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ORDINANCE NO. 813

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AN ORDINANCE AMENDING CHAPTER 3, AIRPORT, OF THE ABILENE MUNICIPAL CODE; AMENDING THE SCHEDULE OF LANDING FEES; REPEALING ARTICLE III, AIRPORT SERVICE FEES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 3, Airports, of the Abilene Municipal Code, is hereby amended by amending Article II, Landing Fees, to read as follows:

Article II. Landing Fees.

Sec. 3-9. Definitions.

For the purposes of this article the following words and phrases shall have the meanings respectively ascribed to them by this section:

Flight. The landing and taking off of one airplane not including tests or practice flights.

Scheduled commercial air carrier. Any aircraft operated for hire in which a pilot is provided either for passenger or cargo purposes, operating on scheduled flights.

Scheduled trip arrival. Each landing and take off of one airplane according to the current official schedule of the air carrier.

Nonscheduled commercial air carrier. Any aircraft operated for hire in which a pilot is provided either for passenger or cargo purposes but not operating on any regular schedule.

Sec. 3-10. Scheduled commercial air carriers--Generally.

Scheduled air carriers operating in and out of the municipal airport shall pay a landing fee as shown by the following table:

<u>Flights (each day)</u>	<u>Landing Fee (per 1,000 lbs. landing weight)</u>
First	30¢
Second	25¢
Third	20¢
Fourth	15¢
All Other Flights	10¢

Sec. 3-11. Computation of fees.

Landing fees shall be computed based upon the gross landing weight of the aircraft used by the air carrier as established by the Federal Aviation Administration. If the air carrier schedule involves the use of aircraft of different landing weights, the heavier aircraft will be considered as being the first flight of the given day under the schedule and the lighter aircraft as the last flights in the air carrier schedule.

Sec. 3-12. Same--Factors determining.

Fees under this article shall be paid on the basis of either all landings indicated in the schedule or time table of the scheduled commercial air carrier as of the first day of the calendar month or the total number of actual revenue landings made during the calendar month, whichever is greater, it being the intention to exclude from the operation and scope of this provision nonrevenue flights of the scheduled commercial air carrier. If, during a calendar month, any flight is added to the service of the scheduled commercial air carrier, an additional fee shall be payable covering the remaining portion of the calendar month.

In the event the gross weight of any type of aircraft shall be restricted by federal or city regulations to less than the manufacturer's gross weight, then the landing fee shall be computed on the maximum weight allowed by such restrictions.

Sec. 3-13. Same--When and where payable.

The fees provided in this article shall be paid to the city treasurer on or before the tenth day of each month in advance for the month then current. Such fees shall become delinquent if not received by the city by the first day of the month following the month in which such fees become due. All delinquent fees shall bear interest at the rate of .75 % per month until paid.

Sec. 3-14. Same--Furnishing of schedule and statement of flights.

Each scheduled commercial air carrier shall on, or immediately prior to, the first day of each calendar month, furnish the city treasurer and the airport manager at the municipal airport a true copy of the schedule of flights then in effect, and shall, on the last day of the month or within five days thereafter, furnish such persons a correct statement of flights added to or taken off the schedule during the month just passed and the date such changes were made, and a list of other landings and take offs of its aircraft engaged in revenue flights.

Sec. 3-15. Nonscheduled commercial aircraft.

Nonscheduled commercial carriers and/or charter flights shall be charged a landing fee computed at the rate of thirty cents per 1,000 pounds of the certified gross landing weight of the aircraft used provided however that no fees shall be levied against any such flight where the gross landing weight of the aircraft is 12,500 pounds or less. Such charge shall be paid immediately to the airport manager at the municipal airport upon the landing of such aircraft under such procedures as may be established by the airport manager.

Sec. 3-16. Fees exclusive of other charges; exceptions.

(a) The landing fees established in this article shall be exclusive of and in addition to any other charges as may be imposed for the parking, servicing or storage of aircraft at the municipal airport.

(b) The fees levied by this article shall not be applicable to air carrier operations, whether scheduled or not, where such air carrier has a valid written contract covering such fees with the city of Abilene.

PART 2: That Chapter 3, Airports, of the Abilene Municipal Code, is hereby amended by deleting Article III, Airport Service Fees, in its entirety, such article being Section 3-17 through 3-23, both inclusive.

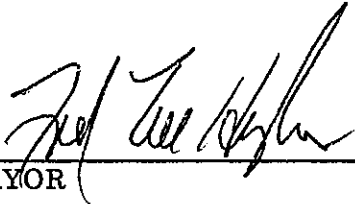
PART 3: That, upon passage of this ordinance on first reading, the City Secretary be, and she is hereby authorized and directed to cause to have published in the Abilene Reporter News, a daily newspaper of general circulation in the City of Abilene, a notice that a public hearing will be held in the Council Chamber of the City Hall, in Abilene, Texas, at 9:00 A.M., on the 23rd day of October, 1975, to permit the public to be heard prior to consideration of this ordinance for second and final reading, said publication to be made more than ten (10) days prior to the time designated for such public hearing.

PASSED ON FIRST READING, this 9th day of October, A.D. 1975.

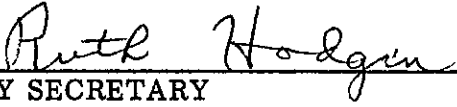
After passage, a notice of the time and place where and when said ordinance would be given a public hearing and considered for final passage was published in the Abilene Reporter News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 12 day of October, A.D. 1975, the same being more than ten (10) days prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on second reading on October 23, 1975, and the rates established herein shall become effective as of November 1, 1975.

PASSED ON SECOND AND FINAL READING this 23rd day of October,

A.D. 1975.


MAYOR

ATTEST:


CITY SECRETARY

APPROVED:

CITY ATTORNEY