

ANKENY REGIONAL AIRPORT SPECIAL EVENTS POLICY

Polk County Aviation Authority

Ankeny, Iowa

PURPOSE:

The Polk County Aviation Authority (Authority) has approved and adopted this policy and application process for permitting special events to occur at the Ankeny Regional Airport (Airport), including in both privately owned and leased buildings, while maintaining responsibility for the safe and efficient operation of the Airport.

BACKGROUND:

While the principal use and purpose of the Airport is for aeronautical activities, the Authority reserves the right to issue permits for special events to take place at the Airport, including in both privately owned and leased buildings, including non-aeronautical activities. When granting these permits, the Authority is not allowed to cause or permit any activity or action which would interfere with normal and routine aviation activities without prior approval of the Federal Aviation Administration (FAA).

Furthermore, as a condition of accepting construction grants from the federal government, the Authority is required to maintain a fee and rental structure for the facilities and services at the Airport which will make the Airport as self-sustaining as possible.

The Authority is committed to operating the Airport under a philosophy of public service and to being a good neighbor to the surrounding communities and their residents. In granting permits for special events, the Authority promotes an interest in aviation and increased awareness of the Airport facilities and services to attendees of the permitted activities.

DEFINITIONS:

For the purpose of this policy, the following definitions apply:

1. **Aeronautical Activity:** An aviation activity or event regulated or governed by the Federal Aviation Administration. This also includes the use of lighter-than-air craft (hot air balloons, blimps, etc.) that may be tethered or anchored to the ground or other fixed or stationary objects.
2. **Lights and/or Lighting:** Any lighting that is not a permanent fixture on the Airport or an Airport building including any movable or repositioned lighting.
3. **Loud Music or Public Address Announcements:** Any music or announcements that can be heard beyond the perimeter fence of the Airport regardless of the location of the music or announcement being generated.
4. **Person:** Any individual, partnership, corporation, association, joint venture, organization, group or duly authorized representative thereof.
5. **Non-Aeronautical Activity:** An activity or event that is not regulated or governed in any manner by the Federal Aviation Administration.
6. **Special Events:** An activity or event held on or over the Airport, including in both privately owned and leased buildings, which has the potential to interrupt the normal principal use and purpose of the Airport especially when a large number of participants or spectators are anticipated to participate and/or attend. This includes potential impacts on the neighborhoods surrounding the Airport and the roadways leading to and from the Airport. A special event could be an aeronautical activity or a non-aeronautical activity including civic, charitable, educational, religious, non-profit or similar purpose. This does not pertain to press conferences, press briefings,

or similar type events.

PERMITTED USES:

Use of the space is restricted to the event specifically stated in the application, or any activities normally associated with such an event. No person shall utilize any portion of the Airport, including in both privately owned and leased buildings, for any special event except as authorized by the Authority. In addition, no person shall use any structure or facility on the Airport, either directly or indirectly for the conduct or promotion of, or solicitation for any business, trade, or commercial activity; or for any revenue producing or fund-raising purpose, except under the terms and conditions of a lease, license, contract or permit or written authorization issued by the Authority. Authorized tenants of the Airport may be permitted to use their facilities for special event activities after making application for and receiving approval by the Authority for these special event activities.

Approval by the Authority for special event activities is done on a case-by-case basis. The Authority has the right to restrict the use of its facilities, including the time of use and the noise generated, and to discontinue use of its facilities by persons not complying with the terms and conditions of any required permits or for public safety or security reasons. The Authority reserves the right to modify this policy from time to time on a case-by-case basis.

AGREEMENTS:

Persons requesting use of the Airport for a special event activity must first submit a Special Events Application to the Airport Manager for approval by the Authority. The Authority may also require indemnification, insurance certificates and deposits as part of the application. Once approved and signed by the Authority, the application and its supporting documents will act as a formal binding agreement between the parties.

SPECIAL EVENT PERMIT FEE SCHEDULE:

Deposit: \$200

Event permit fee per day: \$200

Special event applications must be received by the Authority at least 45 days in advance of the event to be considered for approval.

Event permit fees may be waived for special events held inside privately owned or leased buildings, although if an event is planned for both inside and outside the privately owned or leased buildings event permit fees shall apply.

Registered 501(c)(3) non-profit organizations may be eligible for a 50 percent discount on event permit fees.

A deposit is to be included with the application. The deposit will be returned to the applicant if the application is denied or following the next regular Authority meeting after the event provided the facility is returned to satisfactory condition. If repairs or damages occur to the facility, the deposit will be retained.

Event permit fees are to be paid at least fourteen (14) days prior to the event and submitted with the required certificates of insurance. If the event is cancelled by mutual consent of both parties at least fourteen (14) days prior to the event all fees paid will be fully reimbursed. If the event is cancelled within fourteen (14) days of the event, the Authority will reimburse the event permit fee but reserves the right to retain the deposit as a cancellation fee.

In addition to the permit fee listed above, the Airport Manager reserves the right to charge for direct expenses, personnel reimbursement expenses, expenses to restore the facilities to their original state, and expenses due to damage during the use of its facilities.

CERTIFICATE OF INSURANCE REQUIREMENTS:

Proof of insurance is required for all special events and shall be provided at least fourteen (14) days prior to the

event. The certificate shall cover the entire time for which the permit is issued, including move-in dates and move out dates, and shall include, at a minimum, a liability policy for bodily injury to any one person or for any one accident in the amount specified below, according to the type of event.

1. Low Risk Event: Non-aeronautical event with little or no impact on the public - minimum liability limit \$1,000,000.
2. High Risk Event: Events requiring street closures, events that expect large crowds, multi-day events, and aeronautical events – minimum liability limit \$10,000,000.

The Authority reserves the right to require additional or lesser amounts of insurance depending on the planned activities.

The certificate of insurance shall name Polk County Aviation Authority, its Board Members, officers, employees, agents and volunteers as additional insured with respect to liability arising out of the insured's work and/or services performed at the special event. This coverage shall be primary to the additional insured and not contributing with any other insurance or similar protection available to the additional insured, whether available coverage be primary, contributing or excess.

The following information must be included on the certificate of insurance:

1. List the name, date and location of the event in the description of operations section.
2. The following address must appear in the certificate holder section:

Polk County Aviation Authority
410 West First Street
Ankeny, IA 50023
3. The contact person's name, phone number and e-mail address is required.
4. Endorsements, as required, shall be included with the certificate of insurance to evidence that the policy has been endorsed.

The Authority may also require a Governmental Immunities Endorsement which must read: 1. Non-Waiver of Government Immunity: The insurance carrier expressly agrees and states that the purchase of this policy and the inclusion of the Polk County Aviation Authority as an additional insured does not waive any of the defenses of governmental immunity available to the Polk County Aviation Authority under Code of Iowa Section 670.4 as it now exists and as it may be amended from time to time. 2. Claims Coverage: the insurance carrier further agrees that this policy of insurance shall cover only those claims not subject to the defense of governmental immunity under the Code of Iowa Section 670.4 as it now exists and as may be amended from time to time. 3. Assertion of Government Immunity: The Polk County Aviation Authority shall be responsible for asserting any defense of governmental immunity, and may do so at any time and shall do so upon the timely written request of the insurance carrier. Nothing contained in this endorsement shall prevent the carrier from asserting the defense of governmental immunity on behalf of the Polk County Aviation Authority. 4. Non-Denial of Coverage: The insurance carrier shall not deny coverage under this policy and the insurance carrier shall not deny any of the rights and benefits accruing the Polk County Aviation Authority under this policy for reasons of governmental immunity unless and until a court of competent jurisdiction has ruled in favor of the defense(s) of governmental immunity asserted by the Polk County Aviation Authority. 5. No Other Change in Policy: The insurance carrier and the Polk County Aviation Authority agree that the above preservation of governmental immunities shall not otherwise change or alter the coverage available under the policy.

NON-AUTHORITY PERMITS AND LICENSES:

It is the responsibility of the Person submitting this application to obtain any and all permits or licenses that are required and issued by the State of Iowa, Polk County, or the City of Ankeny, such as permits and licenses for special events, noise, food sales and/or distribution, alcohol sales and/or distribution, or motor vehicles. Special events may also require public safety coordination with the City of Ankeny Police Department and/or Fire Department. All non-Authority permits and licenses must be approved and received prior to the use of the Airport facilities.

The Authority is not responsible for any costs associated with the application or acquisition of any permits, including if the special event application is denied.

The Authority is not responsible for illegal or irresponsible use or sale of alcohol during the permitted use of the facilities.

RESTRICTIONS ON USE OF FACILITIES:

The Authority reserves the right to limit the hours of activities, the volume of music/noise generated, the number of amplified speakers and the lighting for all activities conducted by the Person requesting use of its facilities. External speakers must face toward the center point of the Airport and inside speakers in a hangar location must face toward the inside of the hangar. Lighting must not interfere with aircraft operations or impede the ability of pilots, ground control, operations, or any other primary service to safely conduct their jobs or interfere with safety lighting in place on the Airport. Certain airport events, such as airport emergencies, will take priority and may prompt the Airport Manager or Fixed Base Operator to restrict the use of facilities immediately if public safety or other operational concerns warrant. In the event it halts production, the Airport Authority shall not be responsible for any damages or losses that might be incurred by the rental party.

All activities will be restricted to the following hours:

1. No loud music or public address announcements before 7:00 a.m.
2. Events may not start before 7:00 a.m.
3. All events must conclude by 11:00 p.m.
4. Aerial lighting must be approved prior to use.

No person holding an event shall, on the grounds of race, color, national origin, or any category or classification protected by State or federal law discriminate or permit discrimination against any person or group of persons in any manner prohibited by the Regulations of the Office of the Secretary of Transportation.