



3670 Airport Loop · Salisbury, NC 28147
Phone 704-216-7749 · Fax: 704-216-7977

HANGAR POLICY & WAITLIST PROCEDURES

The Airport uses public funds to build and maintain aircraft hangars of various sizes. The objectives of those expenditures are to: 1) enhance economic development opportunities in Rowan County; 2) expand the property tax base; 3) boost aviation activity including flights and fuel purchases; and 4) create more opportunities for new airport users.

Rowan County, as the Airports sponsor, reserves the absolute right at any time to unilaterally terminate or otherwise modify these procedures with no further rights, obligations, or damages.

Federal Aviation Administration (FAA) Compliance

The FAA Airport Compliance Policy requires that the FAA discharge its responsibility for ensuring that airport sponsors comply with their federal obligations through the FAA's Airport Compliance Program. Rowan County, as the airport sponsor, accepts these obligations when receiving federal grant funds or when accepting the transfer of federal property for airport purposes. The FAA incorporates these obligations in grant agreements and instruments of conveyance to protect the public's interest in civil aviation and to ensure compliance with federal laws.

Federal obligations apply to the entire airport property, including areas leased by private citizens (LESSEE). The fact that a LESSEE uses the land through a ground lease with the County does not affect or negate the County's agreement with the FAA. This agreement requires the airport land and facilities, including aircraft hangars, be used for aeronautical purposes in accordance with FAA regulations.

Proprietary Exclusive Right

The County is exercising its proprietary exclusive right for the provision of Fixed Bas Operator (FBO) services (commercial aviation fuels, passenger crew services, and aircraft storage including leasing and subleasing of hangars).

General Hangar Guidelines

The Rules and Regulation and Minimum Standards apply across all tenants and hangar space. All business-related activities must be approved in advance, in writing, by the Rowan County Board of Commissioners. Lease agreements and the specific terms for LFBO tenants may satisfy this requirement.

Tenants shall not be permitted to sublease aircraft hangars as the County has elected to exercise its proprietary exclusive right, consistent with an as allowed by the Assurances, to provide this activity directly. Each hangar lessee shall notify the Airport Director and/or FBO Manager regarding any change to the aircraft included on the lease. If the aircraft listed on the lease is sold lessee has 45 days to bring an airworthy aircraft registered to lessee or provide proof of purchase of new aircraft and FAA Registration Application.

Corporate and Business Hangars

The corporate and business hangars are comprised of the larger hangars (over 3,000sqft) on the Airport. These hangars have lease terms that are agreed upon through discussions with the Board of Commissioners. They include long term leases and provisions different than those included in the lease terms for annual leased hangar space. These hangars are not associated with the waitlist.

Annual Leased Box, Open Faced and T-Hangars

The Airport shall evaluate all current leases prior to offering a renewal to ensure compliance with lease terms, hangar usage, aircraft size and airworthiness. The approval of an annual lease does not constitute or imply obligation of the Airport to automatically renew or offer the same lease agreement in subsequent years. Lessees may be assigned a different hangar based on aircraft size to best utilize available hangar space.

A. Waitlist for Annual Lease

The Airport maintains waiting lists for individuals who wish to lease hangars for aircraft storage on an annual basis. These procedures are designed to provide a simple and fair process for aircraft owners, with airworthy aircraft, on the waiting list. An aircraft that is airworthy is defined as “having a valid/current FAA airworthiness certificate”. These procedures are intended for individual tenants and not corporate hangars or LFBO (business) tenants.

The Airport and at its sole discretion, may offer available hangar space to a qualified current based tenant, who is in good standing, with airworthy aircraft having been under a long-term tie down agreement for over six months, and having no other lease with the airport. Current based tenants may be offered the opportunity to switch to a larger hangar based on aircraft size. Current tenants may also request to switch hangar spaces if both parties agree, and new leases are signed to correctly reflect the change.

Outside of current tenants meeting the conditions above, the waiting list is created and maintained on a first come first served basis.

The applicant whose name appears at the top of the list may, at the sole discretion of the Airport be offered or denied the available space. A non-exclusive list of factors which may be considered when considering the determination on approval for a lease include:

- Size of hangar space suitable for size of aircraft listed on application.
- Unresolved violations of airport Rules and Regulations, Minimum Standards or lease agreement.
- Failure to provide correct aircraft information, certificate of airworthiness or maintenance log showing date of annual or 100-hour inspection, and/or appropriate proof of insurance (COI).
- Violations of FAA policy, rules, or regulations.
- Meritorious complaints received by the County, any law enforcement agency, or the FAA regarding the applicant.
- Current or pending litigation with the County or involving Airport Property.
- Threats or threatening behavior made or concerning to the Airport, County or their respective officers, directors, employees, representatives, agents, or other tenants.

1. Application Form

To be added to the waiting list requesting parties must submit a hangar request application and check for the non-refundable application fee of \$100, to the Airport Director or FBO Manager. Applicants are solely responsible for maintaining current contact and aircraft information.

Applicant must stipulate the hangar type desired to lease. The hangar requested shall be appropriately sized for the type of aircraft to be stored in the hangar and the Airport retains the sole and absolute right to determine the appropriate hangar size and deny the request in the event of a dispute or disagreement. Hangar preference from first available to enclosed can be changed at any time by filing a written request with the Airport Director or FBO Manager via mail or email.

The information supplied on the application is subject to the North Carolina Public Records Law. If there is a legislatively created exemption which makes your contact information confidential and not subject to disclose the reason must be stated on application.

The application is included as Appendix A.

2. Assignment

When a hangar of matching type requested by an applicant becomes available, the offer notification will be made by the FBO Manager. The hangar offer will be made by phone and email.

3. Acceptance of Offer

The Applicant must reply in the affirmative by email within three (3) business days of the date the hangar offer is made. The applicant must then enter a lease, pay for the hangar monthly and have an airworthy aircraft registered to the applicant within forty-five (45) days from the date the Airport Director/FBO Manager received the applicant's acceptance of the hangar offer. The \$100 application fee shall be applied to the first month's rent.

Failure to have an airworthy aircraft within forty-five (45) days of acceptance shall result in termination of any lease or rental agreement and removal from the hangar waitlist. No refund of application fee or rent paid will be made.

4. Decline of Offer

The Applicant is requested to reply in the negative by email within three (3) business days of the date the hangar offer is made. An applicant declining within this timeframe may request to be placed on the bottom of the hangar waitlist without paying an additional application fee.

5. Failure to Respond

An applicant's failure to respond to the hangar offer within three (3) business days of notification, or the inability of the Airport Director and/or FBO Manager to contact the applicant using the contact information provided by the applicant shall be considered as a request for removal from the waiting list. The application fee will not be refunded.

6. Miscellaneous

The Applicant agrees that it will abide by all terms and conditions of any lease agreement as well as the Rules and Regulations of the Airport. The terms of the lease shall be determined in the sole and absolute discretion of the Airport. The Airport is not under any binding obligation to enter a lease with the Applicant and Applicant has no right to demand a lease.

Ground Leased Hangar

As ground lease hangars are individually owned but on federally obligated property of the Airport specific steps must occur for the transfer of ownership or new assignment to be approved. To verify legal ownership, ensure future compliance and enforcement with respect to the obligations contained in the lease agreement and/or reassignment agreement (no current default) the following shall occur:

Step 1: Provide information and documents (bill of sale and signed lease reassignment) on pending sale to the Airport Director.

Step 2: The request will be reviewed. Unsigned documents will be submitted to the BOC for approval. Meetings are bi-monthly and notice of proposed hangar sale will be added to the next available regular meeting agenda.

Step 3: Once confirmation is received proceed with the transaction. Sign the approved documents and provide to Airport Director and Rowan County Tax department. The Airport Director will submit for the County (Landlord) signature.

APPENDIX A

Hangar Request Application



3670 Airport Loop · Salisbury, NC 28147
Phone 704-216-7749 · Fax: 704-216-7977

Hangar Request Application

APPLICANT

NAME: _____

ADDRESS: _____

TELEPHONE: _____

EMAIL: _____

TYPE OF AIRCRAFT: _____

N-NUMBER: _____

REQUESTED HANGAR TYPE (circle one): **FIRST AVAILABLE** or **ENCLOSED**

A non-refundable \$100 application fee, paid by check, is required to be submitted with this application. It is the applicant's responsibility to keep the Airport notified of any changes in the information included on this application. I have read, understand, and acknowledge the Hangar Policy and Waitlist Procedures, Rules and Regulations and Minimum Standards. I agree that the Airport Director may remove me from the waiting list if I fail to maintain correct contact information or if I am not in good standing with Airport. I understand this application is a public record and the information contained in it may be disclosed by the Airport.

SIGNATURE: _____ DATE: _____

Applicant offered hangar # _____ on _____ Declined ___ Accepted ___ No Response ___