

ORDINANCE NO. 2730

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, AMENDING ORDINANCE NO. 2430 OF THE CITY OF MESQUITE, BY ADDING CERTAIN NEW 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; Section 2, Rule 5, "Commercial Operating Fees," Paragraph 3, and Rule 18, "Fueling of Aircraft," Paragraph E, 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 2. USE OF AIRPORT RESTRICTED.

Rule 5. COMMERCIAL OPERATING FEES.

Paragraph 3. Amend by adding after the word "fuels" the words "and self-fueling" in the first sentence. Amend by adding after the word "fuel" the words "or self-fuel" in the second sentence.

The paragraph will read:

The sale of aviation fuels and self-fueling shall be subject to a flowage fee. All persons approved by the City Council to sell fuel or self-fuel at the Hudson Municipal Airport shall pay a flowage fee of five (\$.05) cents per gallon of all fuels delivered to the Hudson Municipal Airport. The flowage fee for the previous month's activity shall be paid to the City of Mesquite by the 10th of the following month.

Rule 18. FUELING OF AIRCRAFT.

Paragraph E. Amend by adding paragraphs 2, 3, 4 and 5.

The paragraphs will read:

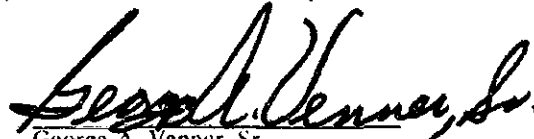
1. Persons or aviation businesses wishing to supply and dispense aviation fuel for their private use must first obtain permission from the City of Mesquite. Private fueling facilities must be located on leased property and the fueling system installed and fuel dispensed in accordance with Aircraft Fueling Rules and Directives.
2. Insurance Requirements: Minimum of \$1,000,000 Combined Single Limit. See Section 1, Paragraph 4.
3. Fuel Storage: Minimum of 5,000 gallon modular above ground self-contained, EPA certified fueling system.
4. Flowage Fee: Five (\$.05) cents per gallon invoiced delivered to storage tank. See Section 2, Rule 5.
5. Self-Fueling Permit: Upon completing all applicable requirements, an annually renewable permit will be issued to the applicant. The annual fee will be one hundred twenty-five (\$125.00) dollars.

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.

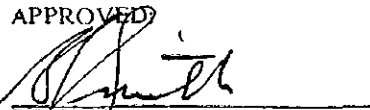
SECTION 4. The fact that the present Rules and Regulations and Minimum Standards for the Phil L. Hudson Airport do not adequately protect the safety and welfare of the inhabitants of the City, creates an urgency and an emergency for the preservation of the public health, safety and welfare and requires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

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas, on the 18th day of March, 1991.


George A. Venner, Sr.
Mayor

ATTEST:


Lynn Prugel
City Secretary

APPROVED

B.J. Smith
City Attorney