

NEBRASKA AIRPORT REMINDERS

NDOT DIVISION OF AERONAUTICS | SEPT 2023 | HANGAR USAGE



HANGAR USAGE AT OBLIGATED AIRPORTS

An Airport sponsor who accepts Federal airport grants is bound by the conditions and assurances in the associated grant agreements. These obligations include grant assurances related to use of hangars and other designated aeronautical facilities on the airport for exclusively aeronautical purposes. On June 15, 2016, FAA issued a notice of final policy regarding the storage of non-aeronautical items in airport facilities designated for aeronautical use.

The link for the Policy on the Non-Aeronautical Use of Airport Hangars is: [14 CFR Chapter I: Policy on the Non-Aeronautical Use of Airport Hangars](#)

ITEM 1: *Why are hangars limited to certain kinds of use?* Airport sponsors that have accepted FAA grants or deeds of Federal surplus property are obligated to use dedicated aviation facilities for aeronautical use. If hangars are not reserved for aeronautical use, Federal airport grant funds could inadvertently subsidize non-aeronautical users, and aeronautical users could be denied access to needed airport facilities. Conditions

in AIP grant assurances, relevant to hangar use, include:

- Preserving rights and powers (Grant Assurance 5);
- Making the airport available for aviation use on certain terms (Grant Assurance 22);
- Not granting exclusive rights (Grant Assurance 23);
- Ensuring safe operations (Grant Assurance 19); and
- Complying with the ALP (Airport Layout Plan) process and requirements (Grant Assurance 29).

ITEM 2: *Examples of acceptable aeronautical use:*

- Storage of active aircraft.
- Shelter for maintenance, repair, or refurbishment of aircraft, **but not the indefinite storage of non-operational aircraft.**
- Construction of home-built aircraft provided that activities are conducted safely;
- Storage of aircraft handling equipment (tow bar, workbenches, and tools and materials used to

ITEM 1

Why are hangars limited to certain kinds of use?

ITEM 2

Examples of acceptable aeronautical use

QUESTIONS OR COMMENTS?

Call the NDOT Division of Aeronautics office at 402.471.2371

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(CONTINUED)

- service, maintain, repair or outfit aircraft); items related to ancillary or incidental uses that do not affect the hangars' primary use.
 - Storage of materials related to an aeronautical activity (ex: balloon and skydiving equipment, office equipment, teaching tools, and materials related to ancillary or incidental uses that do not affect the hangars' primary use) and storage of non-aeronautical items that do not interfere with the primary aeronautical purpose of the hangar.
 - A vehicle parked at the hangar while the aircraft usually stored in that hangar is flying, subject to local airport rules and regulations.
 - The sponsor must charge a fair market commercial rental rate (comparable to area commercial self-storage companies) for the hangar space.
 - The hangar space is only available until there is demand for an aeronautical purpose. **Aeronautical use must receive priority consideration and accommodation over non-aeronautical use**, even if the rental rate would be higher for the non-aeronautical use.
 - Include a termination clause in the lease agreement that states the interim non-aeronautical tenant will need to vacate the space once there is a demand for aeronautical use. And include verbiage on how the tenant will be notified and how long they have to vacate (ex: 30-day or 60-day notice).
- ITEM 3:** *When can a hangar be used for non-aeronautical use?* If a sponsor has empty hangars for which it has no current aeronautical demand, it may seek FAA approval to lease those hangars to non-aeronautical tenants if the following conditions are met for interim non-aeronautical use of a hangar.
- Determine the lease term (month to month or up to 5 years)
- ITEM 4:** *When is the policy not applicable?* The policy does not apply to non-federally obligated airports; however, certain federal requirements may be applicable.

ITEM 3

When can a hangar be used for non-aeronautical use?

ITEM 4

When is the policy not applicable?

NOTE:

This flyer provides only brief guidance and explanations. Visit www.faa.gov/airports/airport_compliance for more info.

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