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METROPOLITAN AIRPORTS COMMISSION

ORDINANCE No.

RELIEVER AIRPORTS RATES AND CHARGES ORDINANCE

Adopted by Commission: _____
Effective Date: January 1, 2025

**METROPOLITAN AIRPORTS COMMISSION
ORDINANCE NO. _____
RELIEVER AIRPORTS RATES AND CHARGES ORDINANCE**

An ordinance of the Metropolitan Airports Commission (“Commission”) amending the rental rates and other charges for property at the Commission’s minor and intermediate use airports (“Reliever Airports”), as well as certain charges for general aviation activities at Minneapolis-St. Paul International Airport (“MSP”), as provided by Minn. Stat. § 473.651, by amending and restating Ordinance 119, as well as amending Ordinance 115 to remove provisions related to fuel flowage fees assessed to Fixed Base Operators at MSP.

WHEREAS, consistent with federal policy, the rental rates and fees are intended to assist the Commission in attaining its long-term goal of making the Reliever Airports as financially self-sustaining as possible; and

WHEREAS, having received and considered extensive public input and having fully considered the state and federal legal requirements concerning the rates that may be charged to users of these Reliever Airports; and

WHEREAS, this Ordinance No. ____ (“Ordinance”) may be interchangeably be referred to as Ordinance No. ____, “Ordinance No. 119, as amended,” as “Ordinance No. 114 as amended,” as “Ordinance No. 107 as amended,” as “Ordinance No. 101 as amended,” and as “Ordinance No. 87 as amended”;

NOW THEREFORE, the Commission does ordain:

SECTION 1 – DEFINITIONS

1.1 Based Aircraft. An aircraft that is registered in the State of Minnesota with the Department of Transportation, Office of Aeronautics as being based at one of the Reliever Airports.

- 50
- 51 1.2 Based Tenant. A Storage Tenant or Commercial Tenant. This does not include subtenants.
- 52
- 53 1.3 Commercial Tenant. A Tenant that has entered into a commercial lease with the Commission
54 at a Reliever Airport and that is authorized to do one or more of the following: sale, repair or
55 storage of aircraft; sale of aircraft parts and accessories; sale of flight or ground instruction;
56 flying for charter or hire; sale of aircraft fuel and lubrication services; rental of aircraft; or
57 other activities deemed commercial and approved by the Commission.
- 58
- 59 1.4 Commission. The Metropolitan Airports Commission, a public corporation organized and
60 operating pursuant to Chapter 500, Laws of Minnesota 1943 and amendments thereto.
- 61
- 62 1.5 CPI. The consumer price index identified as the All Urban Consumers – Midwest Region.
- 63
- 64 1.6 Director of Reliever Airports. The Commission’s administrative officer responsible for the
65 Reliever Airports.
- 66
- 67 1.7 Executive Director. The Commission’s chief executive officer or a designated representative.
- 68
- 69 1.8 Flying Club. An entity defined by Minnesota Statutes § 360.013, subd. 48 or Minnesota Rules
70 § 8800.4100, subp. 2, or as either are amended.
- 71
- 72 1.9 Fuel. Aviation gasoline and any other gasoline, petroleum product, fuel, or other substance
73 used in the propulsion of aircraft, automobiles, trucks, and other ground vehicles.
- 74
- 75 1.10 Fixed Base Operator (“FBO”). A full-service, aeronautical, commercial operation at the
76 Reliever Airports that is authorized to engage in the sale of products, services, and facilities
77 to aircraft operators. FBOs must provide, at a minimum, the following aeronautical activities
78 at the airport: aircraft refueling to include jet fuel, AvGas, and aircraft lubricants; aircraft line
79 services; airframe and power plant maintenance; aircraft storage/hangars rentals and
80 tiedowns; passenger, crew, and aircraft ground services, support and amenities. FBOs may
81 also provide optional services as approved by the Commission, which may include: flight
82 training, aircraft rental, aircraft charter or air taxi, avionics sales and service.
- 83
- 84 1.11 Gross Sales. Gross Sales, as defined in a Commercial Tenant’s lease, less exclusions, as
85 allowed by the Commercial Tenant’s lease.
- 86
- 87 1.12 Gross Sales Thresholds. Those amounts of annual Reportable Year Gross Sales set forth in
88 Section 2.2.a. that establish when the rates in Chart B apply to a Commercial Tenant.
- 89
- 90 1.13 Immediate Family Member. A spouse, parent, child, brother or sister (including half-relations
91 and step-relations, but excluding in-law relations) of the Tenant.
- 92
- 93 1.14 Jet-A Fuel. A kerosene-based fuel designed for use in turbine engine aircraft, regulated by
94 the American Society for Testing and Materials (“ASTM”). For referenced ASTM standards,
95 visit the ASTM website, www.astm.org, or contact ASTM Customer Service at
96 service@astm.org.
- 97
- 98 1.15 Leased Area. That area defined in the description of premises section in the Tenant’s lease.
- 99

- 100 1.16 Military Aircraft. Aircraft owned and/or operated by components of the military forces of the
101 United States of America or of the State of Minnesota.
102
- 103 1.17 Military Tenant. A Storage Tenant that is any component or branch of the military forces of
104 the United States of America or of the State of Minnesota.
105
- 106 1.18 Non-Aviation/Complementary Business License Agreement. A license agreement granted by
107 the Commission for the purpose of conducting a business on the airport that is non-aviation,
108 yet provides a complementary product or service to airport users. Examples of
109 complementary products/services include aviation insurance companies, aviation legal
110 services, auto rental and limousine services, travel agencies, delivery/courier services, and
111 aviation museums.
112
- 113 1.19 Reliever Airport. Any intermediate use or minor use Reliever Airport now or in the future
114 owned and/or operated by the Commission, including: St. Paul Downtown, Flying Cloud,
115 Anoka County-Blaine, Crystal, Airlake, and Lake Elmo.
116
- 117 1.20 Reportable Year. The time period from October 1 through September 30, which is used to
118 determine which Gross Sales Thresholds apply.
119
- 120 1.21 Repositioning Flight. A flight made between Reliever Airports to pick up passengers or cargo
121 where one of the Reliever Airports was an intermediate stop and for which flight a landing
122 fee is paid for landing at another Reliever Airport.
123
- 124 1.22 Signatory Airline. An operator of aircraft that pays for use of Minneapolis-St. Paul
125 International Airport pursuant to a use fee agreement and, where applicable, a Commission
126 ordinance.
127
- 128 1.23 Special Rent Assessment. Fees charged by the Commission and paid by Tenants to offset the
129 costs of Reliever Airport projects or services which benefit the Tenant, including, but not
130 limited to sewer, water, other utilities, and pavement installation or rehabilitation.
131
- 132 1.24 Storage Tenant. A Reliever Airport Tenant that has entered into an aircraft storage lease with
133 the Commission.
134
- 135 1.25 Tenant. Any person, partnership, corporation, or other entity that leases property from the
136 Commission at a Reliever Airport. This definition and the rents and fees in this Ordinance
137 apply even if the lease has expired and the property continues to be occupied by a holdover
138 Tenant.
139

140 **SECTION 2 – RENTS**

- 141
- 142 2.1 Storage Tenant Per-Square-Foot Ground Rent
143
144 Storage Tenants shall pay the rate per square foot of Leased Area per year stated on the
145 attached Chart A.
146
- 147 2.2 Commercial Tenant Rent
148

149 Commercial Tenants shall pay ground rent and percentage rents as specified below, by paying
150 the applicable amount in Section 2.2.a. or 2.2.b., whichever is greater. However, if a
151 Commercial Tenant had Gross Sales below or above the applicable Gross Sales Threshold in
152 the preceding Reportable Year, then a Commercial Tenant shall pay ground rent as stated on
153 the attached Chart A and no percentage rent (if below the Gross Sales Threshold), or the
154 amount in Section 2.2.b. (if above the Gross Sales Threshold), whichever is greater, as
155 determined on a monthly basis, during the calendar year following the Reportable Year.
156

157 a. Ground Rent and Gross Sales Thresholds

158
159 The Gross Sales Threshold for FBOs at St. Paul Downtown Airport, Flying Cloud Airport,
160 and Anoka County-Blaine Airport is: Gross Sales in the Reportable Year of one hundred
161 forty-six thousand dollars (\$146,000.00) or more, but less than five hundred eighty-one
162 thousand dollars (\$581,000.00).
163

164 The Gross Sales Threshold for FBOs at Airlake Airport, Lake Elmo Airport, or Crystal
165 Airport is: Gross Sales in the Reportable Year of one hundred forty-six thousand dollars
166 (\$146,000.00) or more, but less than two hundred ninety thousand (\$290,000.00)
167 dollars.
168

169 An FBO that falls within its Gross Sales Threshold must pay ground rent at the rate stated
170 on the attached Chart B and no percentage rent or the amount in Section 2.2.b.,
171 whichever is greater, as determined on a monthly basis, during the calendar year
172 following the Reportable Year.
173

174 The Gross Sales Threshold for all other Commercial Tenants is: Gross Sales in the
175 Reportable Year of one hundred forty-six thousand dollars (\$146,000.00) or more, but
176 less than three hundred sixty-three thousand dollars (\$363,000.00).
177

178 Non-FBO Commercial Tenants that fall within its Gross Sales Threshold shall pay ground
179 rent at the rate per square foot of Leased Area per year stated on the attached Chart B
180 and no percentage rent or the amount in Section 2.2.b., whichever is greater, as
181 determined on a monthly basis, during the calendar year following the Reportable Year.
182

183 If a Commercial Tenant fails to submit a monthly report of Gross Sales as required by
184 Section 2.3.b.3. for the purpose of determining the applicable Gross Sales Thresholds,
185 that Gross Sales Threshold will be determined based upon the lowest three (3) months
186 of reported Gross Sales during the current Reportable Year.
187

188 Beginning January 1, 2026, the Gross Sales Thresholds will be adjusted annually
189 according to the CPI.
190

191 b. Percentage Rent

192
193 A Commercial Tenant shall pay to the Commission 1.5% of its annual calendar year Gross
194 Sales, plus the rate per square foot of Leased Area per year as stated on attached Chart
195 C.
196

197 2.3 Rent Payments

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a. Storage Tenant Per-Square-Foot Ground Rent

Storage Tenants shall pay Per-Square-Foot Ground Rent, pursuant to Section 2.1, annually and in advance on or before the effective date of their lease, unless otherwise notified by the Commission in writing of different payment dates. Rent is calculated as the total of the rate stated in Chart A multiplied by the square footage of Leased Area, rounded to the nearest penny.

b. Commercial Tenants

1. Ground Rent

Commercial Tenants shall pay ground rent for the next month by the last day of the current month, unless otherwise notified by the Commission in writing of different payment dates. Monthly rent is one-twelfth of the annual rent, which is calculated as the total of the appropriate rate stated in the attached Rent and Fee Schedule multiplied by the Commercial Tenant's square footage of Leased Area, rounded to the nearest penny.

2. Percentage Rent

Commercial Tenants shall simultaneously pay percentage rent and submit percentage reports by the last day of the current month for the previous calendar month, unless otherwise notified by the Commission in writing of different payment dates.

3. Monthly Report

Each Commercial Tenant shall submit a report of Gross Sales by the last day of the current month for the previous calendar month, unless otherwise notified by the Commission in writing of different reporting dates. Commercial Tenants shall submit this report no matter which rate chart is applicable or how much, if any, Gross Sales occurred.

4. Adjustment and Reconciliation

Commercial Tenants may adjust any Monthly Report timely submitted within the past one hundred eighty (180) days. Any changes to the Gross Sales or to any exclusions from Gross Sales reported must be accompanied by sufficient information from Commercial Tenant's books and records to support the adjusted amount(s). The Commission reserves the right to reject any adjusted Monthly Report as insufficiently justified by Commercial Tenant's books and records. Any overpayments made by a Commercial Tenant as a result of the error in the original Monthly Report will be credited to Commercial Tenant's next rental payment (or refunded, if Tenant's lease is expired, assigned, or terminated). If the adjustment indicates that insufficient rent was paid, the Commercial Tenant shall pay the amount due within thirty (30) days of invoice from the Commission.

247 2.4 Applicability of Rates
248 Unless otherwise specified by the terms of Tenant’s lease, the rental rates in this Ordinance
249 replace the rent provisions in the Tenant’s lease with the Commission.
250
251 If the lease is expired or terminated or if the Tenant abandons the property prior to
252 expiration or termination of the lease, the Tenant is not released from responsibility for
253 ground rents, percentage rents and corresponding reports, or any other payments due to the
254 Commission.
255

256 **SECTION 3 – FUEL FLOWAGE FEES**

257
258 3.1 Fueling
259
260 a. Authorization
261
262 Tenants shall not dispense Fuel unless fueling is specifically authorized by the
263 Commission in writing.
264
265 b. Compliance
266
267 Fueling shall be conducted in compliance with all applicable codes and regulations.
268 Fueling is prohibited in areas that pose a hazard to public safety as determined by the
269 Commission.
270
271 3.2 Fuel Flowage Fees
272
273 Tenants that are authorized to dispense Fuel, shall pay the applicable Fuel flowage fees as
274 described in this Section 3.2 and in Charts D1, D2, and D3 for every gallon of Fuel purchased
275 from suppliers and delivered to the Reliever Airport, including Fuel that is ultimately
276 purchased by subtenants, licensees or subsidiaries of Tenant or subsidiaries, licensees or
277 subtenants of a subtenant, and dispensed under the Tenant’s authority to dispense Fuel.
278 Military Tenants are not required to pay the Fuel flowage fees required by this Section 3.2.
279 Tenants that are authorized to dispense Fuel shall not pay Fuel flowage fees applicable to
280 Fuel purchased by operators of Military Aircraft.
281
282 a. Jet A Fuel
283
284 Tenants at St. Paul Downtown Airport, Flying Cloud Airport, and Anoka County-Blaine
285 Airport that dispense Jet A fuel shall pay Fuel flowage fees at the rate per gallon as set
286 forth in Chart D1.
287
288 Tenants at Crystal Airport, Lake Elmo Airport, and Airlake Airport that dispense Jet A fuel
289 shall pay Fuel flowage fees at the rate per gallon as set forth in Chart D2.
290
291 b. AvGas
292
293 Tenants at the Reliever Airports that dispense AvGas shall pay the Fuel flowage fees at
294 the rate per gallon as set forth in Chart D3.
295
296 c. Fixed Base Operators at MSP

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Fixed Base Operators at MSP shall pay Fuel flowage fees as required by Section 4.4 of Ordinance 115, as amended by Section 12 of this Ordinance.

3.3 Payments and Reports

Tenants, excluding Military Tenants, that are authorized to dispense Fuel shall simultaneously pay Fuel flowage fees and provide reports to the Commission by the last day of the current month for Fuel supplied to the Tenant, subtenants, licensees or subsidiaries of Tenant or subsidiaries, licensees or subtenants of a subtenant, during the previous month, unless otherwise notified by the Commission in writing of different payment dates. The reports shall state fueling activity for the month, including the number of gallons of Fuel supplied to the Tenant, subtenants, licensees or subsidiaries of Tenant or subsidiaries, licensees or subtenants of a subtenant, broken down by Fuel type; the dates on which the Fuel was supplied, and any other information relating to the fueling activity requested in writing by the Commission.

The Tenant shall attach to the report copies of invoices from the Fuel supplier that are signed and dated by the person who supplied or delivered the Fuel to the Tenant.

If the lease is expired or terminated or if the Tenant abandons the property prior to the expiration or termination of the lease, the Tenant is not released from the responsibility for payments and reports of Fuel flowage fees due to the Commission. Monthly fuel flowage reports may be adjusted by a Commercial Tenant pursuant to the provisions of Section 2.3(b)(4).

SECTION 4 – ST. PAUL DOWNTOWN AIRPORT, FLYING CLOUD AIRPORT, AND ANOKA COUNTY-BLAINE AIRPORT LANDING FEE

4.1 Landing Fee

a. Payment of Landing Fee

Operators of all fixed-wing aircraft that use Jet-A Fuel, excluding operators of Military Aircraft, shall pay a landing fee for each landing of such aircraft at:

- St. Paul Downtown Airport in an amount equal to one hundred and ten percent (110%) of the then current estimated compensatory field and runway use fee charged to Signatory Airlines at MSP;
- Flying Cloud Airport in an amount equal to one hundred and five percent (105%) of the then current estimated compensatory field and runway use fee charged to Signatory Airlines at MSP; and at
- Anoka County-Blaine Airport in an amount equal to one hundred percent (100%) of the then current estimated compensatory field and runway use fee charged to Signatory Airlines at MSP.

Operators of fixed wing aircraft that use Jet-A Fuel shall not be required to pay this landing fee when the flight is made for the purpose of providing medical services, such

347 as transportation of organs or patients in the course of business; Lifeguard flights;
348 Repositioning Flights; or other similar operations approved by the Executive Director.
349

350 b. Collection

351
352 All landing fees shall be paid to an FBO at the respective Reliever Airport prior to release
353 and clearance of such aircraft for departure from the respective Reliever Airport, or paid
354 monthly to such FBO, if pre-arranged with the FBO. Alternatively, a Based Tenant may
355 pay the Commission directly, if approved by the Director of Reliever Airports.
356

357 c. FBO Collection Cost Refund

358
359 Within one hundred and eighty (180) days after the first business day of each calendar
360 year, the Commission will refund to each FBO at a Reliever Airport an amount equal to
361 two percent (2%) of the total landing fees paid by the FBO to the Commission in the
362 previous calendar year. Such refund is intended to offset the cost incurred by the FBO in
363 collecting landing fees on behalf of the Commission.
364

365 4.2 Reports and Payments

366
367 a. Reports

368
369 FBOs at the St. Paul Downtown Airport, Flying Cloud Airport, and Anoka County-Blaine
370 Airport shall, by the last day of each calendar month, report to the Commission the
371 number of all aircraft using Jet-A Fuel that have landed at the respective Reliever Airport
372 during the previous month. Based Tenants approved by the Director of Reliever Airports
373 shall, by the last day of each month, report to the Commission the number of all aircraft
374 using Jet-A Fuel, operated by the Based Tenant that have landed at the St. Paul
375 Downtown Airport, Flying Cloud Airport, and Anoka County-Blaine Airport the previous
376 month. Reports shall include the type of aircraft by Federal Aviation Administration
377 approved gross certificated maximum landing weights, the number of landings and take-
378 offs made by such aircraft during the month of reporting, and the landing fee charge due
379 and owing in respect to such aircraft.
380

381 b. Payments

382
383 Together with such report, the FBO and any Based Tenant approved by the Director of
384 Reliever Airports shall remit to the Commission payment of all landing fees reported and
385 to be paid pursuant to this Ordinance, whether or not collected from the aircraft
386 operator.
387

388 **SECTION 5 – NON-AVIATION/COMPLEMENTARY BUSINESS LICENSE FEE**

389
390 Commercial Tenants that have entered into a Non-Aviation/Complementary Business License
391 Agreement with the Commission shall pay a Non-Aviation/Complementary Business License Fee as
392 set forth in Chart E of the attached Rent and Fee Schedule for the next month by the last day of the
393 current month, unless otherwise notified by the Commission in writing of different payment dates.
394

395 **SECTION 6 – FACILITY ACQUISITION FEE**

396
397 6.1 **Applicability**

398
399 Tenants, excluding Military Tenants, that acquire an existing facility on a Reliever Airport shall
400 pay a Facility Acquisition Fee, at the time of lease transfer, of 50% of the per square foot
401 ground rent annual rate set forth in Chart A of the attached Rent and Fee Schedule. Storage
402 Tenants shall pay the lesser of the 50% rate applied per square foot of total Leased Area, or
403 applied per square foot of 125% of the building footprint area. Commercial Tenants shall pay
404 the rate per square foot of the building footprint area. However, if the Leased Area of any
405 lease includes a Fuel system, the total area required for the Fuel system, inclusive of
406 regulatory setbacks, shall be included in the calculation of the Facility Acquisition Fee.

407
408 If, using the calculation above, the Facility Acquisition Fee would be less than the
409 Administration Fee for a standard assignment set forth in Chart F of the attached Rent and
410 Fee Schedule, then the Tenant must pay the amount of the Administration Fee for a standard
411 assignment, rather than the amount calculated.

412
413 The Facility Acquisition Fee will apply to a lease transfer under the “Transfer” section, as
414 amended, of lease forms entered into after January 1, 2008, and will apply to any assignment
415 of the lease, for any reason, with or without consideration, including:

- 416
417 • A change of ownership or voting control, including a change in the name(s) on the
418 lease, where there is a change of 50% or more (e.g., if only one name is on the lease,
419 and that party wishes to add an additional name, a 50% change would occur, and the
420 fee would apply);
- 421
422 • A transfer for estate-planning purposes (e.g., into a trust), or as a result of death;
- 423
424 • A change in name(s) (e.g., as a result of divorce), where the disposition change is a
425 result of a court order, and there is a change of 50% or more;
- 426
427 • A transfer as part of a bankruptcy; or
- 428
429 • A transfer through a contract for deed.

430
431 6.2 **Exception**

432
433 The Facility Acquisition Fee will not apply in the following situation:

- 434
435 • A transfer to an Immediate Family Member, including a transfer to an Immediate
436 Family Member for estate-planning purposes (e.g., into a family trust), or a transfer
437 to an Immediate Family Member as a result of death.

438
439 **SECTION 7 – ADMINISTRATION FEE**

440
441 7.1 **Applicability**

443 An Administration Fee, as set forth in Chart F of the attached Rent and Fee Schedule, shall be
444 paid by a Tenant or prospective Tenant, except Military Tenants, for costs associated with the
445 review and processing of lease requests and transactions.

446
447 An Administration Fee is applicable to all requests and transactions that require Commission
448 authorization or consent, with the exception of the following: the generation of a new lease
449 executed at the time of construction in a new building area; the renewal of an existing lease;
450 the execution of a sewer and water amendment; a lease amendment to correct a
451 discrepancy in the lease; or the execution of a lease transfer or new lease if a Facility
452 Acquisition Fee, as described in Section 6, applies. Commission staff shall determine the
453 type of lease request or transaction and the corresponding Administration Fee.

454
455 7.2 Additional Amounts

456
457 Commission staff may charge an additional amount, sufficient to cover its costs, if the costs
458 associated with the review and processing of a lease request or transaction exceed the
459 amount of the Administration Fee, such as for a transaction involving significant legal work.
460 If the Commission assumes the responsibility for issuing building permits in the future, the
461 Commission reserves the right to charge an additional amount, sufficient to cover the costs
462 of the permitting process.

463
464 **SECTION 8 – FLYING CLUBS**

465
466 8.1 Flying Club Activities

467
468 Flying Clubs shall be responsible for the activities of their members. Flying Clubs shall
469 comply with all applicable federal, state and local requirements for Flying Clubs and
470 aeronautical activity.

471
472 8.2 Flying Club Records

473
474 The Commission shall have access to all Flying Club records, including but not limited to the
475 Flying Club's financial records, tax statements, records relating to membership, and flight
476 instruction conducted in club aircraft. The Commission shall also have access to the logbooks
477 of all Flying Club members.

478
479 **SECTION 9 – AUDITS**

480
481 The Commission has the right, upon reasonable request, to audit Tenant's books and records as
482 authorized by Tenant's lease.

483
484 **SECTION 10 – PENALTIES**

485
486 10.1 Interest on Late Payments

487
488 For any rents or fees due under this Ordinance, a Tenant shall pay a penalty for late or
489 delinquent payments of twelve percent (12%) per annum on any past due balance calculated
490 from the date the amount is due until the close of the business day upon which the
491 delinquent payment is received by the Commission.

492

493 10.2 Misdemeanor

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498

Any person violating any of the provisions of this Ordinance shall upon conviction be punished by sentence within the parameters of the maximum penalty for misdemeanors set forth in Minn. Stat. § 609.03, or as may be amended.

499 10.3 Other Actions Not Precluded

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502
503

The penalties prescribed under this Ordinance in no way preclude the Commission from taking any other civil action authorized under the Tenant's lease or by law.

504 **SECTION 11 – RENTS AND FEES ADJUSTMENT**

505

506 11.1 Annual Rate Adjustments

507

508 a. Storage Tenant Per-Square-Foot Ground Rent

509

Storage Tenant per-square-foot ground rent will be adjusted on the anniversary date of the Storage Tenant's lease during each applicable year, according to the attached Rent and Fee Schedule.

512

513 b. Commercial Tenant Rent

514

Commercial Tenant rents in the Rent and Fee Schedule will be adjusted on January 1 of each year, according to the attached Rent and Fee Schedule.

515

516 c. Fuel Flowage Fees

517

Fuel flowage fees will be adjusted on January 1 of each year, according to the attached Rent and Fee Schedule.

518

519 d. Non-Aviation/Complementary Business License Fee

520

The Non-Aviation/Complementary Business License Fee will be adjusted on January 1 of each year, according to the attached Rent and Fee Schedule.

521

522 11.2 Post 2030 Adjustments

523

If the rents and fees in Charts A, B, C, D, E, and F of the attached Rent and Fee Schedule are not modified by the Commission before December 31, 2030, the rents and fees shall be increased in the same manner and at the same percentage rates per year until the Commission determines other rates and fees. Charts A, B, and C shall be increased at three percent (3%) per year; the Fuel Flowage Fees shall be increased at four percent (4%) per year; and the Non-Aviation/Complementary Business License Fee and the Administration Fee shall be increased at three percent (3%) per year.

532

533 11.3 Commission Action

534

The Commission may reevaluate and adjust the rates and fees set forth in the attached Rent and Fee Schedule by Commission action. In making a decision to adjust rates, the

537

543 Commission shall consider state and federal mandates and policy (e.g., in light of security
544 mandates or extraordinary environmental costs), as well as the requirements of this
545 Ordinance. Written notice will be provided to Tenants of public meetings to address rents
546 and fees and of any new rents and fees adopted by the Commission.
547

548 **SECTION 12 – AMENDMENTS TO ORDINANCE 115**

549
550 12.1 Ordinance 115

551
552 All defined terms used in this Section 12 are given those definitions included in Ordinance
553 115. As of the effective date of this Ordinance, the following sections of Ordinance 115 are
554 deleted and re-stated as follows:
555

556 12.2 Section 4.4: Fuel Flowage Fees

557
558 Fixed Base Operators that are authorized to dispense Fuel at the Airport shall pay the Fuel
559 Flowage Fees stated in Chart D4 of Ordinance No. ____ for every gallon of Fuel sold or
560 delivered by the Fixed Based Operator at the Airport, regardless of Fuel type, including Fuel
561 sold or delivered to customers, subsidiaries, licensees, or subtenants of the Fixed Base
562 Operator at the Airport, and customers, subsidiaries, licensees, or subtenants of a subtenant
563 of the Fixed Base Operator at the Airport. Additionally, into-plane fuel provided by a Fixed
564 Base Operator is subject to the Fuel Flowage Fees stated in Chart D4 of Ordinance No. ____.

565
566 Into-Plane Fuel Providers operating at the Airport shall pay the Fuel flowage fees stated in
567 Schedule A-2 of Ordinance No. 115 for every gallon of Fuel sold or delivered by the Into-
568 Plane Fuel Provider at the Airport, including Fuel sold or delivered to customers, subsidiaries,
569 licensees, or subtenants of the Into-Plane Fuel Providers.

570
571 Notwithstanding the foregoing, Fuel Flowage Fees shall not apply to fuel supplied to Military
572 Aircraft, aircraft operated by Signatory Airlines, or aircraft which are fueled while using gates
573 at either the Terminal 1-Lindbergh or Terminal 2-Humphrey.

574
575 Fuel Flowage Fees for Into-Plane Fuel Providers will be adjusted periodically as set forth in
576 Section 4.6(b).

577
578 Fuel Flowage Fees for Fixed Base Operators at the Airport will be adjusted periodically as set
579 forth in Section 11 of Ordinance No. ____.

580
581 12.3 Section 4.6(b): Fuel Flowage Fees Paid by Into-Plane Fuel Providers

582
583 Fuel Flowage Fees paid by Into-Plane Fuel Providers will be adjusted on January 1 of each
584 year, according to the attached Schedule A-2. The Commission may, however, reevaluate and
585 adjust the rates and fees in the attached Schedule A-2 by Commission action. If the Fuel
586 Flowage Fees paid by Into-Plane Fuel Providers on the attached Schedule A-2 are not
587 modified by the Commission before December 31, 2018, the rents and fees shall be
588 increased in the same manner and at the same percentage rates per year until the
589 Commission determines other rates and fees. This means that the Fuel Flowage Fees paid by
590 Into-Plane Fuel Providers shall be increased at four percent (4%) per year. If the Commission
591 plans deviate from Schedule A-2 through Commission action, it will send out notice 15 days
592 in advance of the public meeting to affected parties.

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12.4 Schedule A-2: Into-Plane Fuel Provider Fuel Flowage Fees (rates per gallon)

	2025	2026	2027	2028	2029	2030
MSP	\$0.160	\$0.167	\$0.173	\$0.180	\$0.187	\$0.195

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SECTION 13 – GENERAL PROVISIONS

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13.1 Additional Tenant Charges

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a. Assessments and Other Fees

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This Ordinance has no applicability to assessments or other fees that the Tenant is required to pay on the date this Ordinance takes effect. All such assessments and fees remain in effect.

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b. Special Rent Assessment

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The Commission is authorized to charge Special Rent Assessments to Tenants consistent with Minn. Stat. § 473.651 for Reliever Airport projects or services, over and above those contemplated by a Tenant's lease, which benefit the Tenant, charged on a basis uniform and consistent with those of other Tenants at the Reliever Airports. The Commission's Executive Director is authorized to create procedures to implement Special Rent Assessments. Such procedures shall include notice to affected Tenants and opportunity to comment prior to imposition of any such assessment.

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13.2 Provisions Severable

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If any part or parts of this Ordinance is declared unconstitutional or invalid, this does not affect the validity of the remaining parts of this Ordinance. The Commission declares it would have passed the remaining parts of this Ordinance without the unenforceable provisions.

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13.3 Notice

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Any notice required by this Ordinance is sufficient if delivered as provided by the notice provisions of the Tenant's Lease with the Commission.

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13.4 Amendment

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Ordinance No. 119 is amended and restated on the date this Ordinance takes effect.

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13.5 Effective Date

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This Ordinance is effective January 1, 2025.

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RENT AND FEE SCHEDULE

Chart A – Per-Square Foot Ground Rent (annual rate per square foot)

	2025	2026	2027	2028	2029	2030
St. Paul	\$0.94	\$0.96	\$0.99	\$1.02	\$1.05	\$1.08
Flying Cloud	\$0.79	\$0.82	\$0.84	\$0.87	\$0.89	\$0.92
Anoka County	\$0.79	\$0.80	\$0.81	\$0.82	\$0.83	\$0.84
Crystal	\$0.70	\$0.72	\$0.74	\$0.76	\$0.79	\$0.81
Airlake	\$0.62	\$0.65	\$0.67	\$0.70	\$0.72	\$0.75
Lake Elmo	\$0.61	\$0.62	\$0.64	\$0.66	\$0.68	\$0.70

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Chart B – Commercial Ground Rent without percentage (annual rate, per square foot)

	2025	2026	2027	2028	2029	2030
St. Paul	\$0.73	\$0.77	\$0.81	\$0.83	\$0.86	\$0.88
Flying Cloud	\$0.64	\$0.67	\$0.70	\$0.72	\$0.74	\$0.77
Anoka County	\$0.59	\$0.62	\$0.66	\$0.67	\$0.68	\$0.70
Crystal	\$0.52	\$0.54	\$0.57	\$0.59	\$0.60	\$0.62
Airlake	\$0.46	\$0.48	\$0.51	\$0.52	\$0.54	\$0.56
Lake Elmo	\$0.44	\$0.45	\$0.46	\$0.48	\$0.49	\$0.51

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Chart C – Commercial Ground Rent with percentage (annual rate, per square foot)

	2025	2026	2027	2028	2029	2030
St. Paul	\$0.52	\$0.57	\$0.62	\$0.64	\$0.66	\$0.68
Flying Cloud	\$0.48	\$0.52	\$0.56	\$0.58	\$0.60	\$0.61
Anoka County	\$0.38	\$0.44	\$0.51	\$0.52	\$0.54	\$0.55
Crystal	\$0.34	\$0.37	\$0.40	\$0.41	\$0.42	\$0.43
Airlake	\$0.30	\$0.32	\$0.34	\$0.35	\$0.36	\$0.37
Lake Elmo	\$0.28	\$0.28	\$0.28	\$0.29	\$0.30	\$0.31

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Chart D1 – Fuel Flowage Fees for Jet A at STP, FCM, and ANE (rate per gallon)

2025	2026	2027	2028	2029	2030
\$0.16	\$0.17	\$0.17	\$0.18	\$0.19	\$0.19

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Chart D2 – Fuel Flowage Fees for Jet A at LVN, MIC, and 21D (rate per gallon)

2025	2026	2027	2028	2029	2030
\$0.17	\$0.18	\$0.19	\$0.20	\$0.20	\$0.21

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659 **Chart D3 – Fuel Flowage Fees for Reliever Airports AvGas (rate per gallon)**

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2025	2026	2027	2028	2029	2030	
\$0.22	\$0.23	\$0.24	\$0.25	\$0.26	\$0.27	

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662 **Chart D4 – Fuel Flowage Fees for MSP Fixed Base Operators, all Fuel types (rate per gallon)**

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2025	2026	2027	2028	2029	2030	
\$0.22	\$0.23	\$0.24	\$0.25	\$0.26	\$0.27	

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665 **Chart E – Non-Aviation/Complementary Business License Fee (monthly rate)**

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	2025	2026	2027	2028	2029	2030
All Reliever Airports	\$180.00	\$185.40	\$190.96	\$196.69	\$202.59	\$208.67

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669 **Chart F – Administration Fee (rate per request or transaction)**

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	2025	2026	2027	2028	2029	2030
Approval of Tenant Modification to Leased Area	\$190	\$196	\$202	\$208	\$214	\$220
Consent to Leasehold Mortgage and Subordination Agreement*	\$180	\$185	\$191	\$197	\$203	\$209
Consent to Sublease – Commercial Lease	\$265	\$273	\$281	\$290	\$298	\$307
Standard Amendment	\$290	\$299	\$308	\$317	\$326	\$336
Standard Assignment	\$290	\$299	\$308	\$317	\$326	\$336
Standard Termination	\$200	\$206	\$212	\$219	\$225	\$232
*If legal review for these documents exceeds one hour of work, the actual cost of the review will be billed, rather than the Chart F rate.						

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