

CITY OF CHARLOTTE
COUNCIL POLICY

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1. PURPOSE

The purpose of this policy is to describe the procedures required of general aviation aircraft tenants or prospective tenants in the use of T-hangars at the Fitch H. Beach Municipal Airport.

2. AUTHORITY

This policy is adopted pursuant to Section 72-20 of the Charlotte City Code.

3. GENERALLY

It is the intent of the City of Charlotte to manage the use of T-hangars at the Fitch H. Beach Municipal Airport in a consistent, reasonable and responsible manner, and in accordance with applicable sections of the City of Charlotte Charter and Code of Ordinances, as adopted. This Policy is intended to provide the Airport Manager and T-hangar tenants alike with guidelines that all parties can follow to assure proper leasing and use of T-hangars at the Airport. It is not the intent of this policy to make provisions that are contrary to the City of Charlotte Code of Ordinances, and in the event that there is a discrepancy or conflict between the two, the City of Charlotte Code of Ordinances shall govern. The City of Charlotte appreciates the continued cooperation of hangar lessees and attention to the items listed below. This cooperation is necessary for the provision of safe hangar facilities and supports a fair and enjoyable tenant/landlord relationship.

4. LEASE REQUIRED

Aircraft owners wishing to lease a T-hangar at the Fitch H. Beach Municipal Airport shall execute a Lease Agreement in a form provided by the City of Charlotte and shall abide at all times by the terms and provisions of the Lease Agreement.

5. RULES GOVERNING USE OF T-HANGARS

It is the intent of the City of Charlotte that those leasing a T-hangar at the Airport will use the T-hangar for aircraft purposes only, except with written consent of the City to do otherwise. To that end, the following provisions further define appropriate use of a T-hangar.

5.1 Pursuant to the Lease Agreement, an aircraft must be stored in the hangar. The storage of personal items is permitted as long as storage of such items does

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not impede the use of the hangar for its primary purpose, the housing of flyable aircraft.

5.2 Aircraft parts only, i.e., fuselages, wing sections, engines etc. do not qualify as an aircraft unless reasonable and verifiable progress is made to restore the aircraft, or complete a home-built aircraft. Reasonable progress is further defined as active and consistent work on assembling the aircraft with the intent of restoring it to full flight status within one (1) year. If the aircraft being worked on is a homebuilt kit, the construction of the aircraft must be complete within one (1) year of its original purchase. The tenant is responsible to provide evidence substantiating reasonable progress to the Airport Manager. Extensions of these time provisions may be requested of the Airport Manager, with an explanation for cause. The Airport Manager shall consider the explanation provided and either grant or deny the time extension requested. Restoration or construction of aircraft as herein described is subject to periodic inspection by the Airport Manager. Failure to meet these deadlines will be deemed unacceptable and grounds for the termination of the Lease Agreement. It is not the intent of this policy to allow storage of aircraft in T-hangars, unless they are being actively worked on to restore them to flying condition within a reasonable amount of time. It is the intent of this policy to have T-hangars occupied with fully functioning aircraft to the extent possible.

5.3 The aircraft in the T-hangar must be owned (fully or partially) by the tenant who signed the hangar Lease Agreement. The tenant can also lease an aircraft for exclusive use. Aircraft 'N' number(s) will be compared with the owner's name(s) and the certificate of insurance to verify proper tenancy. If an aircraft was recently acquired and does not show on the FAA aircraft registration database, the tenant should provide a copy of the Aircraft Registration Application (FAA Form 8050-1). If the aircraft is leased, the insurance must show the tenant as the policyholder, and the owner as an additional insured. 'Flying Club' tenants must provide the names of club members to the airport as required by the lease agreement.

5.4 Structures and/or lofts constructed inside a T-hangar. Permission for construction of such facilities requires the prior approval of the Airport Manager. The construction of these kinds of facilities will be done pursuant to the requirements of the City of Charlotte Building Department, with an associated Building Permit obtained and displayed during construction.

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- 5.5** T-hangars will be subject to regular inspection by the lessor or lessor’s agents, including but not limited to the City of Charlotte Fire Chief and the airport manager for the purpose of determining compliance with applicable provisions of the City of Charlotte Code of Ordinances; the Rules Governing Use of the Fitch H. Beach Municipal Airport; federal, state and local fire codes; and the tenant’s T-hangar Lease Agreement.
- 5.6** Installation of additional wiring for lighting and equipment needs to be done in conformance with all applicable Building and Fire Codes. Permission for the use of extension cords must be obtained from the Charlotte Fire Department prior to implementation. Extension cords may not be used in lieu of permanent wiring. Any extension cord that is permitted for use must be unplugged when you leave the hangar.
- 5.7** Storage in the T-hangar should be neat and minimal. Unobstructed fire or emergency access to the rear of the hangar must be provided.
- 5.8** No objects may be hung from or attached to the supporting members of the T-hangar without the prior approval of the Airport Manager.
- 5.9** The accumulation of rubbish, trash or garbage, rags, cans, grease, food items, gasoline or other combustible material, or any other waste in or about the T-hangars shall not be permitted. No storage of files, books, records, or other paper items will be permitted. No storage of any goods relating to the operation of any business will be permitted.
- 5.10** Tenant shall be permitted to perform only those repairs and/or maintenance which are specifically authorized under Federal Aviation Administration Regulations Part 43 as preventive maintenance allowed by owner/pilot which does not require the services of a licensed A&P mechanic.
- 5.11** Disposal of waste oil on airport property is strictly prohibited. Disposal of oil in drains, on the ground or in any unapproved container may result in the immediate termination of any T-hangar lease agreement.
- 5.12** Aircraft engines are not to be started or run inside T-hangars for any reason at any time.

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6. COMPLIANCE REQUIRED

It is the intent of this policy to provide for a safe environment in which aircraft can be housed at the Fitch H. Beach Municipal Airport. If either the Airport Manager or Fire Chief determines that an unsafe situation is present in the T-hangar, the tenant shall immediately correct that situation in consultation with the Airport Manager or the Fire Chief. Failure to comply with the directives of either individual will be grounds for terminating the hangar Lease Agreement. The tenant may appeal the determination rendered, but only after correcting the situation as directed by the Fire Chief or Airport Manager.

7. EXCEPTIONS

It is recognized that not every situation which someone may encounter in the lease of a T-hangar can reasonably be covered by this policy. In the case where a tenant wants to deviate from this policy, or perform an activity not covered by this policy, prior approval shall be obtained from the Airport Manager or Fire Chief, as the situation may dictate.

8. APPEALS

In the case where a T-hangar tenant does not agree with a determination made by either the Fire Chief or the Airport Manager, the tenant shall have the right to an appeal. If the appeal is in regards to a building issue, the tenant shall follow appeal procedures as established by the City of Charlotte Zoning Board of Appeals. If the appeal is in regard to an issue from the Airport Manager, the tenant shall present their information to the City of Charlotte City Manager, who shall render a decision either supporting or denying the appeal.

9. EFFECTIVE DATE

This policy shall be effective upon its approval by the City Council.