



Delaware Coastal Airport Policies

Volume I: Definitions

GENERAL

Definitions, identified and defined in this Airport Policy Document, whenever used in the Airport Policy Documents, shall be construed as defined herein unless from the context a different meaning is intended, or unless a different meaning is specifically defined and more particularly ascribed to the use of such words or phrases.

DEFINITIONS

The general definitions contained in the Code of Federal Regulations, Title 14, Part 1, §1.1 and Title 2, §102, of the Delaware Code are hereby adopted in their current form, or as may be later amended, and are supplemented by the definitions listed below. The following terms shall have the following meanings:

ACCIDENT means a collision between an aircraft or a vehicle, and an aircraft, vehicle, person, stationary object or other object which results in property damage, bodily injury or death; or an entry onto or emerging from a moving aircraft or vehicle by a person which results in bodily injury or death to such person or some other person, or which results in property damage.

ADVERTISING means the action of calling (as a commodity for sale, a service offered or desired) to the attention of the public by means of posting, voicing, distributing or displaying signs, literature, circulars, pictures, sketches or other forms of printed or written material.

AERONAUTICAL USE/ACTIVITY means any activity which involves, makes possible, facilitates, is related to, assists in, or is required for operation of aircraft, or which contributes to or is required for safety of aircraft operations.

AERONAUTICAL USE AREA means all areas not described as Non-Aeronautical Use on the current FAA-approved Airport Layout Plan.

AFFILIATE means an Entity associated with another in subordinate relationship.

AGREEMENT means a written contract, executed by both parties, and enforceable by law between the County and an Entity granting a concession, transferring rights or interest in land and/or Improvements, and/or otherwise authorizing and/or prohibiting the conduct of certain Activities.

AIRCRAFT means any contrivance known or hereafter designed, invented, or used for navigation in the air, except a parachute or other contrivance used primarily as safety equipment.

AIRPORT means the Delaware Coastal Airport (including the Industrial Airpark), all the property, buildings, facilities and improvements within the exterior boundaries of such areas, as they now exist on the Airport Layout Plan or Airport Property Map or as it may hereinafter be extended, enlarged, or modified.

AIRPORT EMPLOYEE means Sussex County personnel of all organizations, activities, located on or connected with the operation, maintenance, and servicing of the Airport.

AIRPORT MANAGER means the person appointed by the Sussex County Council to administer the operations of the Airport, or a person properly authorized to act on his/her behalf.

AIRPORT POLICY DOCUMENTS means a compendium of documents that govern the operation, management, and development of the Delaware Coastal Airport.

AIR OPERATIONS AREA – AOA means all space on the Airport where aircraft are parked or operated, or where operations not open to the general public are conducted; and such term shall include, but is not limited to, the aircraft ramps, aprons, taxiways and runways.

APRON OR RAMP means those areas of the Airport within the AOA designated for the loading, unloading, servicing or parking of aircraft.

BASED AIRCRAFT means any aircraft whose operator leases tie-down or hangar space from the Sussex County Council or one of the Fixed Based Operators (FBOs) on a month-to-month or longer-term basis.

CAPITAL IMPROVEMENTS means the repair or alteration to Airport property that increases its value, lengthens its life, or adapts it to a different use.

COMMERCIAL ACTIVITY (Commercial) means an activity conducted for the purpose of the exchange, trading, buying, hiring or selling of commodities, goods, services or property of any kind, or any revenue producing activity on the Airport, whether or not such objectives are obtained.

COMMERCIAL VEHICLE means every vehicle designed, maintained or used primarily for the transportation of property or passengers in furtherance of commercial enterprise, regardless of whether the charge is paid for directly or indirectly by the customer being served. Examples of commercial vehicles include but are not limited to, on duty taxicabs, limousines, courtesy vehicles, delivery vehicles and chartered/scheduled buses.

COVERED GROUP means Sussex County Council and its elected and appointed officials, officers, directors, employees, agents, volunteers, and consultants.

DNREC means the Delaware Department of Natural Resources and Environmental Control.

DRIVER means any person who drives, operates or is in actual physical control of a vehicle.

ENTITY means any individual, firm, partnership, corporation, company, association, joint stock association, or body politic; and includes any trustee receiver, committee, assignee, or other representative or employee thereof.

FAIR MARKET VALUE means the price that a given property or asset would fetch in the marketplace, subject to the following conditions: 1.) Prospective buyers and sellers are reasonably knowledgeable about the asset; they are behaving in their own best interests and are free of undue pressure to trade, and 2.) A reasonable time period is given for the transaction to be completed.

FAR means Federal Aviation Regulations derived from Title 14 of the Code of Federal Regulations.

FEES means such fees as are approved by County Council to be charged for the facilities and services provided at the Delaware Coastal Airport.

FIXED BASE OPERATOR (FBO) means a firm doing business at the Airport dedicated to the sale of petroleum and one or more of the following pursuant to an agreement with the Sussex County Council: the sale, storage and/or hanging of aircraft; the sale of oil and lubricants; the services of maintenance, repair and modification of aircraft, engines or other equipment; the cleaning and provisioning of aircraft; and the provision of transient and related services.

FLYING CLUB means a nonprofit Entity organized for the express purpose of providing its members with aircraft for their personal use and enjoyment only. A Flying Club is not a commercial activity.

FUEL means the substance, solid, liquid or gaseous, used to operate any engine in aircraft or vehicles.

FUEL HANDLING means the transporting, delivering, fueling or draining of fuel or fuel waste products.

GENERAL AVIATION means all phases of aviation other than aircraft manufacturing, military aviation, scheduled, non-scheduled, and regulated air carrier operations.

GRANT ASSURANCES means the Airport Improvement Program grant assurances codified in Title 49 U.S. Code Subtitle VII.

HAZARDOUS MATERIALS means a substance or material in a quantity or form that may pose an unreasonable risk to health or safety, or property when stored, transported, or used in commerce as defined by the U.S. Department of Transportation.

IMPROVEMENTS means all buildings, structures, additions, and facilities including pavement, concrete, fencing, and landscaping constructed, installed, or placed on, under, or above any land on the Airport.

LEASED PREMISES means the land and/or Improvements used exclusively by an Operator for the conduct of the Operator's Activities regardless of whether the interest in land is an estate for years or a usufruct.

LIGHTER THAN AIR means aircraft that can rise and remain suspended by using contained gas weighing less than the air that is displaced by the gas.

LONG TERM PARKING LOT means the parking lot, designated by appropriate signage, intended for vehicle parking longer than two weeks.

MAIN RAMP AREA means that area surrounding the airport terminal building consisting of aircraft parking areas, hangars, and taxilanes, including any area within 65.5 feet of the Taxiway A centerline.

MOTOR VEHICLE means any self-propelled wheeled, tracked vehicle, or trailer hitched onto a motor vehicle upon by which a person or property may be transported, carried or otherwise moved from point to point, or for the service and maintenance of equipment or property.

NOTAM means Notice to Airmen published by the FAA (e.g., a method of notifying the flying public of conditions at the airport that may affect flight).

NFPA means the National Fire Protection Association.

OPERATOR means the person, firm or corporation in possession of an aircraft or vehicle or any person who has rented such for the purpose of operation by himself or his agent; OR an Entity that has entered into an Agreement with the County to engage in Aeronautical Activities (Commercial or Non-Commercial).

PERMISSION means a right or approval granted by either the County or the Airport Manager.

PERSON means any individual, firm, partnership, corporation, company, association, joint stock association, or body politic; and includes any trustee receiver, committee, assignee, or other representative or employee thereof.

PUBLIC AREA means any area not leased to an Airport user or occupied by the County.

PUBLIC VEHICULAR PARKING AREAS means those portions of the Airport designated and made available temporarily or permanently by Airport management to the public for the parking of vehicles.

REGULATORY MEASURES means all Federal, State, County, local, and Airport laws, codes, ordinances, rules, and regulations.

RUNWAY means an improved surface area reserved exclusively for the landing and taking off of aircraft.

SELF FUELING means an aircraft owner or operator refueling his/her own aircraft, provided the refueling is performed by the aircraft owner/operator or his/her employees with resources supplied by the aircraft owner or operator. This does not include fueling of an aircraft by an aircraft owner at a commercial self-service fueling station.

SHALL means mandatory and not discretionary.

SOLICIT means to directly or indirectly, actively or passively, openly or subtly, ask (or endeavor to obtain by asking), request, implore, plead for, importune, seek, or try to obtain.

STATE means the State of Delaware unless otherwise noted.

SPECIALIZED AVIATION SERVICE OPERATOR (SASO) means any Person or Entity with a lease or sub-lease from the County to provide only a single aeronautical service to the public at the airport, not including sales of Fuel.

SPECIAL EVENT means any private, public, or non-profit activity, requiring the use of Airport property, which surpasses that which is common or usual for the Airport and which requires special arrangements, considerations and/or planning by County employees.

SUSSEX COUNTY (COUNTY) means a political subdivision of the State of Delaware.

TAXIWAY means any surface established for the taxiing of aircraft from one part of the Airport to another.

THROUGH THE FENCE ACTIVITIES means operations having direct access to (and use of) the Airport's runway and taxiway system from private property located adjacent to (contiguous with) the Airport.

TEMPORARY/TRANSIENT VEHICLE means a motor vehicle not normally based at the Airport that is operated at the Airport for a limited time.

TENANT means an Entity that, by Agreement, pays rent to Sussex County to use or occupy land or Improvements at Delaware Coastal Airport.; or an Entity that occupies land or Improvements at Delaware Coastal Airport.

ULTRA-LIGHT VEHICLE means a vehicle that is used only for aviation recreation or sport aviation purposes, and satisfies all criteria and requirements of Title 14, Code of Federal Regulations, Part 103, including subsequent amendments.