

Administrative Policies & Procedures

118.00 – Non-Tenant Business

OBJECTIVE

To address businesses operating at the Airport without a lease agreement, space use permit, or other concessions contract.

GENERAL OVERVIEW AND SCOPE

Pursuant to SC Code of Laws 55-11-140 (10), the Greenville-Spartanburg Airport District ("District") finds that in order to control the movement of traffic on the Airport premises; to retire District debts incurred for construction, renovation, maintenance of facilities and the purchase of equipment; to pay for and provide financing for Airport improvements and additional facilities when and as the need arises; to protect and preserve public order, safety, health and welfare; to enhance the financial stability of the District; and to maintain, administer, govern and operate the Airport, it is necessary and proper to fix charges and fees for the use of its property and facilities and to regulate those persons, firms and corporations who use the same for private business and commercial purposes without having lease agreements, space use permits, or concession contracts with the District and desire to exercise the privilege of using Airport property and facilities in such business endeavors, including the servicing of customers and supplying business services for profit to persons or tenants using the Airport or Airport premises.

The District finds that there are certain individuals and firms doing business on the Airport who operate without any lease agreement, space use permit, concessions contract, or other agreement with the District and, by reason of the nature of their business activity and/or the direct relationship between such business activity and travelers arriving at or departing from the Airport, conduct a portion of their business on, at or from Airport property ("non-tenant business") and in doing so use Airport property in furthering their own business and commercial interests, and that such users should be regulated and charged reasonable fees for use of Airport property and premises for business purposes and profit.

The District finds that non-tenant businesses using Airport property and facilities in the furnishing of services to their customers and conducting their activities at the Airport not only use Airport roadways, provide services to their business customers, pick up and discharge customers and goods at the passenger terminal buildings and elsewhere, and otherwise conduct business on Airport property; that such business activities create additional vehicular and pedestrian traffic, thereby increasing the cost and expense of regulating and protecting the health, safety and welfare of the public, Airport tenants, and the customers of said non-tenant businesses but also cause a direct loss of revenue which the Airport would otherwise receive from its concessionaires on account of rentals generated by persons using the Airport who would otherwise use the services provided by concessionaires; and that said businesses should be charged reasonable and uniform fees and be required to abide by reasonable rules and regulations for the exercise of such privileges

Administrative Policies & Procedures

118.00 – Non-Tenant Business

of use of Airport property and facilities, having due regard for the property and improvements used, loss of revenue and the expense of operation to the District.

DEFINITIONS

The following words, terms and phrases shall have the meanings herein given, unless otherwise specifically defined:

"Activity Fee"

A Fee, to include Per-Trip fees, charged for the privilege of accessing the Airport to perform Commercial Ground Transportation.

"Airline Personnel Transportation Service"

The transportation, on a recurring basis, of airline employees (including but not necessarily limited to pilots and flight attendants) to or from the Airport pursuant to an agreement between an airline and an Operator, whether such agreement is written or oral or a combination thereof.

"Bus"

A Commercial Vehicle that carries sixteen or more passengers.

"Catering Vehicle"

Any vehicle that delivers food and beverages to be loaded onto aircraft.

"Commercial Ground Transportation"

Any and all of the following: the act of providing the carriage of, airport users, passengers or luggage in a Commercial Vehicle to or from the Airport, including but not limited to the Terminal Building or the premises of any fixed base operation; the act of using a Private Vehicle to provide Commercial Ground Transportation to or from the Airport for the owner or other person in possession thereof, when such owner or other person is engaging in air travel, and when the Private Vehicle is to be placed in a commercial off-Airport parking lot or facility; the transportation, on a recurring basis, of airline employees (including but not necessarily limited to pilots and flight attendants) to or from the Airport pursuant to an agreement between an airline and an Operator (whether such agreement is written or oral or a combination thereof).

"Commercial Ground Transportation Operator (Operator)"

Any partnership, corporation, limited liability company, enterprise, person, or other entity engaged in any type or form of Commercial Ground Transportation. (For purposes of gender, the word "it" when used in lieu of the "Operator" in this Policy shall be deemed to also include "he/she and "she".)

"Commercial Lane"

The area designated by the District for use by Commercial Ground Transportation operators for the purpose of picking-up and dropping-off passengers.

"Commercial Vehicle"

Any vehicle, other than private vehicles that transports passengers, goods or services for a commercial entity to or from the Airport, regardless of whether the charge of such service paid for directly, indirectly, or at all by the passengers being transported, excluding those operated by governmental entity, including but not limited to Courtesy Vehicles, Limousines, Taxicabs, Buses, Luggage Transport Vehicles, Catering Vehicles, Fueling Vehicles and Freight Delivery Vehicles.

"Commercial Vehicle-For-Hire"

A Commercial Vehicle (excluding Transportation Network Companies) used for the provision of transportation services for hire to and from the Airport.

"Courtesy Vehicle"

A Commercial Vehicle of any size, with or without a meter, which is engaged in transporting passengers between the Airport and any facility operated by, for, or for the benefit of, on behalf of, or pursuant to any contractual arrangement with a facility to include but not limited to hotel, motel, off-Airport rent-a-car business, camp, business or off-Airport Parking lot or facility.

"Freight Service Vehicle"

Any vehicle that enters an Airport Restricted Area to load/unload aircraft freight.

"Fuel Service Vehicle"

Any vehicle that provides fueling services to airline Ground Service Equipment (GSE) on Airport property.

"Ground Handler"

Any partnership, corporation, limited liability company, enterprise, person, or other entity engaged in any type or form of servicing of an aircraft while it is on the ground or providing passengers services on Airport property.

"Ground Transportation Management System (GTMS)"

An automated system by which the District will use to track Commercial Vehicles entering, idling on, and leaving Airport property. The GTMS may use a combination of cameras, license plate recognition (LPR), and automated vehicle identification (AVI) sensors and tags to track and enforce Commercial Vehicles.

"Miscellaneous Business"

Any partnership, corporation, limited liability company, enterprise, person, or other entity engaged in any type or form of business activity that is providing a service on Airport property.

"Limousine"

A Commercial Vehicle that carries fifteen or fewer passengers for a fare, not determined by a meter.

Administrative Policies & Procedures

118.00 – Non-Tenant Business

"Loading/Unloading Area"

A space or spaces designated by the President/CEO on the Terminal Building Curbside for the loading/unloading of Commercial Vehicles.

"Luggage Transportation Service"

The transportation, on a recurring basis, of luggage from the Airport pursuant to an agreement between an airline and an Operator, whether such agreement is written or oral or a combination thereof.

"Miscellaneous Business Services"

This includes any entity that is furnishing services to a customer or conducting business activities on District property that is not specifically covered by this policy or any other policy of the District. However, this definition does not include business activities or services that are authorized to use the Centralized Receiving and Distribution Facility (CRDF) or other similar activities or services that are provided to tenants not utilizing the CRDF, janitorial services that are provided to a tenant with a lease agreement, space use permit, or other concessions contract executed by the District, and other related entities that the District in its sole discretion deems exempt from this policy.

"Non-Tenant Business"

A business granted permission via a Non-Tenant Business Permit to operate at the Airport but does not have a concession contract, lease or agreement granting the privilege of having offices or other facilities at the Airport from which to conduct business, unless specified in the individual Non-Tenant Permit.

"Park or to be Parked"

To put or leave or let a Commercial Vehicle stand or stop in any location on the Airport, whether the driver thereof leaves or remains in such vehicle, when such standing or stopping is in a place other than a parking space in a public parking lot and is not required: by a traffic control device, a Police Officer, or conditions beyond the control of the driver; or to enable a passenger, with his/her or her luggage (if any), to get into or out of such Commercial Vehicle.

"Per-Trip Fee"

A fee charged to the Operator in the amount established by the District for each trip a Commercial Vehicle makes to and from the Airport in conjunction with its service as defined herein.

"Pre-reservation"

A passenger reservation, accommodation or arrangement for Commercial Ground Transportation made, provided for or arranged prior to the Commercial Vehicle's entry onto the Airport.

Administrative Policies & Procedures

118.00 – Non-Tenant Business

"Private Vehicle"

A vehicle which transports a person or persons to or from the Airport at no charge, either direct or indirect, to such person or persons or to any other person or entity. A vehicle which is operated by, for, or for the benefit of, on behalf of, or pursuant to any contractual arrangement with a hotel, motel, off-Airport rent-a-car business, camp or off-Airport parking lot or facility, and which carries passengers with Pre-reservations is not a Private Vehicle.

"Solicitation"

Either directly or indirectly, actively or passively, and at the Airport, to ask, request, seek or try to obtain a passenger or passengers for Commercial Ground Transportation.

"Taxicab"

A Commercial Vehicle that carries fifteen or fewer passengers for a fare, determined by a meter.

"Trade-dress"

The official signage identifying the Commercial Vehicle to which company and/or platform the Commercial Vehicle is operating under.

METHOD OF OPERATION; RULES AND REGULATIONS

APPLICATION FOR PERMIT

Any person, firm or corporation desiring access to the Airport for the purpose of conducting non-tenant business operations on Airport property, either directly or indirectly, shall first apply to and obtain a Non-Tenant Business Permit (the "Permit") from the District prior to conducting any business on Airport property.

RENTAL CARS

No person, firm, corporation or other entity shall carry on, conduct or engage in the business of renting motor vehicles or providing parking facilities at or from the Airport, nor solicit for the rental of vehicles, without a concession agreement.

The term "Rental Car Courtesy Vehicle" as used in this Section shall mean any motorized vehicle used to transport persons or rental vehicles to and from the Airport without a direct fee being paid by the person(s) being transported for the service so rendered. Each such vehicle shall clearly display Trade-dress with the name of the rental car company for which the service is being provided. "Courtesy Cars", as defined below, shall not pick up non-tenant rental car customers at the Airport.

Each rental car company operating customer courtesy vehicles which desires to use Airport premises for private business and commercial purposes shall first obtain from the District the Permit hereinabove referred to, authorizing such use and pay the fee required therefor.

Rental Car Courtesy Vehicles shall be operated on, at and from the Airport in accordance with procedures established from time to time by the President/CEO.

Administrative Policies & Procedures

118.00 – Non-Tenant Business

The President/CEO is authorized to designate a customer loading/unloading area at or near the airline passenger terminal building for use by non-tenant rental car and parking lot courtesy vehicles. No other area or place on Airport premises shall be used for any business or commercial purpose, directly or indirectly, by a non-tenant rental car company.

Rental Car Courtesy Vehicles shall not park or be left standing unattended in areas designated for use by the public or any other class of vehicle.

Employees of non-tenant rental car companies and operators of Rental Car Courtesy Vehicles shall not cruise or solicit business in any manner on, at or from Airport property.

Rental Car Courtesy Vehicles without Permits shall not enter upon Airport property to unload/load passengers even though such passengers have made previous arrangements for their service.

Annual fees for non-tenant Rental Car Courtesy Vehicles operating under permit on Airport property shall be established annually through the budget process.

All charges and fees (to include but not limited to credit card and GTMS processing fees) shall be payable in advance prior to issuance of a permit and prior to each annual renewal thereof, except for the Activity Fee which shall be due and payable monthly on or before the 15th of each month based upon the results of the operator's business for the preceding month. All payments due shall be remitted in full without demand, set-off or deduction.

OFF-AIRPORT PARKING FACILITIES

The provisions of the previous section on Rental Cars shall apply to off-airport parking facility permit holders and their vehicles.

OTHER COURTESY VEHICLES

The following provisions shall be applicable to non-tenant businesses operating customer courtesy vehicles for business and commercial purposes on the Airport property other than vehicles herein elsewhere referred to:

The term "Courtesy Vehicle" as used herein, shall apply to all business courtesy vehicles other than rental car and parking customer courtesy vehicles, limousines and buses and shall mean any motorized vehicle used to transport persons to and from the Airport without a direct fee being paid by the person(s) being transported for the service so rendered. Each Courtesy Vehicle shall clearly display Trade-dress with the name of the hotel, motel or other business organization for which the service is being rendered.

Each business organization operating a Courtesy Vehicle using the Airport shall first obtain from the District a permit and pay the fee required therefore.

Administrative Policies & Procedures

118.00 – Non-Tenant Business

Courtesy Vehicles shall be operated on, at and from the Airport in accordance with procedures established from time to time by the President/CEO.

The President/CEO is authorized to designate a customer loading/unloading area at or near the airline passenger terminal building for use by Courtesy Vehicles. No other location on Airport property shall be used for any business or commercial purpose, directly or indirectly, by a Courtesy Vehicle.

Courtesy Vehicles shall not be parked or left standing unattended in any other parking place, area or road.

Operators of Courtesy Vehicles and company personnel who may accompany them shall not solicit business in any manner on, at or from Airport property.

Courtesy Vehicles or similar vehicles without Permits shall not in any manner cruise on the Airport property and shall enter upon Airport property only to load/unload passengers who have made previous arrangements for their service.

Annual fees for Courtesy Vehicles operating under permit on Airport property shall be established annually through the budget process.

All charges and fees (to include but limited to credit card and GTMS processing fees) shall be payable in advance prior to issuance of a permit and prior to each annual renewal thereof, except for the Activity Fee which shall be due and payable monthly on or before the 15th of each month based upon the results of the operator's business for the preceding month. All payments due shall be remitted in full without demand, set-off or deduction.

COMMERCIAL VEHICLES-FOR- HIRE

The following provisions shall be applicable to non-tenant businesses operating commercial vehicles-for-hire to include but not limited to, taxis, limousines or buses for private business and commercial purposes on the Airport.

Each commercial vehicle-for-hire shall maintain and display, within such vehicles at all times while upon Airport property, Trade-dress in accordance with applicable laws and as reviewed and approved by the District.

Each operator/business operating a commercial vehicle-for-hire, which desires to use Airport property for private business and commercial purposes shall first obtain from the District a Permit authorizing such use and pay the fee required therefor.

Commercial vehicles-for-hire shall be operated on, at or from the Airport in accordance with procedures established from time to time by the President/CEO.

Administrative Policies & Procedures

118.00 – Non-Tenant Business

The President/CEO is authorized to designate a customer loading/unloading area at or near the airline passenger terminal building for use by non-tenant commercial vehicles-for-hire. No other location on Airport property shall be used for any business or commercial purpose, directly or indirectly, by a non-tenant commercial vehicle-for-hire.

Commercial vehicles-for-hire shall only use the areas designated for use based off the class of vehicle (i.e. limousine, taxi, or bus).

Commercial vehicles-for-hire shall not be left standing unattended in any parking place, area or road.

Operators of commercial vehicles-for-hire and company personnel who may accompany them, unless authorized by Permit or Concession Agreement to do so, shall not solicit business in any manner on, at or from the Airport.

Annual fees for commercial vehicles-for-hire operating under permit on Airport property, shall be established annually through the budget process.

All charges and fees (to include but not limited to credit card and GTMS processing fees) shall be payable in advance prior to issuance of a permit and prior to each annual renewal thereof, except for the Activity Fee which shall be due and payable monthly on or before the 15th of each month based upon the results of the operator's business for the preceding month. All payments due shall be remitted in full without demand, set-off or deduction.

BAGGAGE TRANSPORTATION

The following provisions shall be applicable to non-tenant businesses operating at or from the Airport for the purpose of transporting baggage, luggage or similar items to or from other airports, or any other location under contract or for a fee.

The operator of such a baggage transportation business shall procure a permit and each individual vehicle operated by such business shall maintain and display, within such vehicles at all times while upon Airport property, Trade-dress in accordance with applicable laws and as reviewed and approved by the District.

The President/CEO is authorized to designate an area or areas on the Airport property for the use of baggage transportation vehicles and no other location or area on the Airport property shall be used by any such vehicle nor shall any such vehicle be left standing unattended on any road or within an area on the airport property not designated for the specific use of such vehicles.

Annual fees for baggage transportation vehicles operating under permit on airport property shall be established annually through the budget process.

Administrative Policies & Procedures

118.00 – Non-Tenant Business

All charges and fees (to include but not limited to credit card and GTMS processing fees) shall be payable in advance prior to issuance of a Non-Tenant Business Permit and prior to each annual renewal thereof, except the Activity fee which shall be due and payable monthly on or before the 15th day of each month based upon the results of baggage vehicle business for the preceding month. All payments due shall be remitted in full without demand, set-off or deduction.

GROUND HANDLING SERVICES

The following provisions shall be applicable to non-tenant businesses operating at the Airport for the purpose of providing ground handling services.

The operator of such a ground handler shall procure a permit.

The President/CEO is authorized to designate an area or areas on the Airport property for ground handling of aircraft and any other related activities and no other location or area on the Airport property shall be used by any such business.

Annual Non-refundable fees for ground handling services operating on Airport property shall be established annually through the budget process.

All charges and fees shall be payable in advance prior to issuance of a Non-Tenant Business Permit and prior to each annual renewal thereof, except the Activity Fee which shall be due and payable monthly on or before the 15th day of each month based upon the results of ground handling services rendered for the preceding month. All payments due shall be remitted in full without demand, set-off or deduction.

OTHER MISCELLANEOUS SERVICES

The following provisions shall be applicable to non-tenant businesses operating at the Airport for the purpose of providing miscellaneous business services.

The operator of a miscellaneous business shall procure a permit.

The President/CEO is authorized to designate an area or areas on the Airport property for any miscellaneous business services and any other related activities and no other location or area on the Airport property shall be used by any such business.

Annual fees for miscellaneous services operating on Airport property shall be established annually through the budget process.

All charges and fees shall be payable in advance prior to issuance of a Non-Tenant Business Permit and prior to each annual renewal thereof, except the Activity Fee which shall be due and payable monthly on or before the 15th day of each month based upon the results of miscellaneous business services rendered for the preceding month. All payments due shall be remitted in full without demand, set-off or deduction.

Administrative Policies & Procedures

118.00 – Non-Tenant Business

GROUND TRANSPORTATION MANAGEMENT SYSTEM (GTMS)

The District has implemented a GTMS at the Airport in order to track commercial ground transportation activity on and through Airport property. All Commercial Vehicles shall be subject to and must participate in the GTMS, unless otherwise excluded pursuant to the terms of a permit or Concession Agreement with the District. The District reserves the right from time to time to amend the Policies and Procedures governing the GTMS. In general, the GTMS may use a combination of cameras, LPR, and AVI which could consist of a transponder installed on all Commercial Vehicles to track ground transportation activity. Fees shall be charged to Commercial Vehicles for usage of Airport property per the fee schedules adopted by the District. The District is further empowered to impose civil penalties on Commercial Vehicles that operate on Airport property without registering with the District and employing the GTMS.

PAYMENT OF FEES

All charges and fees (to include but not limited to credit card and GTMS processing fees) shall be payable in advance prior to issuance of a Non-Tenant Business Permit and prior to each annual renewal thereof, except that all fees based on percentage of gross receipts or other activity/unit charges shall be payable monthly on or before the 15th day of the succeeding month and shall be adjusted based upon an annual audit by a Certified Public Accountant furnished to the Airport at the permit holder's expense, within one hundred and twenty (120) days of their year-end accounting period. All payments due shall be remitted in full without demand, set-off or deduction.

ACTIVITY REPORT/AUDIT

The District shall have the right to require a Non-Tenant Business to deliver a statement signed by an officer of the business, in such form and with such detail as District may reasonably request, setting forth Operators activity during the preceding calendar month or for a period as determined by the District.

The District shall have the right to authorize an audit of the Non-Tenant Business records pertaining to its operation on the airport. Such audits may be conducted by District personnel or undertaken by a reputable firm of certified public accountants. The cost of such audits if undertaken by CPA shall be borne by the airport, unless the results of such audits reveal a discrepancy of more than five (5) percent between the gross sales reported to the airport. In case of such discrepancy, the full cost of the audit shall be borne by the non-tenant.

OTHER

Anything to the contrary notwithstanding, nothing hereinabove shall be deemed to require more than one permit per vehicle which is to be operated for business or commercial purposes on the Airport.

In the event any portion of this Resolution is determined by a court of competent jurisdiction to be invalid, the remainder hereof shall continue in full force and effect.

Administrative Policies & Procedures

118.00 – Non-Tenant Business

VIOLATIONS, REVOCATIONS, APPEALS

Non-Tenant Business operators are responsible for the conduct and actions of their drivers (whether or not they are employees, or contracted), including compliance with the policies contained herein, the Airport Rules and Regulations, and the Terms of the Non-Tenant Permit. In considering any fine, suspension, or revocation, the District may consider actions taken by the operator to act responsibly, take disciplinary measures, mitigate damage, or otherwise take appropriate corrective action. Nevertheless, operators are ultimately accountable for the action of their employees and drivers.

The President/CEO or designee (s) may impose fines, suspension, or revocation upon any Non-Tenant Business who, after due investigation, is found to have violated any of the policies contained herein, the Airport Rules and Regulations or the Terms of a Non-Tenant Permit. If the person violating any provision of this Section is a business, company or corporation, the officer, agents or employees thereof who shall violate or procure, aid or abet any violation of any of the provisions of this Section or permit the operation of any Commercial Vehicle contrary to the requirements thereof shall be subject to the same penalties as if they themselves were personally operating such Commercial Vehicle at the time such violations were committed.

Fines/Suspension

In addition to all remedies provided by law, fines and/or suspensions may be imposed at the discretion of the President/CEO or designee (s) for any violation of the policies contained herein, the Airport Rules and Regulations or the Terms of a Non-Tenant Permit.

Guidelines for Administrative Actions

Administrative actions will be evaluated based on the specific circumstances of each violation. The severity, potential impact and number of offenses will be considered in any administrative action. Violations that have a potential negative impact upon safety, business operations, or customer experience are considered serious infractions and will be dealt with more severely. Unless otherwise stated in individual Permits or Agreements, the District has established the following guidelines for Fines/Suspensions.

- First Offense - \$75 fine and/or up to a 30-day suspension
- Second Offense - \$150 fine and/or up to a 60-day suspension
- Third Offense - \$300 fine and/or up to a 180-day suspension

Revocation

Revocation of a Non-Tenant Permit and/or operating privileges is for an indefinite period of time – specified at the time of revocation – and may be imposed for any violations set forth herein and any of, but not limited to, the following violations:

Administrative Policies & Procedures

118.00 – Non-Tenant Business

- Failure to pay required fees within fifteen (15) days of suspension.
- Any violation of the policies contained herein, the Airport Rules and Regulations or Terms of the Non-Tenant Permit.
- Falsified documents presented to the Airport District.

Continuing Violation

Each day's failure to comply or willful violation of the policies contained herein, the Airport Rules and Regulations or the Terms of the Non-Tenant Permit shall constitute a separate and distinct offense and shall be separately punishable.

Imposition and Review of Administrative Actions and Revocations

The business shall be entitled to appeal a suspension or revocation by filing a written Notice of Appeal within fifteen (15) days of notification of suspension or revocation. The decision of the District shall be final, and any appeal therefrom shall be to the courts of the State of South Carolina. In the case of suspension only, the permit shall be restored to the business at the expiration of the period of suspension. In the case of revocation, the business must wait a minimum of sixty (60) days before submitting an application for a new Permit.

RIGHT TO AMEND POLICY

The District reserves the right to adopt such amendments to this policy and the Non-Tenant Business Permit from time to time as it determines is necessary or desirable to reflect current trends of airport activity for the benefit of the general public or the operation of the Airport.

APPROVAL AND UPDATE HISTORY	November 18, 2024
APPROVAL	September 9, 2019