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ORDINANCE NO. 2636

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING ORDINANCE NO. 2430 OF THE CITY OF MESQUITE, TEXAS, BY ADDING CERTAIN NEW LANGUAGE AND DELETING CERTAIN PRESENT LANGUAGE, THEREBY AMENDING CERTAIN MINIMUM STANDARDS AND RULES AND REGULATIONS GOVERNING ALL USERS OF THE PHIL L. HUDSON MUNICIPAL AIRPORT; PROVIDING FOR A PENALTY; PROVIDING FOR A SEVERABILITY CLAUSE; AND DECLARING AN EMERGENCY.

NOW, THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That City of Mesquite Ordinance No. 2430 amending Section 1, "Sale of Aviation Petroleum Products and Ramp Service," Paragraph 5a and 5d of the Rules and Regulations for the Phil L. Hudson Municipal Airport, is hereby amended as follows in all other respects said Rules and Regulations and Ordinance to remain in full force and effect.

SECTION 1. SALE OF AVIATION PETROLEUM PRODUCTS AND RAMP SERVICE.

5a. Amend by deleting after the word "capacity" the words "below ground." Amend by inserting an additional sentence.

This paragraph will read:

- a. Provide and maintain a minimum of 5,000 gallons tank storage capacity for each grade of aviation fuel usually required for aircraft using the airport. A mobile, operable refueler may be used for interim fuel holding during pre-construction, construction, or repair of permanent fuel storage facilities.

5d. Amend by deleting after the word "except" the word "underground." Amend by inserting after the word "tanks" the words "or operable refuelers during pre-construction, construction or repair of permanent fuel storage tanks."

This paragraph will read:

- d. Prohibit any fuel transfer from a common carrier transport into anything except storage tanks or operable refuelers during pre-construction, construction or repair of permanent fuel storage tanks.

SECTION 2. That any person, firm, or corporation violating any of the provisions or terms of this ordinance shall be deemed guilty of a Class C misdemeanor and upon conviction in the Municipal Court shall be punished by a fine not to exceed Five hundred (\$500.00) dollars for each offense. This section is cumulative of all other penalties for violation of federal, state and local laws, rules, regulations and ordinances.

SECTION 3. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional the remaining provisions of this ordinance shall remain in full force and effect.

SECTION 4. The fact that the present Rules and Regulations and Minimum Standards for the Phil L. Hudson Airport do not adequately protect the safety and welfare of the inhabitants of the City creates an urgency and an emergency for the preservation of the public health, safety and welfare and requires that this ordinance shall take effect immediately from and after its passage and publication of said ordinance, as the law in such cases provides.

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DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas on the 2nd day of October, 1989.

George A. Venner, Sr.

George A. Venner, Sr.
Mayor

ATTEST:

Lynn Prugel
Lynn Prugel
City Secretary

APPROVED:

B.J. Smith
B.J. Smith
City Attorney