

HAYWARD EXECUTIVE AIRPORT HANGAR WAITING LIST POLICIES

1. There are hangar waiting lists for four sizes of hangars at the Hayward Executive Airport:

<u>HANGAR SIZES</u>	<u>DOOR OPENING</u>	<u>DOOR HEIGHT</u>	<u>TOTAL</u>
a. Small T-Hangar (810 sq ft)	40'	9'5"	10
b. Standard T-Hangar (912-1,058 sq ft)	40' - 41'	12' - 12'5"	170
c. Large T-Hangar (1,288 sq ft)	46'	13'5"	12
d. Executive Hangar (2,401- 3,600 sq ft)	49' - 60'	12' - 16'	15

2. The hangar waiting lists will be posted publicly on the bulletin board in the lobby of the Airport office.
3. A refundable \$100 deposit is required for each hangar size application.
4. For information concerning the hangar waiting lists, please call (510) 293-8678 or stop by the Airport office for an application. When an application is completed, signed, and received at the Airport office, it will be stamped with the date and time of day. An applicant's priority number is determined by the date and time the application is received.
5. Only applications provided by the Airport office or from the City website will be accepted.
6. The waiting list application information is updated annually in October or as needed.
7. An applicant need not own an aircraft while waiting for hangar space, but must have it upon occupancy.
8. Co-owners of aircraft must apply under one owner's name only, or complete separate applications.
9. Applicants may appear on all four lists at the same time and may rent a maximum of three (3) hangars at a time.
10. Tenants who already rent three (3) City-owned hangars and wish to rent an additional hangar will be placed on a secondary list, and will not be eligible for another hangar until the primary list is exhausted.
11. The person whose name appears at the top of a specific list may, at the sole discretion of the Airport Manager or his/her designee, be offered the first available space in that category of hangar only. A non-exclusive list of factors which may be taken into account when the Airport Manager considers whether there is good cause to deny an applicant's request for an airport lease are:
 - a. Past or present violations of airport policy, rules, or regulations;
 - b. Past or present unsatisfactory business relationship, including delinquencies and non-payment of rent for the use of City facilities;

- c. Past or present violations of Federal Aviation Administration (FAA) policy, rules, or regulations;
- d. Past or present violations of any federal, state, or local statutes, rules, or regulations;
- e. Complaints received by the Hayward Executive Airport, City of Hayward, any law enforcement agency, or FAA regarding the applicant;
- f. Threats made to the Hayward Executive Airport, City of Hayward, or FAA staff;
- g. Any past revocation of an FAA-issued license or certificate along with the reasons for the revocation;
- h. Whether the applicant, based on past and present behavior, represents a security threat;
- i. Whether the applicant, based on past and present behavior, represents a nuisance to the other airport tenants or airport operations in general;
- j. Any acts of terrorism or attempted acts of terrorism; and
- k. Any other factors that the Airport Manager deems relevant in his/her sole discretion.

If the Airport Manager, or designee, determines that an applicant who appears at the top of a specific list is not eligible for a lease, the refundable deposit paid by the applicant will be returned to the applicant within a reasonable time. A written notice of denial will be provided to the applicant specifying the reasons for denial.

An applicant removed from the Hangar Waiting List due to a determination that he or she is unfit for an airport lease shall not later be added to the list.

If an applicant wishes to appeal the decision regarding his or her eligibility for a hangar lease, the applicant will have seven (7) working days from notice of the decision to appeal via the procedure outlined in the Hayward Executive Airport Code Section 2-6.22.

Nothing in this section or the Hangar Waiting List Policies in general, shall be considered to create a property interest in a leasehold estate at the Hayward Executive Airport.

- 12. An applicant may be denied hangar space if the applicant is in default of any other lease, agreement, or permit, or in violation of any Airport rules and regulations, unless the violation or default is cured within 5 days of hangar availability. This provision does not allow for a right to cure any denial of an applicant's request for a hangar space made under paragraph 11 of this policy.
- 13. Applicant will be dropped from waiting list(s) under the following conditions:
 - a. Failure to renew application when requested by the Airport office;
 - b. Failure to respond to notification of hangar availability after **5 working days**;
 - c. Failure to provide current address and phone number; and/or
 - d. At applicant's request
- 14. If a hangar applicant does not accept a hangar within **5 working days** from the time notified, the next applicant on the waiting list will be notified. **Following proper notification by the City, an applicant will be permitted to remain at the top of the waiting list in the event of one refusal.** In the event of **two** refusals, the applicant's name will be removed from the list and their deposit refunded, or re-instated at the bottom of the list if a new application is submitted.

15. If an applicant is notified that a hangar is available and they do not yet have an FAA Registration Certificate the applicant will be determined ineligible and will be passed over **once**, without penalty. However, if an applicant is determined to be ineligible **twice**, the City will automatically move the applicant's name to the bottom of the hangar waiting list.
16. Prior to entering into a hangar agreement with the City, the applicant must be able to provide a valid **FAA Registration Certificate** showing the applicant as the owner or co-owner of the aircraft to be stored in the hangar. This document must be presented to the City at the time the agreement is executed. City does not accept an FAA Application Registration as proof of ownership. In the case of an unfinished homebuilt, an FAA Registration Certificate must also be submitted.
17. Upon execution of any hangar tenancy agreement with the City, new tenants shall provide evidence that aircraft to be stored in City owned hangars are maintained in flyable and airworthy condition. This may be accomplished by furnishing copies extracted from aircraft logbooks that show the date of last annual inspection, or by physical inspection of the aircraft by the Airport manager, or his/her appointed designee.
18. Only aircraft owned or co-owned by the applicant, verified by a valid FAA Registration Certificate, will be authorized to occupy the Hangar.
19. The applicant can elect to include co-owners of the aircraft on the Rental Agreement. Co-owners must sign the agreement at the time of execution. Current and subsequent owners or part owners of the aircraft who are **not** named on the rental agreement are not entitled to any interest in the hangar thereafter and **MAY NOT** be added after execution of the agreement.
20. Subleasing or transfer of a hangar is strictly prohibited.
21. Should it become apparent to the City, that the person(s) whose name(s) appears on the executed lease agreement, have voluntarily forfeited their tenancy rights through illegal sub-lease of City-owned hangar premises, the City shall have the right as owner, to have unrecognized aircraft, vehicles and personal belongings removed from City-owned property at Lessor's sole expense. Any discovery related to illegal activity or removal action by the City shall constitute a breach of contract and nullify any continuation of lease beyond that date.