

**POLICY ON ENSURING QUALIFIED PASSENGER OPERATIONS  
AT THE EAST HAMPTON AIRPORT**

**April 2018**

The East Hampton Airport (Airport) is a general aviation airport that is not designed to sustain a significant increase in the volume of scheduled passenger flights. The Airport is not certified by the Federal Aviation Administration (FAA) to accommodate scheduled passenger service. Nor does it have use and lease agreements with carriers or companies providing scheduled service through which it can regulate on-airport activity.

Nevertheless, the Town is experiencing a dramatic increase in the use of the Airport by aviation businesses that market themselves as airline-type operations and that appear to offer scheduled passenger service to the Airport, either through technology applications or by offering scheduled passenger service to the public directly.

The Town is obligated to ensure that only qualified businesses operate at the Airport and that both it and the public are adequately informed of all arrangements that involve the Airport and the travelling public. Moreover, the Town is also charged with operating a safe and orderly Airport. This is increasingly difficult as emerging businesses vie to accommodate the steep increase in demand for air travel between New York City and the Hamptons.

As a result, in advance of the onslaught of summer traffic, the Town is initiating a review to require those wishing to conduct commercial activity at the Airport to demonstrate its compliance with all applicable federal laws in order to ensure the orderly operation of the Airport and the safety and protection of the travelling public.

Town Code Section 75-01 provides that: "Any person who shall operate an aircraft from or on the East Hampton Airport shall comply with all federal laws, the Federal Aviation Administration (FAA) rules and regulations, the provisions of this chapter, and the Minimum Standards for Airport Aeronautical Services adopted by the Town Board." Section 75-32 further provides: "No person, firm, association, corporation or partnership shall establish, maintain or operate any type of commercial activity at the airport without first obtaining the written approval of the Town Board. Such person, firm, association, corporation or partnership shall comply with the provisions of this chapter, the Minimum Standards for Airport Aeronautical Services adopted by the Town Board and the FAA rules and regulations."

Consistent with these obligations, the Town will require all persons operating, and/or providing, directly or indirectly, passenger service to or from the Airport to obtain permission from the Town Board for this commercial activity. In order to receive approval, each new prospective operator must: (1) demonstrate to the Town's satisfaction that it has obtained the required DOT and FAA approvals for its respective operations; (2) provide a plan to ensure that all flights can be accommodated and that passengers are handled in an orderly and safe manner at the Airport; and (3) agree to share operational data with the Town, including the origin of the flight, whether the flight was offered as scheduled or unscheduled service, the type of aircraft and number of passengers involved, and whether the flight in question was crowd-sourced or not.

Any license or other agreement previously granted pursuant to Town Code Section 75-32 shall be terminated/suspended until the review is complete. As appropriate, operators with existing written permission may be required to provide new or renewed documentation demonstrating current compliance with federal laws.