

City of Phoenix Aviation Department Rules & Regulations

Number: R&R 02-05

Authority: These Rules and Regulations are promulgated pursuant to Phoenix City Code Chapter IV; Article I, Section 4-2.

Rule and Regulation: Minimum Standards – Flying Club

Purpose: These Rules and Regulations govern the Flying Club permits established at Phoenix Sky Harbor International Airport, Phoenix Deer Valley Airport and Phoenix Goodyear Airport. They are designed and intended to facilitate a safe and efficient operating environment for the Airports and their users. All persons shall comply with these Rules and Regulations, restrictions and conditions at all times.

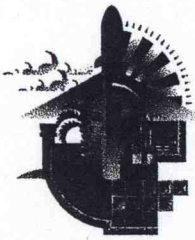
The information and requirements defined in these Rules and Regulations have been derived from Federal Aviation documents, City of Phoenix Ordinances and the City of Phoenix Aviation Department Rules and Regulations. All amendments to these documents shall be considered as included, and all definitions shall be interpreted on that basis and in consideration of the intentions of these documents.

Definitions: Definitions for terms used in these and all other City of Phoenix Aviation Department Minimum Standards Rules and Regulations shall be enclosed by parenthesis or quotation marks or reflected in Section I "Definitions". Terms which are not enclosed by parenthesis or quotation marks nor listed in Section I "Definitions" shall be construed using the common meaning as they apply to generally known aviation industry standards.

Application of Rule and

Regulation: Except as may be prohibited by other provisions of these Rules and Regulations and any other applicable law, owners of one or more aircraft who desire to establish a Flying Club, must apply for and must receive a Flying Club Permit from the Aviation Department prior to the performance of any flying club activities.

The Flying Club shall be the "Permittee" and the Permittee and its members shall comply with all applicable requirements concerning flying club activities as set forth in these Rules and Regulations as well as any amendments thereto.



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These Rules and Regulations, as modified or amended, shall be deemed to be a part of each Flying Club Permit unless otherwise provided in the Permit. The mere omission of any particular standard from a written permit shall not constitute a waiver or modification of such standard in the absence of clear and convincing evidence that the City intended to waive or modify such standard.

Standards

All flying clubs desiring to base their aircraft and operate on one of the Phoenix Aviation Department airports must comply with the applicable provisions of these Rules and Regulations. A flying club shall be a nonprofit entity (corporation, association or partnership) organized for the express purpose of providing its members with an aircraft, or multiple aircraft, for their personal use and enjoyment only. The ownership of the aircraft, or multiple aircraft, must be vested in the name of the flying club or in the names of the members who own the aircraft in equal shares. The property rights of the members of the club shall be equal and no part of the net earnings of the club will inure to the benefit of any member in any form (salaries, bonuses, etc.). The club may not derive greater revenue from the use of its aircraft than the amount necessary for the operations, maintenance and replacement of its aircraft.

Flying clubs shall not offer or conduct any commercial aeronautical operation (e.g., charter, air taxi, or rental of aircraft). They may not conduct aircraft flight instruction except for regular members, and only members of the flying club may operate the aircraft. No flying club shall permit its aircraft to be utilized for the giving of flight instruction to any person, including members of the club owning the aircraft, when such person pays or becomes obligated to pay for such instruction, except when instruction is given to a member by an instructor permitted by the Aviation Department to provide flight training.

Any flying club member who instructs other members may be compensated by credit against payment of dues or flight time. A flight instructor, including a flying club member who is an instructor, may charge a club member for providing flight instruction, provided that such instructor has obtained authorization to provide flight instruction from the Aviation Department and is authorized to receive compensation for his or her services.

Any flying club member who provides mechanical maintenance for aircraft owned by the Club may be compensated by credit against payment of dues or flight time. A mechanic, including a flying club member who is a mechanic, may charge the club for mechanical maintenance, provided that such mechanic has obtained authorization to provide mechanical maintenance from the Aviation Department and is authorized to receive compensation for his or her services.

