

**AERONAUTICAL ACTIVITIES AND SERVICES**  
**AT THE BIG SPRING AIRPORT AND INDUSTRIAL PARK**

**Chapter 10**

**Article 1. In General**

**Sec. 10-1. General statement of policy.**

A fair and reasonable opportunity, without discrimination, shall be accorded to all operators to qualify or compete for available airport facilities and the furnishing of selected aeronautical services subject to the minimum standards and requirements established by the city and set forth in Article 2.

Contingent upon qualifications, meeting the established minimum standards, the execution of a written agreement with the city, and the payment of the prescribed rentals, fees and charges, the operator shall have the right and privilege of engaging in and conducting the authorized activities on the city's airport as specified by the written contract. The granting of such right and privilege, however, shall not be construed in any manner as affording the operator any exclusive right of use of the premises and facilities of the airport, other than those premises which may be leased exclusively to him, and then only to the extent provided in a written agreement. The city reserves and retains the right for the use of the airport by others who may desire to use the same, pursuant to applicable federal, state and local laws, ordinances, codes, minimum standards, and other regulatory measures pertaining to such use. The city reserves the further right to designate the specific airport areas in which aeronautical services may be conducted. Such designation shall give consideration to the nature and extent of the operation and the lands available for such purpose, consistent with the orderly and safe operation of the airport. (Ord. of 6-22-82, §10-1)

**Sec. 10-2. Definitions of a commercial aviation operator- activities.**

A commercial aviation operator is defined as a person, firm or corporation engaging in any activity which involves or makes possible the operation of aircraft, or which contributes to, or is required for the safety of aircraft operations for profit. Authorized activities shall be strictly limited to any one, or a combination, of the following aeronautical services performed in full compliance with the specific activity standards hereinafter set forth.

- (A) Aircraft sales (new and/or used)
- (B) Airframe and power plant repair facilities
- (C) Aircraft rental
- (D) Flight training
- (E) Line services (aircraft fuels and oil dispensing)
- (F) Specialized aircraft repair services (radios, propellers, instruments and accessories)
- (G) Aircraft charter and air taxi
- (H) Specialized commercial flying services
- (I) Multiple services
- (J) Commercial aviation operators subleasing from another commercial operator on the airport

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(K) Non-profit flying clubs and similar non-profit corporations even though they may provide flight instruction, rental aircraft, and other services for their members only, are not considered commercial aviation operators for purpose of these standards. Any other activities not specifically provided for in the minimum standards, will normally be subject to negotiation. (Ord. of 6-22-82, §10-2)

**Sec 10-3. Pre-qualifications requirements.**

The prospective operator shall submit in written form to the city manager or his designated representative at the time of his application the following information and, thereafter, such additional information as may be requested by the city:

(A) Intended scope of activities.

As a condition precedent to the granting of an operating privilege on the airport, the prospective operator must submit a detailed description of the scope of the intended operation and location, and the means and methods to be employed to accomplish the contemplated operating standards and requirements, in order to provide high-quality service to the aviation and general public in the Big Spring air service area, including the following:

- (1) The services to be offered
- (2) The amount of land to be leased
- (3) The building space to be constructed or leased
- (4) The number and type of aircraft to be provided
- (5) The number of persons to be employed
- (6) The number and types of insurance coverage to be maintained
- (7) Evidence of financial capability to perform and provide the proposed services and facilities
- (8) The intended location and layout plan of any proposed or future development.

(B) Financial responsibility.

The prospective operator must provide a statement, satisfactory to the city, in evidence of his financial responsibility, from a bank or trust company doing business in the area or from such other source that may be acceptable to the city and readily verified through normal banking channels. The prospective operator must also demonstrate financial capability to initiate operations and for the construction of improvements and appurtenances that may be required commensurate with the concept of the proposed operation, or operations, and shall also indicate his ability to provide working capital to carry on the contemplated operations, once initiated.

(C) Experience.

The prospective operator shall furnish the city with a statement of his past experience in the specified aviation services selected by him and to be supplied by him on the city's airport. (Ord. of 6-22-82, §10-3)

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**Sec. 10-4. General requirements.**

(A) Requirement of a written agreement.

Prior to the commencement of operations, the prospective operator will be required to enter into a written agreement with the city, which agreement will recite the terms and conditions under which he will operate his business on the airport, including but not limited to the term of agreement; the rentals, fees and charges; the rights, privileges and obligations of the respective parties and other relevant covenants. Neither the conditions herein contained nor those set forth in the schedule of minimum standards and requirements represent a complete recitation of the provisions to be included in the written agreement. Such contract provisions, however, will not change or modify the minimum standards requirements, or be inconsistent therewith.

(B) Site development standards.

(1) Physical facilities.

- (a) The minimum space requirements as hereinafter provided shall be satisfied with one (1) building, attached buildings, or separate buildings. A hangar building shall have at least one (1) door that will accommodate aircraft for that particular operation.
- (b) The operator shall provide a paved walkway within the leased area to accommodate pedestrian access to the operator's office from the parking lot, and telephone facilities for customer use. Floor space allotments shall include office, customer lounge, and restroom facilities, all properly heated and lighted.

(2) Personnel.

The operator shall have in his employ, and on duty during operating hours, trained personnel in such numbers as are required to meet the minimum standards and requirements set forth in an efficient manner for each aeronautical service being performed. The operator shall also provide a responsible person in the office to supervise the operations in the leased area on the airport and with authorization to represent and act for, and on behalf of, the operator during all business hours.

All personnel hereinafter required to hold Federal Aviation Administration certificates and ratings shall maintain such certificates and ratings.

(C) Insurance.

The operator shall procure and maintain insurance of the types and in the minimum limits set forth in the schedule of minimum standards for the respective categories of aeronautical services. The insurance company, or companies, writing the required policy or policies shall be licensed to do business in the State of Texas.

Where more than one aeronautical service is proposed, the minimum limits will vary dependent upon the nature of individual services in such combination. All insurance, which the operator is required by the city to carry and keep in force shall include the City of Big Spring, the city council, the airport and industrial park steering committee and aviation committees, the airport

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board, the city manager of the City of Big Spring, and the officers, agents and employees of the City of Big Spring as additional named insured. The operator shall furnish evidence of his compliance with this requirement to the city manager or his designated representative and will furnish additional certification as evidence of changes in insurance not less than ten (10) days prior to any such change, if the change results in a reduction in overages, and not more than five (5) days after such change if the change results in an increase in overages. The applicable insurance coverage shall be in force during the period of construction of the operator's facilities and/or prior to his entry upon the airport for the conduct of his business.

(D) General lease clauses.

These lease clauses shall be contained as a minimum in all leases between the city and operator engaged in any aeronautical service on the airport.

- (1) Notwithstanding any other or inconsistent provision of this agreement, during the performance of this agreement, lessee, for itself, its heirs, personal representatives, successors in interest and assigns, as part of the consideration for this agreement, does hereby covenant and agree, as a covenant running with the land, that:
  - (a) No person on the grounds of race, color, religion, sex, or national origin shall be excluded from participation in, denied the benefit of, or otherwise be subjected to discrimination in the use of the premises.
  - (b) In the construction of any improvements on, over or under the premises, and the furnishing of services therein or thereon, no person on the grounds of race, color, religion, sex, or national origin shall be excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination.
  - (c) Lessee shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Sub-title A, Office of the Secretary, Part 21, Nondiscrimination in Federally Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1954, and as said regulations may be amended.
  - (d) In the event of breach of any of the above nondiscrimination covenants, lessor shall have the right to terminate this agreement and to reenter and repossess the premises and hold the same as if said agreement had never been made or issued. This provision does not become effective until the procedures of 49 CFR Part 21 have been followed and completed, including expiration of appeal rights.
- (2) Aircraft service by owner or operator of aircraft. No right granted herein shall operate to prevent any person or persons, firm or corporation operating aircraft on the airport from performing any services on its own aircraft with its own regular employees (including, but not limited to, maintenance and repair) that it may choose to perform.
- (3) Non-exclusive rights. It is not the intent of this agreement to grant to lessee the exclusive right to provide any or all of the services described in this article at any time during the term of this agreement. Lessor reserves the right, at its sole discretion, to

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grant others certain rights and privileges upon the airport which are identical in part or in whole to those granted to lessee. However, lessor does covenant and agree that:

- (a) It shall enforce all minimum operating standards or requirements for all aeronautical endeavors and activities conducted at the airport;
  - (b) Any other operator of aeronautical endeavors or activities will not be permitted to operate on the airport under rates, terms or conditions which are more favorable than those set forth in this agreement; and,
  - (c) It will not permit the conduct of any aeronautical endeavor or activity at the airport except under an approved lease and operating agreement.
- (4) Airport development. The city reserves the right to further develop or improve the landing area of the airport as it sees fit, regardless of the views of the operator, and without interference or hindrance. If the physical development of the airport requires the relocation of the operator, the city agrees to provide a comparable location with similar facilities, and agrees to relocate all operator-owned buildings or provide similar facilities for the operator at no cost.
- (5) City's rights. The city reserves the right (but shall not be obligated to the operator) to maintain and keep in repair the landing area of the airport and all publicly owned facilities of the same together with the right to direct and control all activities of the operator in this regard.
- (6) War or national emergency. During any time of war or national emergency, the city shall have the right to lease the landing area or any part thereof to the United States Government for military use and, if such lease is executed, the provisions of this instrument insofar as they are inconsistent with the provisions of the lease to the Government, shall be suspended or modified in whatever manner is appropriate to the situation.
- (7) Airport obstructions. The city reserves the right to take any action it considers necessary to protect the aerial approaches of the airport against obstruction, together with the right to prevent the operator from erecting, or permitting to be erected, any building or other structure on the airport which, in the opinion of the city, would limit the usefulness of the airport or constitute a hazard to aircraft.
- (8) Subordination. This agreement shall be subject and subordinate to the provisions of the Indenture and the Amendment to Indenture whereby the lessor derived title to the premises from the United States and to any existing or future agreement between lessor and the United States, or any agency thereof, relative to the operation or maintenance of the airport, the execution of which has been or may be required as a condition precedent to the expenditure of federal funds for the development or operation of the airport; provided, however, that lessor shall, to the extent permitted by law, use its best efforts to cause any such agreements to include provisions protecting and preserving the rights of lessee in and to the premises, and to

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compensation for the taking thereof, interference therewith and damage thereto, caused by such agreement or by actions of lessors of the United States pursuant thereto.

- (9) Compliance with laws, etc. Lessee shall comply with all federal, state and local laws, rules and regulations which may apply to the conduct of the business contemplated, including rules and regulations promulgated by lessor, and lessee shall keep in effect and post in a prominent place all necessary and/or required licenses or permits.
- (10) Indemnity. To the extent not covered by insurance carried in favor of lessor, lessee shall keep and hold harmless lessor from and against any and all claims, demands, suits, judgments, costs and expenses asserted by any person or persons, including agents or employees of lessor or lessee, by reason of death or injury to persons or loss or damage to property, resulting from lessee's operations, or anything done or omitted by lessee, under this agreement except to the extent that such claims, demands, suits, judgments, costs and expenses may be attributed to the acts or omissions of lessor or its agent or employees.
- (11) Misrepresentation. This agreement constitutes the entire understanding between the parties, and as of its effective date supersedes all prior or independent agreements between the parties covering the subject matter hereof. Any change or modification hereof must be in writing signed by both parties.

(E) Miscellaneous.

The prospective operator may select one, or a combination of the aeronautical services covered by the city's minimum standards and requirements. Where more than one activity is proposed, the minimum requirements will vary (dependent upon the nature of individual services in such combination) but will not necessarily be cumulative in all instances. Because of these variables, the applicable minimum standards on combinations of services will be discussed with the prospective operator at the time of his application or, otherwise, during lease negotiations.

The pertinent minimum standards and requirements for any commercial aviation operator will be predicated upon the nature of his initial business venture. If at a later date the business is expanded to encompass new and additional types of services, the negotiated minimum standards established for these additional services shall immediately apply. (Ord. of 6-22-82, §10-4)

**Secs. 10-5 to 10-10. Reserved.**

**Article 2. Minimum Standards for Commercial Aeronautical Activities and Services**

**Sec. 10-11. Aircraft sales (new and/or used).**

(A) Statement of concept.

An aircraft sales operator is a person or persons, firm, or corporation engaged in the sale of new and/or used aircraft through franchises, or licensed dealership or distributorship (either on a retail or wholesale basis) of an aircraft manufacturer or otherwise; and provides

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such repair, services and parts as necessary to meet any guarantee or warranty on new and/or used aircraft sold by him.

(B) Minimum standards.

- (1) The operator shall lease from the city an area not less than eighteen thousand (18,000) square feet of ground space to provide for outside display and storage of aircraft on which shall be erected a building providing at least three thousand (3,000) square feet of floor space for aircraft storage, and at least eight hundred (800) square feet of floor space for office, restrooms, customer lounge and telephone facilities for customer use; auto parking space with minimum accommodations for ten (10) automobiles (no on-street parking), a paved walkway, all within the leased area and sufficient to accommodate the operator's activities.
- (2) The operator shall provide necessary and satisfactory arrangements for the repair and servicing of aircraft, but only for the duration of any sales guarantee or warranty period. Servicing facilities may be provided through written agreement with a repair shop operator at the Big Spring Airport. The operator shall meet the requirements set forth by the franchisor for parts inventory and shall have the minimum number of aircraft as set forth by the franchisor.
- (3) The operator performing the services under this category will be required to carry the following types of insurance in the limits specified:
  - (A) Aircraft Liability:
    - Bodily Injury (Each Accident)
    - Each person ..... \$100,000
    - For more than one person ..... \$300,000
    - Passenger Liability
    - Each passenger, each accident..... \$75,000
    - Property Damage
    - Each accident ..... \$50,000
  - (B) Comprehensive Public Liability and Comprehensive Property Damage:
    - Bodily Injury (Each Accident)
    - Each person ..... \$100,000
    - Property Damage
    - Each accident ..... \$50,000
  - (C) Hangar Keepers Liability (If applicable)
  - Each accident..... \$300,000
- (4) The operator shall have his premises open and services available five (5) days a week.
- (5) The operator shall have in his employ (and on duty during operating hours) trained personnel in such numbers as are required to meet the minimum

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standards and requirements set forth in an efficient manner, but never less than one (1) person possessing the minimum requirements of the FAA to perform the duties required in this activity.

**Sec. 10-12. Repair station facilities (airframe, power plant).**

(A) Statement of Concept.

An aircraft engine and airframe maintenance and repair operator is a person, firm or corporation (or a combination of) providing airframe and power plant overhaul and repair services, with at least one (1) person currently certified by the Federal Aviation Administration with ratings appropriate to the work being performed. This category of aeronautical services shall also include the sale of aircraft parts and accessories, but such is not an exclusive right.

(B) Minimum standards.

(1) The operator shall lease from the city an area of not less than eighteen thousand (18,000) square feet of ground space on which shall be erected a building providing at least three thousand (3,000) square feet of floor space for airframe and power plant overhaul and repair services and at least eight hundred (800) square feet of floor space for office, restrooms, customer lounge and telephone facilities for customer use; auto parking with minimum accommodations for ten (10) automobiles (no on-street parking), a paved walkway, all within the leased area and sufficient to accommodate the operator's activities.

(2) The operator shall provide sufficient equipment, supplies and availability of parts to perform maintenance in accordance with manufacturers' recommendations or equivalent for the types of aircraft upon which he performs maintenance.

(3) The operator performing the services under this category will be required to carry the following types of insurance in the limits specified:

(A) Aircraft Liability:

Bodily Injury (Each Accident)

Each person ..... \$100,000

For more than one person ..... \$300,000

Property Damage

Each accident ..... \$ 50,000

(B) Comprehensive Public Liability and Comprehensive Property Damage:

Bodily Injury (Each Accident)

Each person ..... \$100,000

For more than one person ..... \$300,000

Property Damage

Each accident ..... \$ 50,000

(C) Hangar Keepers Liability:

Each accident ..... \$300,000

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- (4) The operator shall have his premises open and services available five (5) days a week.
- (5) The operator shall have in his employ (and on duty during operating hours) trained personnel in such numbers as are required to meet the minimum standards and requirements set forth in an efficient manner, but never less than one (1) person currently certified by the Federal Aviation Administration with rating appropriate to the work being performed and with access to an AI. (Ord. of 6-22-82, §10-12)

**Sec. 10-13. Aircraft rental.**

(A) Statement of concept. An aircraft rental operator is a person, firm or corporation engaged in the rental of aircraft to the public.

(B) Minimum standards.

- (1) The operator shall lease from the city an area of not less than eighteen thousand (18,000) square feet of ground space on which shall be erected a building providing at least three thousand (3,000) square feet of floor space for aircraft storage, and at least eight hundred (800) square feet of floor space for office, restrooms, customer lounge and telephone facilities for customer use; auto parking space with minimum accommodations for ten (10) automobiles (no on-street parking), a paved walkway, all within the leased area and sufficient to accommodate the operator's activities.
- (2) The operator shall have available for rental, either owned or under written lease to operator, a sufficient number of aircraft properly certified to handle the proposed scope of his operation, but not less than four (4) certified and currently air-worthy aircraft, at least two (2) of which must be four-place aircraft.
- (3) The operator performing the services under this category will be required to carry the following types of insurance in the limits specified:

(A) Aircraft Liability:

Bodily Injury (Each Accident)

Each person..... \$100,000

For more than one person ..... \$300,000

Passenger Liability

Each passenger, each accident ..... \$ 75,000

Property Damage

Each accident..... \$ 50,000

(B) Comprehensive Public Liability and Comprehensive Property Damage:

Bodily Injury (Each accident)

Each person ..... \$100,000

For more than one person ..... \$300,000

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<u>Property Damage</u>	
Each accident.....	\$ 50,000
(C)Hangar Keepers Liability (If applicable)	
Each accident.....	\$300,000

(4) The operator shall have his premises open and services available seven (7) days a week.

(5) The operator shall have in his employ (and on duty during operating hours) trained personnel in such numbers as are required to meet the minimum standards set forth in an efficient manner. (Ord. of 6-22-82, §10-13)

**Sec. 10-14. Flight training.**

(A) Statement of concept. A flight training operator is a person, firm or corporation engaged in instructing pilots in dual and solo flight training, in fixed and/or rotary wing aircraft, and provides such related ground school instruction as is necessary preparatory to taking a written examination and flight check ride for the category or categories of pilots' licenses and ratings involved.

(B) Minimum standards:

(1) The operator shall lease from the city an area of not less than eighteen thousand (18,000) square feet of ground space on which shall be erected a building providing at least three thousand (3,000) square feet of floor space for aircraft storage, and at least twelve hundred (1,200) square feet of floor space for office, restrooms, customer lounge and telephone facilities for customer use; auto parking space with minimum accommodations for ten (10) automobiles (no on-street parking), a paved walkway, all within the leased area and sufficient to accommodate the operator's activities.

(2) The operator shall have available for use in flight training, either owned or under written lease to operator, a sufficient number of aircraft properly certificated to handle the proposed scope of his student operation, but not less than three (3) properly certificated aircraft, at least one (1) of which must be a four-place aircraft, and at least one (1) of which must be equipped for and capable of use in instrument flight instruction.

(3) The operator performing the services under this category will be required to carry the following types of insurance in the limits specified:

(A)Aircraft Liability:	
<u>Bodily Injury (Each Accident)</u>	
Each person .....	\$100,000
For more than one person .....	\$300,000
<u>Property Damage</u>	
Each accident .....	\$100,000

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(B) Comprehensive Public Liability and Comprehensive Property Damage:	
<u>Bodily Injury (Each Accident)</u>	
Each person .....	\$100,000
For more than one person .....	\$300,000
<u>Property Damage</u>	
Each accident.....	\$100,000
(C) Hangar Keepers Liability:	
Each accident .....	\$300,000

(4) The operator shall have his premises open and services available five (5) days a week.

(5) The operator shall have on duty, on a full-time basis, at least one (1) flight instructor who has been currently certificated by the Federal Aviation Administration to provide the type of flight training offered; and shall have available on call, on a part-time basis, at least one (1) flight instructor who has been currently certificated by the Federal Aviation Administration to provide the type of flight training offered which shall include at least private, commercial and instrument ratings. (Ord. of 6-22-82, §10-14)

**Sec. 10-15. Line services (aircraft fuels and oil dispensing).**

(A) Statement of concept. Line services shall include the sale and into-plane delivery of recognized brands of aviation fuels, lubricants and other related petroleum products. The operator shall provide servicing of aircraft, including ramp assistance and the parking, storage and tiedown of aircraft.

(B) Minimum standards. The operator shall lease from the city an area not less than eighteen thousand (18,000) square feet of ground space on which shall be erected a building providing at least eight hundred (800) square feet of floor space for office, restrooms, customer lounge and telephone facilities for customer use; auto parking space with a minimum accommodations for ten (10) automobiles (no on-street parking), a paved walkway, all within the leased area and sufficient to accommodate the operator's activities.

(C) Fuel storage. Facilities for two (2) twelve hundred (1,200) gallon trucks of aircraft fuels if two popular grades of fuel are available, must be provided by the operator in a fuel storage area to be designated by the city manager, or his authorized representative. The charges for the use of airport property for storage facilities will be negotiated prior to contract establishment. Above-ground storage will be permitted in a city designated fuel farm.

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(D) Refueling. The operator will provide pumps for dispensing the aviation fuel at a central location. If a mobile dispenser is provided, it shall have metered fuel dispensers for the number of grades of fuel sold by the operator, separate dispensing pumps and meters for each grade of fuel. The mobile dispenser shall meet all applicable safety requirements and shall have a reliable metering device subject to independent inspection.

(E) Product quality control and safety.

- (1) Must identify delivery of fuel as to proper grade.
  - (a) Be sure all compartments and valves are sealed. Record seal numbers.
  - (b) Color and military specifications.
  - (c) Check truck tank sump for contamination, by use of industry accepted methods.
- (2) Check storage tanks for water and contamination. Neither will exceed industry accepted standards.
- (3) All turbine fuels must be filtered before entering storage tanks.
- (4) Daily checks for water and contamination must be made, by use of industry accepted methods.
- (5) Fuel may be removed only through an industry approved filtration system.
- (6) Filters must be of multiple cartridge type provided with visual filter container contamination equipment. The filters must also be equipped with differential pressure measuring equipment.
- (7) All equipment, mobile and otherwise, must be color coded, placarded and identifiable in accordance with industry accepted standards.
- (8) For turbine fuels, under-tank loading will be required.
- (9) At the beginning of each day, unless the trucks are refilled during the working day from underground storage, a visual sump check of both the tank and filter will be made to determine contamination.
- (10) For turbine fuel, in addition, a mechanical or chemical check will also be made.
- (11) In addition to the above preventative measures, the vendor will also be required to make weekly, monthly, semi-annual and annual filtration equipment inspections to determine that they meet industry accepted standards, and the vendor will replace same as required.

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- (12) At all places in the foregoing where inspections are required, the vendor will be responsible for keeping duplicate written records in an acceptable form, and at the end of each month will, upon request, provide the city manager or his designated representative with the duplicate copy.
  
- (13) The vendor will be required to provide safety facilities to meet the requirements established by the owner.
  
- (F) Minor repair service. The operator shall provide such minor repair service not requiring a certificated mechanical rating, and cabin services, to general aviation aircraft as can be performed efficiently on the ramp or other apron parking area, but only within the premises leased to the operator or upon such other areas as the city manager or his designated representative may authorize.
  
- (G) Equipment needed. The operator shall procure and maintain tools, jacks, towing equipment, tire repairing equipment, energizers and starters, air compressor, and fire extinguishes, as appropriate and necessary for the servicing of general aviation aircraft using the airport. All equipment shall be maintained and operated in accordance with local, state and federal industrial codes.
  
- (H) Insurance requirements
  - (1) Comprehensive Public Liability and Comprehensive Property Damage:  
Bodily Injury (Each Accident)  
Each person ..... \$100,000  
For more than one person ..... \$300,000  
Property Damage  
Each accident ..... \$ 50,000
  - (2) Hangar Keepers Liability (If applicable):  
Each accident ..... \$300,000
  - (3) Motor Vehicle Liability:  
Bodily Injury (Each Accident)  
Each person ..... \$100,000  
For more than one person ..... \$300,000  
Property Damage  
Each accident ..... \$ 50,000
  
- (I) The operator shall have his premises open and available five and one-half (5-1/2) days per week, but be subject to call twenty-four (24) hours per day seven (7) days a week.
  
- (J) Employee requirements. The operator shall have in his employ, and on duty during operating hours, trained personnel in such numbers as are required to meet the minimum standards and requirements set forth in an efficient manner. (Ord. of 6-22-82, §10-15)

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**Sec. 10-16. Specialized aircraft repair services radios, propellers, Instruments and accessories.**

(A) Statement of concept. A specialized aircraft repair service operator is a person or persons, firm or corporation engaged in a business capable of providing a shop or a combination of Federal Aviation Administration certified shops for the repair of aircraft radios, propellers, instruments and accessories, but such is not an exclusive right.

(B) Minimum standards:

(1) The operator shall lease from the city an area of not less than eighteen thousand (18,000) square feet of ground space on which shall be erected a building providing at least eight hundred (800) square feet of floor space to house all equipment, and to provide an office, shop, restrooms, customer lounge and telephone facilities for customer use; auto parking accommodations for five (5) automobiles (no on-street parking), a paved walkway, all within the leased area and sufficient to accommodate the operator's activities and operations. The avionics portion of the services offered must maintain current the qualifications of Class I and Class II FAA designated repair station.

(2) The operator shall obtain and maintain, as a minimum, the repair station certificates as required by the Federal Aviation Administration, which are applicable to the operation or operations contemplated. The operator may furnish one, or if desired, any combination of the services mentioned above.

(3) The operator performing the services under this category will be required to carry the following types of insurance in the limits specified:

(A) Comprehensive Public Liability and Comprehensive Property Damage:

Bodily Injury (Each Accident)

Each person ..... \$100,000  
For more than one person ..... \$300,000

Property Damage

Each accident ..... \$ 50,000

(B) Hangar Keepers Liability

Each accident ..... \$300,000

(4) The operator shall have his premises open and services available five (5) days a week.

(5) The operator shall have in his employ and on duty during operating hours trained personnel in such numbers as are required to meet the minimum standards set forth in this category in an efficient manner, at least one of who is currently certificated as Federal Aviation Administration-rated radio, instrument or propeller repairman.

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**Sec. 10-17. Aircraft charter and air taxi.**

(A) Statement of concept. An aircraft charter (commercial operator) and an air taxi operator is a person or persons, firm or corporation engaged in the business of providing air transportation (persons or property) to the general public for hire, either on a charter basis (commercial operations) or as an air taxi operator, as defined in the Federal Aviation Act of 1958, or as said Act may be supplemented or amended from time to time.

(B) Minimum standards

(1) The operator shall lease from the city an area of not less than eighteen thousand (18,000) square feet of ground space on which shall be erected a building providing for at least three thousand (3,000) square feet of floor space for aircraft storage, and at least twelve hundred (1,200) square feet of floor space for office, restroom, customer lounge and telephone facilities for customer use; auto parking space with minimum accommodations for ten (10) automobiles (no on-street parking), a paved walkway, all within the leased area and sufficient to accommodate the operator's activities.

(2) The operator shall provide aircraft necessary to meet FAR Part 135, Section 135.31, which is quoted below:

(A) Each certificate holder must have the exclusive use of at least one aircraft that meets the requirements for at least one kind of operation authorized in his operations specifications. In addition, for each kind of operation for which he does not have the exclusive use of an aircraft, he must have available for use under a written agreement (including arrangements for performing required maintenance) at least one aircraft that meets the requirements for that kind of operation. However, this paragraph does not prohibit the operator from using the aircraft for other than air taxi or commercial operations, or require him to have exclusive use of each aircraft that he uses.

(B) For the purposes of paragraph (A) of this section, a person has exclusive use of an aircraft if he has the sole possession, control, and use of it for flight, as owner, or has a written agreement (including arrangements for the performance of required maintenance) giving him that possession, control and use for at least six (6) consecutive months.

(3) The operator performing the services under this category will be required to carry the following types of insurance in the limits specified:

(A) Aircraft Liability:

Bodily Injury (Each Accident)

Each person ..... \$100,000  
For more than one person ..... \$300,000

Passenger Liability

Each passenger, each accident..... \$ 75,000

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Property Damage

Each accident..... \$100,000

(B)Comprehensive Public Liability and Comprehensive Property Damage:

Bodily Injury (Each Accident)

Each person..... \$100,000

For more than one person ..... \$300,000

Property Damage

Each accident..... \$100,000

(C)Hangar Keepers Liability

Each accident..... \$300,000

(4) The operator shall have his premises open and services available seven (7) days a week.

(5) The operator shall have in his employ and on duty during operating hours, trained personnel in such numbers as are required to meet the minimum standards set forth in this category in an efficient manner, but never less than one (1) Federal Aviation Administration currently certificated commercial pilot and otherwise appropriately rated to permit the flight activity offered by operator. The operator shall have available sufficient qualified operating crews and satisfactory number of personnel for checking in passengers, handling of luggage and ticketing. The prospective operator shall provide reasonable assurance of a continued availability of qualified operating crews and approved aircraft within a reasonable or specified maximum notice period.

(C) Air taxi companies not based on Big Spring Airport and Industrial Park

Air taxi companies, not based on Big Spring Airport and Industrial Park, but who are providing scheduled service to and from the airport, are exempted from these minimum standards and requirements. (Ord. of 6-22-82, §10-17)

**Sec. 10-18. Specialized commercial flying service.**

(A) Statement of concept. A specialized commercial flying services operator is a person, firm or corporation engaged in air transportation for hire for the purpose of providing the use of aircraft for the activities listed below:

- (1) Nonstop sightseeing flights that begin and end at the same airport within a 25-mile radius of the airport
- (2) Crop-dusting, seeding, spraying and bird chasing
- (3) Banner towing and aerial advertising
- (4) Fire fighting
- (5) Power line or pipeline patrol
- (6) Any other operations specifically excluded from Part 135 of the Federal Aviation Regulations

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(B) Minimum standards

(1) The operator shall lease from the city an area of not less than eighteen thousand (18,000) square feet of ground space, on which shall be constructed auto parking space with minimum accommodations for five (5) automobiles (no on-street parking), a paved walkway, all within the leased area and sufficient to accommodate the operator's activities. Section 10.18 (a) 1. above will require a building with a minimum of eight hundred (800) square feet.

In case of crop-dusting, aerial application, or other commercial use of chemicals, operator shall provide a centrally drained, paved area of not less than three thousand (3,000) square feet for aircraft loading, washing and servicing. Operator shall also provide for the safe storage and containment of noxious chemical materials. Such facilities will be a location on the Big Spring Airport and Industrial Park which will provide the greatest safeguard to the public.

(2) The operator shall provide and have based on his leasehold, either owned or under written lease to operator, not less than one (1) airworthy aircraft, suitably equipped for, and meeting all the requirements of the Federal Aviation administration and applicable regulations of the State of Texas with respect to the type of operations to be performed.

In the case of crop dusting or aerial application, the operator shall provide tank trucks for the handling of liquid spray and mixing liquids. The operator shall also provide adequate ground equipment for the safe handling and safe loading of dusting materials.

(3) The operator performing the services under this category will be required to carry the following types of insurance in the limits specified:

(A) Aircraft Liability:

Bodily Injury (Each Accident)

Each person..... \$100,000

For more than one person ..... \$300,000

Passenger Liability (Where applicable)

Each passenger, each accident..... \$100,000

Property Damage

Each accident..... \$ 50,000

(B) Comprehensive Public Liability and Comprehensive Property Damage:

Bodily Injury (Each accident)

Each person..... \$100,000

For more than one person ..... \$300,000

Property Damage

Each accident..... \$ 50,000

(C) Hanger Keepers Liability (Where applicable)

Each accident..... \$300,000

(4) The operator shall have in his employ, and on duty during operating hours, trained personnel in such numbers as may be required to meet the minimum standards herein set forth in an efficient manner, but never less than one (1) person holding a current Federal Aviation Administration

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commercial certificate, properly rated for the aircraft to be used and the type of operation to be performed. (Ord. of 6-22-82, §10-18)

**Sec. 10-19. Multiple services.**

(A) Statement of Concept. A multiple services operator is a person or persons, firm or corporation engaged in any two (2) or more of the aeronautical services for which minimum standards have been hereinbefore provided.

(B) Minimum standards:

(1) The operator shall lease from the city an area of not less than thirty-six thousand (36,000) square feet of ground space for aircraft storage, parking and other use in accordance with the services to be offered, on which shall be erected a building providing at least four thousand (4,000) square feet for aircraft storage, and at least twelve hundred (1,200) square feet for office, restrooms, customer lounge and telephone facilities for customer use; auto parking space with minimum accommodations for fifteen (15) automobiles (no on-street parking), a paved walkway, and a paved aircraft apron, all within the leased area and sufficient to accommodate the operator's activities and operations to be provided.

If flight training is one of the multiple services offered, the operator shall provide classroom and briefing room facilities in the aforementioned building.

If crop-dusting, serial application, or other commercial use of chemicals are part of the multiple services offered, the operator shall provide a centrally-drained, paved area of not less than three thousand (3,000) square feet for aircraft loading, washing, and servicing. Operator shall also provide for the safe loading and unloading, storage, and containment of noxious chemical materials. Such facilities will be in a location on the Big Spring Airport and Industrial Park.

The building for aircraft storage will not be required if none of the individual services provided requires such a building under these standards. The standards for multiple services involving only line services, specialized repair services, and specialized commercial flying services will require only eighteen thousand (18,000) square feet of ground space, eight hundred (800) square feet of office space, and parking for five (5) automobiles.

(2) The operator shall comply with the aircraft requirements, including the equipment thereon, for each aeronautical service to be performed except as hereinafter provided.

Multiple uses can be made of all aircraft except aircraft used for crop-dusting, aerial application, or other commercial use of chemicals.

The operator, except if he is performing combinations of multiple services for which aircraft are not required, shall have available and based at the airport, either owned by the operator or under written lease to the operator, not less than two (2) certified and currently airworthy aircraft, suitably equipped and capable of flight, to meet the minimum standards and requirements as hereinbefore provided for each aeronautical service to be performed. The operator shall provide the equipment and services required to meet the minimum standards as hereinbefore provided for each aeronautical service the operator is performing.

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(3) The operator shall procure and maintain, during the term of his agreement, as a minimum, insurance coverage which is equal to the highest of the minimum limits set for the respective categories of aeronautical services being performed by the operator.

(4) The operator shall have in his employ, and on duty during operating hours, trained personnel in such numbers as are required to meet the minimum standards and requirements set forth, in an efficient manner, for each aeronautical service being performed by the operator. Multiple responsibilities may be assigned to meet the personnel requirements for each aeronautical service being performed by the operator. (Ord. of 6-22-82, §10-19)

**Sec 10-20. Commercial aviation of operator's subleasing from another commercial operator on the airport.**

(A) Standards for sublease operations. Such operators shall meet all of the minimum standards established by the city for the category, or categories of services, to be furnished by the operator, except for the lease of land and construction of facilities. (Ord. of 6-22-82, §10-20)