

Craig-Moffat County Airport Tie Down Policy

This policy applies to all users and tenants of the Craig-Moffat County Airport and all improvements thereon. Any entry upon or use of the Craig-Moffat County Airport or any part thereof whether with expressed permission or without is conditioned upon compliance with this policy.

No aircraft shall be parked except in designated tie down areas, which is currently north of the Terminal Building and on the east side of the tarmac wherein suitable tie down points have been located. The Airport Manager may designate other areas as a tie down area provided the area is suitable for parking and mooring of aircraft and suitable tie down points have been located in the area. Any aircraft parked outside of a designated tie down area shall be subject to impoundment as illegally parked aircraft.

Abandoned or unairworthy aircraft shall not be permitted at the Airport. All aircraft stored on aircraft tie downs shall be maintained in airworthy condition. According to the FAA, the registered owner or the operator of an airplane is responsible for maintaining his/her airplane in an airworthy condition, including compliance with all applicable airworthiness directives (ADs), assuring that the maintenance is properly recorded and keeping abreast of current regulations concerning the operation and maintenance of his/her airplane. No aircraft can be parked under this Tie Down Policy for more than three (3) months without bringing the aircraft into airworthy condition, including a valid annual inspection. If the aircraft is not brought into airworthy condition within 3 months, the County/City may impound the aircraft.

Any aircraft parked or stored at the Craig-Moffat County Airport for longer than three (3) months without a valid annual inspection or otherwise parked in unairworthy condition will be deemed abandoned or unairworthy aircraft and subject to impoundment as illegally parked aircraft.

Pilot and/or owner of aircraft are responsible for aircraft tie down and thereby assume all liability associated with such. Chocks and/or tie down ropes or chains may be provided by the Craig-Moffat County Airport as a courtesy only. It is the aircraft owner's/operator's responsibility for inspecting chocks, chains or ropes to ensure they are adequate for securing their aircraft. All users, tenants, owners and/or pilots of any aircraft parked or tied down at the Craig-Moffat County Airport shall indemnify and hold harmless the Craig-Moffat County Airport, the Moffat County Board of County Commissioners, Moffat County Government, its employees and agents, the Craig City Council and City of Craig Government, its employees and agents, from and against any and all claims, damages, losses, injuries and expenses, including attorney's fees, arising out of or resulting from any use of the Craig-Moffat County Airport, including but not limited to the use of the tarmac, parking areas, and any chocks, chains or tie down rope.

Moffat County employees will not tie down or move any aircraft at any time unless there is an emergency.

The Airport shall not be responsible for any damage to, or theft from, any aircraft parked or tied down at the airport. The Moffat County Commissioners and Craig City Council reserve the right to amend, add to, subtract from or otherwise modify this Policy.

FEES:

By parking or leaving his or her aircraft at the Craig-Moffat County Airport the Aircraft owner agrees to pay Moffat County a monthly tie down fee of \$30.00 per month for single-engine aircraft or \$50.00 per month for multi-engine aircraft in accordance with Resolution #2003-50 adopted by the Moffat County Board of County Commissioners on October 31, 2003.

Tie down fees will go into effect November 1, 2003 as adopted by the Moffat County Board of County Commissioners at a regular meeting held on October 13, 2003. The tie down fees will be invoiced anytime an aircraft has remained tied down for more than 15 days during a monthly period.

All payments for fees under this Policy shall be payable to Moffat County, and shall be submitted and/or delivered to Moffat County, 221 W Victory Way, Suite 110, Craig, Colorado 81625.

All payments for fees under this Policy shall be due upon receipt. Rates and charges for aircraft tie down fees shall be subject to the requirement that all rates and charges shall be reasonable, and shall be equally and fairly applied to all users.

The Board of County Commissioners and the Craig City Council reserve the right to charge interest and late fees, reasonably related to the administrative cost of processing late payments; as such, interest and fees may be instituted by the BOCC/Craig City Council and changed from time to time.

After three consecutive months of unpaid storage charges or fees, an aircraft shall be deemed abandoned and subject to impoundment as illegally parked aircraft.

Upon impoundment of an aircraft as an illegally parked aircraft, The County/City shall have a lien on the impounded aircraft for any unpaid storage charges or fees, including any interest or late fees as well as a \$250.00 impoundment fee. Upon impoundment the County/City shall send notice of the impoundment to the registered owner of such aircraft by a registered or certified letter, return receipt requested, to the last known address on record with the Craig-Moffat County Airport. It is the responsibility of the aircraft owner to ensure that the Craig-Moffat County Airport has the owner's most recent or preferred mailing address.

The impoundment notice shall advise the aircraft owner of the impoundment, any delinquency in payment of charges, the County's lien for any unpaid storage charges or fees and the impoundment fee and the contemplated public sale of such aircraft following the expiration of 30 days from the mailing of such notice. The owner shall have 30 days from the mailing of such notice to make payment or suitable arrangements for payment of any and all charges or fees set forth in the notice and to otherwise bring the aircraft into compliance with this tie down policy. Failure of the owner to do so shall result in the public sale of the aircraft no sooner than 30 days from the mailing of the notice of impoundment.

Definitions:

Abandoned Aircraft: An aircraft that is left sitting outside of a hangar at the Craig-Moffat County Airport and for which no tie down fees have been paid for at least 3 consecutive months by the owner/operator to the Craig-Moffat County Airport.

Airworthy: The term “airworthy” is not defined in Title 49, United State Code (49) U.S.C), or in 14 CFR; however, a clear understanding of its meaning is essential for use in the agency’s airworthiness certification program. Below is a summary of the conditions necessary for the issuance of an air worthiness certificate. A review of case law relating to airworthiness reveals two conditions that must be met for an aircraft to be considered “airworthy”. 49 U.S.C.§ 44704(c) and 14 CFR § 21.183(a), (b) and (c) state that the two conditions necessary for issuance of an airworthiness certificate:

The aircraft must conform to its Type Code. Conformity to type design is considered attained when the aircraft configuration and the engine, propeller, and articles installed are consistent with the drawings, specifications, and other data that are part of the TC, which includes any supplemental type certificate (STC) and field approved alterations incorporated into the aircraft.

The aircraft must be in a condition for safe operation. This refers to the condition of the aircraft relative to wear and deterioration, for example, skin corrosion, window de-lamination/crazing, fluid leaks and tire wear.

If one or both of these conditions are not met, the aircraft will be considered unairworthy.