

T-HANGAR USE POLICY
MODESTO CITY – COUNTY AIRPORT
Resolution 2015-272

Scope: This policy covers the procedures required of General Aviation aircraft tenants or prospective tenants in the use of T-Hangars at the Modesto City – County Airport.

Purpose: It is the intent of the City of Modesto to manage the use of T-Hangars at the Modesto City – County Airport in a consistent, reasonable and responsible manner, and in accordance with applicable sections of the Modesto Municipal Code. 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 safe use of T-Hangars at the Airport. It is not the intent of this policy to make provisions that are contrary to the Municipal Code or the policies of the Federal Aviation Administration, and in the event that there is a discrepancy or conflict between the policies, the Municipal Code shall govern in instances that are not provided for by FAA policy.

Location: The location of the T-Hangars is on the southwest side of the Airport. Exhibit A, attached as a part of this policy, identifies the T-Hangar rows (existing and future) to which this policy applies.

Policy Statements:

- The leasing of T-Hangars shall be in accordance with the Modesto Municipal Code, MMC 7.3.101, and the Aircraft Hangar Waiting List Policy adopted by the Modesto City Council in January 1990, Resolution 90-49.
- Aircraft owners wishing to lease a T-Hangar at the Modesto City-County Airport shall execute a Lease Agreement in a form provided by the City of Modesto and shall abide at all times by the terms and provisions of the Lease Agreement.
- It is the intent of the City of Modesto that those leasing a T-Hangar at the Airport will use the T-Hangar for aircraft purposes only, except with written consent of the Airport Manager to do otherwise. To that end, the following provisions further define appropriate use of a T-Hangar.
 1. Pursuant to the Lease Agreement, flyable aircraft or an aircraft under active refurbishment or assembly must be stored in the T-Hangar. The storage of vehicles, boats, furniture, construction material, machinery, household goods or other possessions in the absence of an airplane is not permitted except as described in Part 2 of this Section.
 2. A tenant who is leasing a T-Hangar for the aviation purposes described in Part 1 of this Section may temporarily lease a second T-Hangar to store vehicles and boats in the absence of an airplane as long as the goods being stored in the T-Hangar present no hazard or objectionable characteristics in any way, are not flammable liquids, and are secure in the method of storage. The Airport Manager may at his discretion approve such a lease of a second T-Hangar for such storage provided that:

- A. The tenant understands that Aviation use of the hangar has priority and the tenant is prepared to vacate the premises with 30-day notice.
 - B. The intended objects to be stored in the T-Hangar are acceptable to the Airport Manager and present no hazard, including environmental hazards to other hangars.
 - C. One T-Hangar of similar size and features is always available for immediate occupancy by an airplane or emergency use.
 - D. Tenants using T-Hangars for airplane storage have first choice of any available hangars including the leased storage hangars without airplanes.
 - E. Tenant agrees that the hangar can be inspected at any time with reasonable notice by the appropriate City of Modesto Code Enforcement team to ensure compliance with the Modesto Municipal Code and other State or Federal regulations.
3. 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 defined as active and consistent work on assembling the aircraft with the intent of restoring it to full flight status. The tenant shall provide evidence substantiating reasonable progress to the Airport Manager upon request. 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 is subject to annual inspection by the Airport Manager. Failure to meet these conditions will be deemed unacceptable and grounds for the termination of the Lease Agreement.
4. Major overhaul of engines, painting of aircraft, and cleaning with flammable solvents is prohibited inside the T-Hangars pursuant to Modesto Municipal Codes Section 7-3.306.
5. The aircraft in a T-Hangar must be owned in part, fully owned, or leased by the tenant who signed the hangar Lease Agreement. 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 the Airport Manager 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. The Airport Manager may approve reasonable requests to store aircraft outside of this policy on a case-by-case basis, provided the ownership and insurance status of the aircraft can be documented.
6. Permission for construction of structures and/or lofts within a T-Hangar requires the prior approval of the Airport Manager. The construction of these kinds of facilities will be done under the auspices of the City's Building Inspection Department, with an associated Building Permit obtained and displayed during construction.

7. T-Hangars will be subject to a triennial inspection by the City of Modesto Fire Marshal and by Airport Maintenance and Operation staff for the purpose of determining compliance with applicable provisions of the Modesto Municipal Code, Fire Code and T-Hangar Lease Agreement. Discrepancies shall be noted and provided to the tenant for correction. In the event of emergency or unforeseen circumstance, City Staff and the Airport Manager may enter a hangar at any time provided the tenant is advised as quickly as possible of the entry, the purpose for the entry, and actions taken once inside the hangar.
 8. Installation of additional wiring for lighting and equipment needs is to be done in conformance with all applicable Building and Fire Codes. The use of extension cords is limited to UL listed cords used in compliance with manufacturers' instructions. Extension cords may not be used in lieu of permanent wiring. Any extension cord that is permitted for use must be unplugged when the hangar is unoccupied. The exception to this section is if the extension cord is being used to power a battery charger, crankcase heater and the like. The extension cord must be plugged into a Circuit Breaker Power Box or plug strip rated with 15 amps "maximum" overcurrent protection.
 9. Space heaters of any type are not permitted in the hangars unless they are UL listed for interior use, they are used only when the tenant is present in the hangar, and the heater is always disconnected on exiting the hangar.
 10. Unobstructed fire or emergency access to the rear of the hangar must be provided.
 11. The storage, use, or handling of flammable/combustible liquids shall be conducted in a limited manner appropriate to FAA approved owner maintenance activity, an aircraft restoration, or home built aircraft project. In all cases, the quantity of such liquids shall be limited as described in 7-3.310 of Title 7-Public Works, Chapter 3 of the Modesto Municipal Code.
 12. No objects may be hung from or attached to the structural members of the T-Hangar without the prior approval of the Airport Manager.
 13. Trash cans on the Airport shall be used for the disposal of materials appropriate to the ownership, storage, and use of an aircraft. The trash facilities shall not be used for the disposal of other debris or stored items not related to the aircraft's presence in the hangar and appropriate aviation activity. No use of the City's Airport dumpster shall be allowed without prior approval from the Airport manager.
- It is the intent of this policy to provide for a safe and clean environment in which aircraft can be housed at the Modesto City – County Airport. If the Airport Manager determines that an unsafe situation is present in the T-Hangar, the tenant shall immediately correct that situation in consultation with the Airport Manager. Failure to comply with the directives 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 Airport Manager.

Deviations:

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 who shall attempt to accommodate the request within policy and common sense, as the situation may dictate.

Appeals Process:

In the case where a T-Hangar tenant does not agree with a determination made by the Airport Manager, the tenant and the Airport Manager shall bring the issue to the attention of the Airport Advisory Committee, which shall make all best efforts in finding a solution. Should this effort be unsuccessful, the tenant is entitled to a formal appeal per Title 1, Chapter 4 of the Modesto Municipal Code Section 1-4.01 to 1-4.05.

We truly appreciate your continued cooperation and attention to the items listed above. As a result, your help will provide safe hangar facilities, and support a fair and enjoyable tenant/landlord relationship, which is to everyone's best interest.

Approved by the Airport Advisory Committee on May 21, 2015