

10977. RESOLUTION 15-23 AMENDS RESOLUTION 09-23 WHICH MODIFIES THE SCHEDULE OF FEES AND CHARGES AT DELAWARE RIVER AND BAY AUTHORITY OPERATED AIRPORTS

WHEREAS, the Delaware River and Bay Authority (the “Authority”) is the operator of the New Castle, Cape May and Delaware Airpark Airports (the “Airports”); and

WHEREAS, the Authority has adopted a Schedule of Fees and Charges for each of the Airports; and

WHEREAS, the Authority has a fiduciary responsibility to review this schedule of fees and charges, and make modifications necessary to meet the financial requirements of the Airports; and

WHEREAS, the Authority has determined that the revised Schedule of Fees and Charges is necessary and proper to generate revenue sufficient to support Airport activities.

WHEREAS, under Article VII(d) of the Compact, after the Board of Commissioners approval, the Schedule of Fees and Charges will be filed with the Secretary of State of the States of Delaware and New Jersey and will take effect at that time.

NOW, THEREFORE, BE IT RESOLVED, that the Schedule of Fees and Charges for the above referenced Airports are hereby amended by the attached Schedule of Fees and Charges, effective August 1, 2015.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Secretary of the Board of Commissioners is hereby authorized and directed to file a copy of said Schedule of Fees and Charges with the Secretary of State of the States of Delaware and New Jersey.

A motion to approve Resolution 15-23 was made by Commissioner Wilson and seconded by Commissioner Ford. Resolution 15-23 was approved by a roll call vote of 10-0.

Resolution 15-23 – Executive Summary Sheet

Resolution: Authorizing the amendment of the Schedule of Fees and Charges for the Airports operated by the Authority

Committee: Economic Development

Committee Date: June 16, 2015

Board Date: June 16, 2015

Purpose of Resolution: To permit the Executive Director, Chairman and Vice Chairman to amend the Schedule of Fees and Charges at the Airports operated by the Authority and place them on file with the Secretary of each State.

Background for Resolution: There is a Schedule of Fees and Charges at New Castle, Cape May and Delaware Airpark that sets predetermined rates for various operations at our Airport facilities. The last review and adjustment to these rates was done in January 2010. The current review was precipitated by the construction of new hangars at DAP and changes to general operations and economic conditions at the airports.

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DELAWARE AIRPARK SCHEDULE OF FEES AND CHARGES

August, 2015

The following schedule of fees and charges for the use or uses of the Delaware Airpark is hereby established:

1. AIRCRAFT OPERATIONS

a. Aircraft storage in public hangars.

The monthly charge for storing an aircraft shall be:

T-Hangars	Current	2015
Monthly	\$220.00 and \$230.00	\$315.00

b. Aircraft storage in public tie down spaces. Rates as follows:

(1) Daily Rates:

Single Engine Aircraft	-	\$8.00
Twin Engine Aircraft	-	\$10.00

(2) Monthly Rates:

All Aircraft - Paved Areas	-	\$60.00
All Aircraft - Unpaved Areas		\$40.00

c. Lighter-than-air aircraft use:

Lighter-than-air aircraft such as airships, dirigibles, blimps or balloons shall pay a daily use fee of fifty dollars (\$50.00). The payment of the fee shall entitle the operator to a mooring location that shall be at least a 300-foot diameter circle centered on the mooring mast or inflation site assigned by the airport, as well as parking for support vehicles. Prior permission of the airport manager is required.

d. Fuel flowage fees:

Aviation fuel delivered to the fuel storage facilities on the airport shall be subject to the following fuel flowage fee:

- (1) Fixed-base Operator - six cents (\$0.06) per gallon.
- (2) Other signatory users -six cents (\$0.06) per gallon.

e. Removal of wrecked or damaged aircraft in any movement area: Disabled aircraft that cannot be taxied or towed from any movement area of the airport (runways and taxiways) shall be removed as expeditiously as possible. It shall be the responsibility of the aircraft operator to remove the disabled aircraft from the movement area, the staff of the airport or a company contracted by the airport may remove the disabled aircraft. The fee for such removal shall be no less than two hundred fifty dollars (\$250.00) for a single engine aircraft and five hundred dollars (\$500.00) for aircraft with more than one engine or the actual cost of removal, whichever is greater. The aircraft owner/operator is responsible for any and all damages incurred during the removal of aircraft from any movement area by the Delaware River & Bay Authority and/or any agency under contract by the Delaware River & Bay Authority for aircraft removal.

2. VEHICLE OPERATIONS AND MASS VEHICLE STORAGE:

a. Vehicle storage in authorized areas: Short-term parking in public lots provided by the airport shall be free (limited space available).

b. Long-term parking is defined as any vehicle parking for a period that extends over 72 hours: Any person that intends to do so must receive prior permission from Airport Management, fill out a vehicle ownership/contact form, and is subject to any fees and agreements as stated in a separate parking contract with the Delaware River and Bay Authority. Failure to do so will be considered a violation of Section 3.06 of the Airport Rules and Regulations and the vehicle will be subject to towing at the owner's expense.

c. Mass vehicle storage: Certain portions of airport property may be made available for the parking of vehicles. The charge of mass vehicle storage shall be six dollars (\$6.00) per car per day. This fee applies unless a separate parking contract is in place with Delaware River and Bay Authority.

d. Reserved parking by signatory users: Certain parking spaces in public lots may be reserved for the exclusive use of certain airport tenants if arranged by lease or other agreement with Delaware River and Bay Authority and this payment for such space is included in the lease or other agreement. Reserved parking spaces shall be clearly marked.

e. Removal of wrecked, damaged or abandoned vehicles from the airport: Disabled or abandoned vehicles that cannot be moved under their own power shall be removed in accordance with the Delaware River & Bay Authority Police Department towing policy . The vehicle owner is responsible for any and all damages incurred during the removal of any wrecked, damaged, or abandoned vehicles from airport property by the Delaware River & Bay Authority and/or any agency under contract with the Delaware River & Bay Authority for vehicle removal. The charge for such removal shall be Seventy-five dollars (\$75.00), or the actual cost of removal, whichever is higher, plus a Twelve dollar (\$12.00) per car per day storage fee.

3. SPECIAL EVENTS:

The landing facilities of the airport may be used for special events with the prior permission of the airport manager. Such special events must be compatible with the use of the land and facilities as a public use airport and must not, in any way, interfere with aircraft operations. Access to movement areas (runways and taxiways) must be coordinated with the airport manager. Fees for special events may be set by contract or other agreement reached with the appropriate Delaware River & Bay Authority representatives. These fees shall include, but not be limited to the reasonable cost to be incurred by the airport to support such special events.

4. BILLING:

Monies due to the airport for the activities and uses in the section shall normally be billed by the airport on a monthly basis.

5. PAYMENT:

Payment of bills shall be due within thirty (30) days of the billing date.

Remittance shall be made to:
Delaware River and Bay Authority
Ref: Delaware Airpark
P. O. 566
Wilmington, DE 19899

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NEW CASTLE AIRPORT SCHEDULE OF FEES AND CHARGES

August, 2015

The following schedule of fees and charges for the use or uses of the New Castle Airport is hereby established:

1. **Aircraft Operations:**

(For fee purposes, an operation shall consist of an arrival and a departure.)

(a) ***Landing Fee:***

All aircraft, including rotorcraft, shall be assessed a landing fee of One Dollar and twenty-five cents (\$1.25) per one thousand (1,000) pounds of certificated “maximum takeoff gross weight” (MTOGW). The minimum fee shall be fifteen dollars and sixty-three cents (\$15.63) (12,500 pounds or more). The MTOGW shall be established as set forth in the flight manual for the aircraft or any Federal Aviation Administration documents. The following exemptions to this subsection are hereby established:

(i) ***Signatory users.*** Those aircraft owned and operated by users of the airport having a lease or other operating agreement with Delaware River and Bay Authority with provisions in their contract with Delaware River and Bay Authority for the payment of aircraft operations. If such provisions exist, they may govern in lieu of the landing fee or other user charges.

(ii) ***Based aircraft.*** Single-engine aircraft and rotorcraft (under 7,500lbs) based at New Castle Airport that are not used for commercial purposes shall be permitted unlimited landings each month without charge.

(iii) ***Public aircraft.*** Aircraft owned and operated by the government of the United States of America, aircraft owned and operated by the military forces of the United States of America, and aircraft owned and operated by foreign governments and military forces.

(iv) ***Aircraft operated in support of military operations.*** Members of the Civil Air Patrol and the United States Coast Guard Auxiliary may, upon written application to the Airport Manager and supported by military orders, request that fees for landings performed during search and rescue missions and exercises be exempted. Each such landing must be identified on the individual landing fee invoice.

(v) ***Public employees renting aircraft for official business.*** Employees of the federal, state or local government may, upon written application to the airport manager, and supported by written authorization of their superior, request that fees for landings performed in aircraft rented to accomplish their official duties be exempted. Each such landing must be identified on the individual aircraft landing fee invoice of the aircraft owner.

(a) ***Aircraft storage:***

	Current	2015
Small hangar (old)	\$425	\$425
Small hangar (new)	\$550	\$475
Medium hangar	\$500	\$450
Large hangar	\$650	\$650

(b) ***In public tie-down spaces.*** The monthly fee for storing aircraft in public tie-down spaces shall be:

Year	Amount
2009	Seventy-Five dollars (\$75) per month
2009	One Hundred dollars (\$100.00) per month
2010 (forward)	One hundred and twenty-five dollars (\$125.00) per month

2. **Other Fees**

(a) **Terminal Use Fee.** The airline terminal portion of the Terminal Building is provided by the airport for the use of scheduled, nonscheduled and charter airlines. Such uses are normally covered in a lease or other operating agreement. For one-time or short-term use in the absence of such an agreement, the terminal use shall be:

Terminal Use and Fees: The operator or their representative of the scheduled, non-scheduled or charter airline shall arrange for by contract or provide their own passenger screening equipment and personnel in keeping with Federal Aviation Administration FAR 121, 107 and 108. There will be a terminal use fee of \$2.50 per passenger.

(b) **Passenger Enplanement Fee.** This fee is negotiated based on airline need and airport commitment of personnel, equipment, services, supplies and other operating costs.

(c) **Apron aircraft parking.** The Terminal aprons are provided for short-term loading and unloading of passengers and cargo within designated areas. The fee for all apron use is:

Type of Aircraft	DRBA Ramp Fee Daily Rate
Standard single Engine (Cherokee, Cessna)	\$10.00
X-Large Singles (Pilatus, Embracer)	\$80.00
Light Twins (Baron, Duke, Cessna)	\$25.00
Twin Turbo Props (King Air, Merlin, Conquest)	\$80.00
Small Jets (Lear 23-36, Citation 1-2-5, Falcon 10)	\$90.00
Medium Jets (Beech Diamond Jet, Citation 3-6-7, Hawker)	\$100.00
Large Jets (Falcon 2000,Gulfstream 1-2)	\$160.00
X-large Jets (Gulfstream 3-4, Canadair Regional Jet)	\$180.00
Extreme Jets (Global Express, GV, Boeing BBJ)	\$200.00

Helicopters	\$30.00
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Delaware River and Bay Authority assumes no responsibility for securing aircraft on the Terminal apron. Longer term parking is provided by the fixed-base operators on the field.

- (d) ***Lighter-than-air aircraft use.*** Lighter-than-air aircraft such as airships, dirigibles, blimps or balloons shall pay a daily use fee of hundred dollars (\$100.00). The payment of this fee shall entitle the operator to a mooring location that shall be a 300-foot diameter circle centered on the mooring mast or inflation site assigned by the airport, as well as parking for support vehicles. Prior permission of the airport manager is required.
- (e) ***Fuel flowage fee.*** Aviation fuel delivered to the fuel storage facilities on the airport shall be subject to the following fuel flowage fee:
 - (1) Fixed-base operators - Nine cents (\$0.09) per gallon.
 - (2) Other signatory users - Eleven cents (\$0.11) per gallon.
- (f) ***Removal of wrecked or damaged aircraft in any movement area.*** Disabled aircraft that cannot be taxied or towed from any movement area of the airport (runways and taxiways) shall be removed as expeditiously as possible. It shall be the responsibility of the aircraft operator to remove the disabled aircraft. If the disabled aircraft operator cannot or will not remove the disabled aircraft from the movement area, the staff of the airport or a company contracted by the airport may remove the disabled aircraft. The fee for such removal shall be no less than two hundred fifty dollars (\$250.00) for a single engine aircraft and five hundred dollars (\$500.00) for aircraft with more than one engine or the actual cost of removal, whichever is higher.

3. **Vehicle Operations and Mass Vehicle Storage.**

- (a) ***Vehicle storage in authorized areas.*** Short-term parking in public lots provided by the airport shall be free (limited space available).
 - (b) ***Mass Vehicle Storage.*** Certain portions of airport property may be made available for the parking of vehicles. The charge for mass vehicle storage shall be one dollar (\$1.00) per car per day. This fee applies unless a separate parking contract is in place with Delaware River and Bay Authority.
 - (c) ***Reserved parking by signatory users.*** Certain parking spaces in public lots may be reserved for the exclusive use of certain airport tenants if arranged by lease or other agreement with Delaware River and Bay Authority and this payment for such space is included in the lease or other agreement. Reserved parking spaces shall be clearly marked.
 - (d) ***Removal of wrecked, damaged or abandoned vehicles from the airport.*** Disabled or abandoned vehicles that cannot be moved under their own power shall be removed in accordance with the Delaware River and Bay Authority Police Department towing policy.
4. **Special events.** The landing facilities of the airport may be used for special events with the prior written permission of the Airport Manager. Such special events must be compatible with the use of the land and facilities as a public use airport and must not, in any way, interfere with aircraft operations. Access to movement areas (runways and taxiways) must be coordinated with the Airport Manager and airport traffic control tower. The fee for such special events shall be set by contract with Delaware River and Bay Authority.
5. **Commercial Quarterly Fuel Permit Fee:** Each storage tank and mobile fueler shall be required to have a fuel permit per FAR part 139 requirements. Permits are issued quarterly and fees are \$15.00 per permit.
6. **ID Badge Application Fee:** Initial ID badges shall be free. Lost and replacement badges will be \$50.00 each

7. **Billing and payment procedures.**

- (a) ***Billing.*** Monies due to the airport for the activities and uses in this section shall normally be billed by the airport on a monthly basis.

- (b) ***Payment.*** Payment of bills shall be due within thirty (30) days of the billing date. Remittance shall be made to:

Delaware River and Bay Authority
P.O. Box 566
Wilmington, DE 19899

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CAPE MAY AIRPORT SCHEDULE OF FEES AND CHARGES

August, 2015

The following schedule of fees and charges for the use or uses of the Cape May Airport is hereby established:

1. AIRCRAFT OPERATIONS

a. Aircraft storage in public hangars.

The monthly charge for storing an aircraft shall be:

T-Hangars	Current	2015
Monthly	\$375.00	\$300.00

b. Aircraft storage in public tie down spaces. Rates as follows:

	Daily Rates	Monthly Rates
Under 6,000 Ibs	\$6.00	\$40.00
6,000 - 12,000 Ibs	\$8.00	\$60.00
Over 12,000 Ibs	\$10.00	\$80.00

- (i) Daily Rate Parking Fees pertain to overnight stays of seven days (7) or less.
- (ii) Aircraft using public tiedowns for periods longer than seven (7) days will be charged the monthly rate.

c. Lighter-than-air aircraft use.

Lighter-than-air aircraft such as airships, dirigibles, blimps or balloons shall pay a daily user fee of fifty dollars (\$50.00). The payment of the fee shall entitle the operator to a mooring location that shall be at least a 300-foot diameter circle centered on the mooring mast or inflation site assigned by the airport, as well as parking for support vehicles. Prior permission of the airport manager is required.

d. **Fuel flowage fees.**

Aviation fuel delivered to the fuel storage facilities on the airport shall be subject to the following fuel flowage fee:

- (1) Fixed-base Operator - Six cents (\$0.06) per gallon.
- (2) Other signatory users - Six cents (\$0.06) per gallon.

- e. **Removal of wrecked or damaged aircraft in any movement area.** Disabled aircraft that cannot be taxied or towed from any movement area of the airport (runways and taxiways) shall be removed as expeditiously as possible. It shall be the responsibility of the aircraft operator to remove the disabled aircraft from the movement area. The staff of the airport or a company contracted by the airport may remove the disabled aircraft. The fee for such removal shall be no less than two hundred fifty dollars (\$250.00) for a single engine aircraft and five hundred dollars (\$500.00) for aircraft with more than one engine or the actual cost of removal, whichever is greater. The aircraft owner/operator is responsible for any and all damages incurred during the removal of the aircraft from any movement area by the Delaware River & Bay Authority (DRBA) and/or any agency under contract by the DRBA for aircraft removal.

2. VEHICLE OPERATIONS AND MASS VEHICLE STORAGE:

- a. **Vehicle storage in authorized areas.** Short-term parking in public lots provided by the airport shall be free (limited space available).

- b. **Long-term parking is defined as any vehicle parking for a period that extends over 72 hours.** Any person that intends to do so must receive prior permission from Airport Management, fill out a vehicle ownership/contact form, and is subject to any fee and agreements as stated in a separate parking contract with the DRBA. Failure to do so will be considered a violation of Section 3.06 of the Airport Rules and Regulations and the vehicle will be subject to towing at the owner's expense.
- c. **Mass vehicle storage.** Certain portions of airport property may be made available for the parking of vehicles. The charge of mass vehicle storage shall be six (\$6.00) per car per day. This fee applies unless a separate parking contract is in place with DRBA.
- d. **Reserved parking by signatory users.** Certain parking spaces in public lots may be reserved for the exclusive use of certain airport tenants if arranged by lease or other agreement with DRBA and this payment for such space is included in the lease or other agreement. Reserved parking spaces shall be clearly marked.
- e. **Removal of wrecked, damaged or abandoned vehicles from the airport,** Disabled or abandoned vehicles that cannot be moved under their own power shall be removed in accordance with the Delaware River & Bay Authority Police Department.

Towing policy. The vehicle owner is responsible for any and all damages incurred during the removal of any wrecked, damaged, or abandoned vehicles from airport property by the Delaware River & Bay Authority (DRBA) and/or any agency under contract with the DRBA for vehicle removal. The charge for such removal shall be seventy-five dollars (\$75.00), or the actual cost of removal, whichever is higher, plus a twelve dollar (\$12.00) per car per day storage fee.

3. **SPECIAL EVENTS:**

The landing facilities of the airport may be used for special events with the prior permission of the airport manager. Such special events must be compatible with the use of the land

and facilities as a public use airport and must not, in any way, interfere with aircraft operations. Access to movement areas (runways and taxiways) must be coordinated with the airport manager. Fees for special events may be set by contract or other agreement reached with the appropriate Delaware River & Bay Authority representatives. These fees shall include, but not be limited to the reasonable cost to be incurred by the airport to support such special events.

4. Billing:

Monies due to the airport for the activities and uses in the section shall normally be billed by the airport on a monthly basis.

5. Payment:

Payment of bills shall be due within thirty (30) days of the billing date.

Remittance shall be made to:

Delaware River and Bay Authority
Ref: Cape May Airport
P.O. Box 566
Wilmington, DE 19899