to the Airport.
- D. No appropriate space or land is available to accommodate the proposed activities.
- E. The proposed activities are not consistent with the ALP.
- F. The proposed activities will result in congestion of Aircraft or buildings, a reduction in Airport capacity, or undue interference with other operations at the Airport.
- G. The applicant or any of its principals has knowingly made false or misleading statements while applying for a license, permit, or agreement.
- H. The applicant or any of its principals has violated FAA regulations or any other applicable laws, ordinances, rules or regulations, or minimum standards.
- I. The applicant has not submitted appropriate documentation supporting the proposed activity as required.
- J. Approval of the application would not be in the best interest of the Airport or Town.

Any denial on this ground must be within the discretion afforded to the Town under applicable FAA regulations.

6.0 COMMERCIAL OPERATIONS

Before operation as an FBO or SASO, an application must be filed under §4.5 Airport Business Application Process, and the Town must approve.

6.1 FUELING

Only an approved FBO or SASO may sell aviation fuel to the public under an approved fuel license. Therefore, private fuel storage facilities are not permitted at the Airport, except to the limited extent that an individual aircraft operator desiring to self-fuel only his Aircraft must provide evidence of insurance covering such activity and obtain written permission from the Airport Manager and the Town Fire Chief. In addition, the FBO or SASO must demonstrate compliance with Advisory Circular (AC) 150/5230-4, *Aircraft Fuel Storage, Handling, Training, and Dispensing on Airports*, and The National Fire Prevention Association (NFPA) 407, Standard for Aircraft Fuel Servicing.

6.2 FIXED BASED OPERATOR

No person may operate as an FBO unless that person has received and currently holds valid authorization from the Town. In addition to the requirements of §4.1, Requirements of All Commercial Operators, an FBO must meet and maintain the requirements listed in this section.

6.2.1 General Requirements.

The FBO/SASO must perform the following functions or abide by the following rules.

- A. Have an agreement with the Town to conduct such business.

- B. Make its business open to all forms and classes of aeronautical activity.
- C. Properly dispose of any trash from the leased property.
- D. Obtain approval from the Town before reducing any services included in the FBO's agreement with the Town.
- E. Furnish all applicable services reasonably, equally, and nondiscriminatory to airport users.
- F. Abide by all rules, requirements, or mandates placed upon the Town by the FAA or the State of Maine, including the FAA Grant Assurances and the Terms and Conditions of State of Maine grants.
- G. The FBO/SASO will not permit the flagging or hawking of Aircraft to direct them to their location.
- H. Surrender FBO/SASO rights 60 days after written notice and failure to cure if minimum standards are not continually met.

6.2.2 Land and Facility Requirements

An FBO must have a lease and a facility meeting the following requirements.

- A. Apron. An FBO must have at least 7,500 square feet of tenant-developed apron area (not including any building area and automobile parking areas) to support aircraft operations. This apron area shall accommodate the following:
 - 1. Aircraft with a wingspan of up to forty-nine (49-ft).¹
 - 2. Circulation taxilanes facilitate access to/from aircraft parking and the taxiway system.
 - 3. Adequate area to accommodate transient aircraft operations, towing aircraft to/from storage hangars, and the taxiway system.
- B. Office Space/Building: An FBO must use a tenant-developed office space/building large enough to support the intended purpose.

6.2.3 Services

An FBO must provide the following minimum services:

6.2.3.1 Aviation Fueling

- A. An FBO must provide, at minimum, Avgas and may provide Jet A fuel.
- B. The FBO may construct a fuel storage facility and provide dispensing equipment (stationary fuel farm or mobile trucks) sufficient to serve the needs of the aircraft that frequent the Airport.

¹ 49 feet is the maximum wingspan of an aircraft in FAA Aircraft Design Group I, which is the designated design aircraft size at IWI.

- C. Jet-A fueling must include single-point and over-the-wing fueling capabilities and a minimum capacity of 2,000 gallons if provided.
- D. Avgas fueling shall include a minimum capacity tank of 2,000 gallons or a refueling vehicle with a minimum capacity of 500 gallons.
- E. All refueling vehicles shall be registered in Maine and capable of operation on public roads.
- F. Refueling vehicles shall be parked on a concrete pad.
- G. The FBO shall require its fuel-handling personnel to complete training courses, obtain a fuel handler's certification, and receive periodic refresher training as required by AC 5230-4 and the Town Fire Department. The Supervisory Training Program must be obtained by completing an FAA-authorized Supervisory Fuel Safety training course. Employees who fuel aircraft or otherwise handle fuel must receive at least initial on-the-job training and recurrent instruction in fire safety every 24 consecutive calendar months from a trained supervisor.
- H. The FBO must develop a Standard Operating Procedure (SOP) for aviation fueling activities and submit it for approval from the Airport Manager. The SOP must include a plan of action in case of a fuel spill per the Airport's Spill Prevention and Control and Countermeasures (SPCC) plan.
- I. All fuel trucks/equipment must meet all applicable local and state codes, be approved for use by the Wiscasset Fire Department and Airport management, and meet the requirements of [NFPA Manual 407 – "Standard for Airport Fuel Servicing."](#)

6.2.3.2 Aircraft Maintenance and Repair Services

The FBO may provide aircraft maintenance and repair services consistent with §5.3, Specialized Aviation Services Operator (SASO).

6.2.3.3 Concierge Services

The FBO must

- A. Have at least one courtesy car for customer services and support or agreements with rental car companies for customer support.
- B. Have a pilot and passenger lounge with at least one restroom and refreshments.

6.2.3.4 Subcontracting Services, Subleasing, Restrictions

- A. The FBO may subcontract aircraft maintenance and repair services and the retail sale of aircraft parts and accessories. Each subcontractor meets the SASO requirements of these minimum standards as stated and, in such areas, approved by airport management.
- B. The FBO shall not sublease, permit, or allow any other person to operate as a SASO within the FBO leased or permitted area or conduct any business venture without the prior written approval of the Town.

6.2.4 Fuel Flowage Fees

- A. The FBO shall pay the Airport Fuel Flowage Fee on all fuel purchased for storage and use at the Airport.
- B. The FBO shall submit copies of all fuel delivery bills of laden when submitting payment.

6.2.5 Hours of Operation.

- A. An FBO must provide daily services, be open for regular business between Memorial Day and Labor Day, and be on-call twenty-four hours per day throughout the year with a one-hour or less response time.

6.3 SPECIALIZED AVIATION SERVICES OPERATOR (SASO)

No person may operate as an SASO unless that person has received and holds a valid written authorization from the Town. In addition to the requirements of §4.5, Airport Business Permit Application Process, and the General Requirements listed in §5.2.1, a SASO must meet the provisions of this section.

6.3.1 General Requirements

- A. The SASO business operator must have
 - 1. A lease with sufficient and appropriate space to conduct the functions of the SASO as it has represented it will perform for a period of a minimum of 12 months for either leased Airport property or Airport property with Town-owned facilities on it, said the Selectboard has approved the lease, or
 - 2. A sublease from an FBO or another SASO with sufficient and appropriate space to conduct those functions as a SASO that the Town has approved and shall set out in the written authorization. The sublease shall define the type of business and service the sub-lessee SASO offers.
 - 3. The sub-lessee SASO shall meet all minimum standards established by the Town for the categories of services to be furnished by the SASO. The minimum requirements may be met between the lessee and the sub-lessee. However, the sublease agreement shall specifically define those services provided by the lessee to the sub-lessee that shall be used to meet the standards.
- B. A multiple services SASO engages in any two or more of the aeronautical services for which minimum standards have been provided.
- C. The SASO shall comply with the aircraft requirements, including the equipment necessary for each aeronautical service, except that multiple uses can be made of all Aircraft owned or under lease by SASO.
- D. The SASO shall obtain, as a minimum, insurance coverage equal to the more critical requirement for all individual aeronautical services being performed by SASO.

- E. During its employment and duty during the appropriate business hours, the SASO shall have trained personnel in such numbers as are required to meet the minimum standards for each aeronautical service the SASO performs as provided. Multiple responsibilities may be assigned to meet the personnel requirements for each aeronautical service the SASO performs.

6.3.2 Aircraft Sales

All SASOs conducting aircraft sales must meet the additional requirements of this section.

- A. Lease or have access to at least 100 square feet of office space.
- B. If dealing in Aircraft, hold a valid FAA aircraft dealer registration certificate (Form 8050-6)
- C. Ensure that all other fees and taxes applicable to the sale of Aircraft are paid to the appropriate parties.

6.3.3 Airframe, Engine, and Accessory Maintenance and Repair Services

All SASOs conducting Airframe, Engine, and Accessory Maintenance and Repair Services must meet the additional requirements of this section.

- A. Provide sufficient shop space, equipment, supplies, and parts availability equivalent to that required for approved FAA repairs.
- B. Conduct maintenance and repair operations or business activities inside hangars or other structures designed for such activities. Specific lease agreements and fire codes shall determine what hangars and other structures shall be approved for aircraft Maintenance and Repairs.

6.3.4 Mobile Aircraft Maintenance and Repair Services

All SASOs conducting Mobile Aircraft Maintenance and Repair Services must meet the additional requirements of this section.

- A. Be certified by the FAA with ratings appropriate to the work being performed and who holds an airframe, power plant, or aircraft inspector rating.
- B. Conduct all activities inside hangars or other structures designed for such functions. Specific lease agreements and fire codes shall determine what hangars or other structures shall be approved for mobile maintenance and repairs.

6.3.5 Aircraft Leasing or Rental Services

All SASOs conducting Aircraft Leasing or Rental Services must meet the additional requirements of this section.

- A. Lease or have access to at least 100 square feet of office space.
- B. Maintain all required FAA licenses.

6.3.6 Flight Training Services

All SASOs conducting flight training services must meet the additional requirements of this section.

- A. Have available for use in flight training, either owned or under a written lease, a minimum of one airworthy aircraft, which must be at least a two-place aircraft suitable for private pilot training.
- B. Employ at least one FAA Certified Flight and Ground Instructor to provide the type of training offered.
- C. Appropriate office space and adequate classroom facilities at the airport or other off-airport locations are needed to properly operate the flight training services for the amount and type of training involved.

6.3.7 Avionics, Instruments, or Propeller Repair Services

All SASOs conducting Avionics, Instruments, or Propeller Repair Services must meet the additional requirements of this section.

- A. Hold the appropriate certificates issued by the FAA for the equipment planned to be repaired, serviced, and installed.
- B. Employ and have on duty at least one person currently certified by the FAA with ratings appropriate to the services offered during the appropriate business hours.
- C. Conduct operations or business activities inside hangars or other structures designed for such functions. Specific lease agreements and fire codes shall determine what hangars or other structures shall be approved for repair services.

6.3.8 Aircraft Charter and Air Taxi Services

All SASOs conducting aircraft charter and air taxi services must meet the additional requirements of this section.

- A. Have and provide the appropriate and current [Federal Aviation Regulation \(FAR\) Part 135 Certificates](#) or provisional FAR Part 135 Certificates.
- B. Own or lease aircraft continuously airworthy exclusively by written agreement. All Aircraft shall meet the requirements of their FAA certificate and Operating Specifications Manual.
- C. Have adequate leased hangar space for each owned or leased Aircraft.

6.3.9 Specialized Commercial Flying Services

All SASOs conducting Specialized Commercial Flying Services must meet the additional requirements of this section.

- A. Demonstrate the availability of Aircraft suitably equipped for the type of operation intended to be performed.
- B. Have adequate hangar or ramp space for each owned or leased Aircraft.

C. Have adequate office space for proper operation of the commercial flying services.

7.0 FLYING CLUBS

A Flying Club (Club) with its principal location on the Wiscasset Municipal Airport shall meet the standards in this section.

Flying clubs must conform to the FAA definition in the [FAA Order 5190.6, Airport Compliance Manual](#). The FAA defines a flying club as a nonprofit or not-for-profit entity (e.g., corporation, association, or partnership) organized to provide its members with Aircraft for personal use and enjoyment.

Flying clubs should no longer hold themselves out as fixed-based operators, flight schools, or businesses offering services to the public.

Certified Flying Instructors (CFI) and mechanics should be permitted to receive either monetary compensation or discounted /waived regular club member dues, but not both.

Flying clubs must not indicate in any form of marketing or communications that they are a business where people can learn to fly.

8.0 INSURANCE

Persons, businesses, and organizations engaged in commercial activities, including flying clubs, must maintain the minimum insurance required by the Town and as established by the Maine Municipal Association.

9.0 BUILDING/IMPROVEMENT STANDARDS

9.1.1 General Requirements

All buildings and structures owned or used by the Airport operators shall comply with state and local laws, codes, and regulations. All buildings, structures, and improvements must be maintained in a sound structural and mechanical condition by the operator throughout the term of use.

9.1.2 Maintenance of the Airport

The Town is responsible for maintaining all common facilities and infrastructure, including but not limited to the runway, taxiways, airport navigation aids, runway and taxiway lights, signs, markings, and other infrastructure required for flight safety and aircraft parking aprons as shown on the ALP. In general, the maintenance of areas not leased shall be the Town's responsibility.

Otherwise, each lessee of land or facilities on the Airport shall keep the leased area neat and clean, free from any hazard of life, limb, or property, junk and debris, and aesthetically pleasing.

9.1.3 Buildings and Structure Standard

No person may construct, remodel, erect, or maintain any structure or shelter, either permanent or temporary, unless specifically authorized by the Town. Except as noted, the Town does not permit the construction, erection, or continued presence of a structure unless it is of permanent construction, has paved floors, is aesthetically pleasing, and, at a minimum, meets building, fire, and other codes or standards applicable in the Town. The Town may waive this policy if it is determined that such action is necessary to provide minimal service to Airport users. All asphalt pavement must be constructed to support the aircraft's maximum weight for the hangar location.

9.1.4 Construction Process

Before commencing any construction of a new building or improvements or modifications to an existing structure, the operator must submit detailed construction plans and specifications to the Town for approval. For all new construction and any modification of an existing structure's size, height, or location, the operator must submit a Notice of Proposed Construction to the FAA (known as the 7460 processes) and provide the Town with the Aeronautical Study Number (ASN). The operator must submit the FAA's Notice of Determination Letter to the Airport Manager and Town Planning Board. The operator must submit a copy of the Town-issued building permit to the Airport Manager. Operators must comply with all required building inspections.

All improvements or modifications made to Airport property shall become the Airport's property at no cost to the Airport upon the termination of the operator's lease.

10.0 LEASING

10.1.1 Conflicts in Lease

Should any portion of these Standards conflict with the conditions of any lease agreement executed by the Town, the executed lease agreement's conditions will control these minimum standards for the remainder of the lease term or renewal thereof.

10.1.2 Exclusive Rights

No person may be granted in fact or by written instrument any exclusive right in violation of the FAA Grant Assurances applicable to the Airport. Determination of the existence of a prohibited exclusive right lies within the exclusive jurisdiction of the FAA. If the FAA determines that any provision of a written instrument or practice constitutes a grant of a prohibitive exclusive right, such provision or grant shall be deemed void.

10.1.3 Ground Lease Application

Ground lease requests shall be made to the Airport Manager, who will provide the applicant with instructions on the needed information to proceed with the request. The following will be included in the application.

- A. Intended aeronautical use of the project and a preliminary analysis of the project's impact on Airport traffic or noise

B. Concept plan including preliminary sketches of construction and infrastructure build-out

C. Timeline to complete the project

The Airport Manager will review the request for compliance with the Airport Layout Plan, Airport Master Plan, Airport Rules and Regulations, and minimum standards.

After receipt of a completed request for a lease, the Airport Manager and potential lessee will present the lease proposal at the next scheduled Advisory Committee meeting.

All lease proposals will be forwarded to the Town Manager with a recommendation from the Advisory Committee.

10.1.4 Lease Charges and Escalation Clauses and Terms

All unimproved Airport property shall be leased per square foot per year as set by the Town in the Airport's *Fee and Rate Schedule*. The term of each lease for the use of unimproved Airport property shall be set by the Town, not to exceed twenty (20) years, with a maximum of a ten (10) year option.

11.0 TERMS AND ABBREVIATIONS

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

Advisory Board: Town-appointed board that makes recommendations to the Town about Airport-related matters.

Advisory Circular (AC): FAA publications comprising all non-regulatory material of a policy, guidance, and technical nature.

Aeronautical Activity: Any activity or service conducted on Airport property that involves, makes possible, or is required for the operation of aircraft or contributes to, or is required for, the safety of such operations. Aeronautical Activities include, but are not limited to:

- General and corporate aviation
- Air taxi and charter operation
- Aerial photography
- Pilot training
- Aircraft rental
- Sightseeing
- Aerial surveying

- Aircraft sales and service
- Aviation fuel and oil sales (whether conducted in conjunction with other included activities)
- Repair and maintenance of Aircraft
- Sale of aircraft parts
- Aviation fire suppression
- Aviation advertising
- Aircraft management
- Any other activities that, because of their direct relationship to the operation of aircraft, can appropriately be regarded as an aeronautical activity.

Airport Sponsor: The entity recognized by the FAA responsible for the operations of an airport.

Air Traffic: Aircraft in operation anywhere in the air or, when under its power, on the ground.

Aircraft: This means any device intended to fly in the air.

Aircraft Charter and Air Taxi Services: An Air Charter or Air Taxi Operator provides air transportation (persons or property) to the general public for hire on a basis under the Code of Federal Regulations CFR 14 Part 135 of the Federal Aviation Regulations.

Aircraft Fuel: Means all flammable substances expressly manufactured and blended to operate an Aircraft engine.

Aircraft Operator: Person in charge or command of an aircraft.

Airport Layout Plan (ALP): An FAA-approved set of drawings showing Airport boundaries, physical features, and proposed additions to all areas owned or controlled by the sponsor for Airport purposes, the location and nature of existing and proposed airport facilities and structures, and the location on the Airport of the existing and proposed non-aviation areas and improvements thereon. The drawings also show local airspace, approach areas, and obstructions in the approach areas.

Airport Rates and Charges: A schedule of fees approved by the Town payable by users and Operators.

Airport Tenant: A person who leases or uses property at the Airport solely for park-based aircraft and is not engaged in any Commercial operation.

Airside: The area of the Airport is either contained within the Airport perimeter fence or requires access through a building located on or adjacent to Airport property, which requires access to an Airport surface such as runways, taxiways, or aprons.

Apron: A defined pavement area intended to accommodate Aircraft loading or unloading passengers or cargo, servicing, and parking.

Avionics, Instruments, or Propeller Repair Services: A service that engages in the business of and provides a shop for repairing aircraft avionics, propellers, instruments, and accessories for general aviation aircraft. This category may include the sale of new or used aircraft avionics, propellers, instruments, and accessories.

Based Aircraft: Aircraft which the Owner physically locates and domiciles at the Airport intending that it remain for an undetermined period, and which, whenever it is absent from the Airport, the Owner wants to return it to the Airport.

Building: Main portion of a structure, all projections or extensions, any changes or additions to it, and shall include garages, outside platforms, docks, carports, canopies, eaves, and porches.

Building Area: An area on an airport to be used, considered, or intended to be used for Airport buildings or other Airport facilities or rights-of-way, together with all Airport buildings and facilities located thereon.

Town: The Town of Wiscasset, Maine, and Owner and sponsor of the Wiscasset Municipal Airport.

Commercial Operator: A person who provides goods or services at the Airport for compensation. Such activities are deemed "Commercial operations." An activity is considered a commercial operation regardless of whether the business is nonprofit, charitable, or tax-exempt.

FAA: Federal Aviation Administration.

FAA Form 7460-1: FAA Notice of Proposed Construction or Alteration

FAR: Federal Aviation Regulations.

Flying Club: An entity or organization organized solely to provide its members with one or more Aircraft for personal use and enjoyment.

Fuel Flowage Fees: Fees levied by the Town for aviation fuel sold at the Airport.

Hangar: Fully enclosed structure intended to house Aircraft, either for storage purposes or while undergoing maintenance and repair.

Hazardous Material: Hazardous or toxic substance, waste, or material that is toxic, explosive, corrosive, flammable, infectious, radioactive, carcinogenic, mutagenic, teratogenic, or otherwise hazardous and is or becomes regulated by any governmental authority, agency, department, board, board, agency or instrumentality of the United States, the State of Maine, or any political subdivision thereof.

Improvements: All buildings, structures, and facilities, including pavement, fencing, signs, and landscaping, constructed, installed, or placed on, under, or above any leased area by or with the concurrence of a lessee.

Landing Area: Any locality, either on land or water, including Airports, heliports, and STOL (Short Takeoff and Landing) ports, which is used or intended to be used for the landing and takeoff or surface maneuvering of aircraft, whether facilities are provided for the shelter, servicing, or repair of Aircraft, or for receiving or discharging of passengers or cargo.

Landside: The public everyday use areas of the Airport, such as public roadways, parking lots, and buildings.

Lease: A written agreement between the Town and a person granting permission to use Airport land and buildings and authorizing the conduct of specified activities.

Line Service: The general pre-flight or post-flight dispensing of aviation fuel, checking aircraft engine oil, adding engine oil, windshield cleaning, etc., conducted at an FBO area by line personnel dispensing fuel from a truck designed for such purposes.

Non-Commercial Operators: A person or entity that neither offers nor provides goods or services to the public for compensation.

Operator: Any person conducting Aeronautical Activity at the Airport.

Person: An individual; a corporation, firm, partnership, association, organization, agency, and any other group or entity acting as a unit; the state, county, and political subdivision of the state or other governmental entity.

Ramp: Paved area suitable for aircraft parking.

Repair Facility: A facility utilized to repair aircraft includes airframes, power plants, propellers, radios, instruments, and accessories. Such facility will be operated under pertinent local, state, and FAA regulations.

Roadway: Any street or road, whether improved or unimproved, within the boundaries of the Airport and set aside or designated for use by vehicles, whether dedicated or not.

Runway: Segments of land at the airport are prepared and marked for use by aircraft in taking off and landing.

Specialized Aviation Services Operator (SASO): A person offering one or more specialized aeronautical services at the Airport, including without limitation the following activities:

- Aircraft / Helicopter Sales
- Airframe, Engine, and Accessory Maintenance and Repair
- Aircraft Leasing or Rental Services
- Flight Training Services

- Avionics, Instruments, or Propeller Repair Services
- Aircraft Charter and Air Taxi Services
- Hangar Leasing Services
- Specialized Commercial Flying Services
- Aerial Applicators
- Mobile Aircraft Washing Services
- Mobile Aircraft Maintenance and Repair Services

Specialized Commercial Flying Services: A Specialized Commercial Flying Services Operator engages in air transportation for hire to provide the use of Aircraft for the following activities:

- Non-stop sightseeing flights that begin and end at the same Airport
- Aerial advertising
- Aerial photography or survey
- Power line or pipeline patrol
- Fire fighting
- Any other operations expressly excluded from FAR Part 135 of the Federal Aviation Regulations.

Sublease: Lease granted by a lessee, only with permission from the Town to another entity for all or part of the leased property.

Taxilane: Portion of the Airport apron or any other area used for access between taxiways and aircraft parking and storage areas.

Taxiway: A defined path established for the aircraft taxiing from one part of the Airport to another.

Taxiway Safety Area: A cleared, drained, and graded area, symmetrically located about the extended taxiway centerline and adjacent to the end of the taxiway safety area.

Terminal Apron: The paved or surface-treated area adjacent to the terminal building reserved for use by itinerant Aircraft, also for aircraft refueling, or the loading or unloading of passengers or cargo, and includes that portion of the parking apron reserved for aircraft owners leasing space from the Town for month-to-month parking.

Tie-Down: Area within an open-air aircraft parking or storage area where Aircraft may be secured to the ground, either by use of fixed tie-down points or moveable anchors.

Transient Aircraft: Aircraft that are not "based aircraft" at the Airport.

