

**ORDINANCE NO. 2023-O-182**

**AMENDING ORDINANCE NO. 2023-O-070; BY FURTHER AMENDING LAREDO MUNICIPAL CODE, CHAPTER 4 – AIRPORT, ARTICLE I – IN GENERAL, SECTION 4-7. DEFINITIONS AND SECTION 4-8. LANDING FEES; ADDING AND CLARIFYING DEFINITIONS PERTINENT TO THE ARTICLE; AMENDING “LANDING FEES” TO INCLUDE GENERAL AVIATION AIRCRAFT LANGUAGE IN LANDING FEE RATE FOR NON-SIGNATORY NON-TENANT AIRLINES, INCLUDING “AIRPORT’S DESIGNATED CONTRACTOR” LANGUAGE; INCLUDING “AIRCRAFT OPERATOR MAY BE LIABLE FOR INTEREST ON THE PAST DUE BALANCE”; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

WHEREAS, the Airport Director recommends that the City Council approve the proposed ~~commercial~~-aircraft landing fees and landing fee rate ordinance, in furtherance of the development of the Laredo International Airport and as a support to the maintenance and operation of the Laredo International Airport; and

WHEREAS, the proposed amendments of said ordinance is in the best interest of the Laredo International Airport; and

WHEREAS, the City Council of the City of Laredo having heard the recommendations of the Airport Director and agrees with same.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LAREDO THAT:

Section 1: Definitions:

“Laredo International Airport” or “Airport”: That certain area administered by City of Laredo pursuant to Indenture from the United States of America to the City of Laredo, dated February 21, 1975, and consisting of all the area bounded by Saunders Street to the South, McPherson Avenue to the West, Lake Casa Blanca to the East and undeveloped land to the North, and being more particularly described in that certain Deed of indenture filed in Volume 478 at page 471 of the Deed of Records of Webb County, Texas, this also includes the Airport Manager.

~~Airline General Aviation/Airline~~ “*Airline*”: Any provider of scheduled or non-

scheduled air carrier service to include air feeder line, supplemental air carrier, charter service or air taxi service.

***“General Aviation Aircraft”***: shall mean any Aircraft that is not a Commercial Aircraft on scheduled & non-scheduled flights.

**“Commercial Aircraft”**: Any aircraft operated either for passenger, or cargo ***or other for-hire*** purposes on scheduled or non-scheduled flights, by a scheduled air carrier, an air feeder line, a supplemental air carrier, a charter service or an air taxi service.

**“Maximum certificated gross landing weight”** the maximum landing weight approved by the Federal Aviation Administration, or its successor in duties, for landing that aircraft at Airport.

**“Fee Landings”** (in the singular, or in the plural form) ***shall mean*** the actual landings of aircraft ~~by the Airline~~ at Airport, whether such be in revenue, or non-revenue service, except those which return to Airport prior to landing at another airport for weather, mechanical, or emergency reasons.

**“Signatory Airlines”** shall mean those ~~a~~Airlines, including code sharing or affiliates of such airlines, providing Air Transportation to and from the Airport that have executed agreements with Airport.

**“Non-Signatory Tenant Airlines”** shall mean those ~~a~~Airlines, including code sharing or affiliates of such airlines, providing Air Transportation to and from the Airport that do not have an executed agreement with Airport with respect to paying and reporting landing activity and lease or sublease space at Airport.

**“Non-Signatory Non-Tenant Airlines”** shall mean those ~~a~~Airlines, including code sharing or affiliates of such airlines, providing Air Transportation to and from the Airport that do not have an executed agreement with Airport with respect to paying and reporting landing activity and do not lease or sublease space at Airport.

**“Angel Flights”** shall mean air carriers and organizations that provide free air transportation for passengers in need of medical treatment.

**“Based Aircraft”** shall mean aircraft operated by a based operator for which the payment of airport fees are settled according to the valid aircraft based agreement.

**“Air ~~a~~Ambulance”** shall mean any aircraft specifically constructed, modified, or equipped and used for the primary purpose of responding to emergency calls and transporting critically ill or injured patients whose medical flight crew has at a minimum two attendants certified or licensed in advanced life support.

"A ~~m~~Maintenance ~~f~~Flight" shall mean a flight of an aircraft with an airworthiness certificate or with a permit to fly which is carried out for troubleshooting purposes or to check the functioning of one or more systems, parts, or appliances after maintenance, if the functioning of the systems, parts or appliances cannot be established during ground checks.

Section 2: The Landing Fees shall be determined by multiplying the Landing Fee Rate times the total number of thousand pounds of maximum certificated gross landing weight of *the Airlines* aircraft making Fee Landings at Airport.

Fee is calculated per 1,000 lbs. of the aircraft weight, rounded to the nearest 1,000 lbs. Anything 499 lbs. and under are rounded down, while 500 lbs. and above are rounded up. The landing fee rate is then multiplied times the aircraft's weight, per 1,000 lbs.

#### Examples

1. Aircraft weighing 14,300 lbs. would be rounded down to 14,000 lbs.
  - Fee rate of \$1.20: 14,000 lbs. x \$1.20 = 16,800 / 1,000 lbs. = \$16.80 total landing fee
2. Aircraft weighing 14,600 lbs. would be rounded up to 15,000 lbs.
  - Fee rate of \$1.20: 15,000 lbs. x \$1.20 = 18,000 / 1,000 lbs. = \$18.00 total landing fee

The Landing Fee Rate for Signatory Airlines is increased ~~from~~ to One Dollar and Twenty Cents (\$1.20) and will be so until this Ordinance is amended by City of Laredo.

The Landing Fee Rate for Non-Signatory Tenant Airlines is increased ~~from~~ to One Dollar and Fifty Cents (\$1.50) until this Ordinance is amended by City of Laredo.

The Landing Fee Rate for Non-Signatory Non-Tenant Airlines & *General Aviation Aircraft* is increased to ~~from~~ Two Dollars (\$2.00) until this Ordinance is amended by City of Laredo.

Exempt from landing fees are the following:

- Federal and Military Aircraft (Not to include – Touch and Go's)
- Based Aircraft
- Texas government aircraft registered with the FAA to Texas

Not exempt from landing fees are the following:

- Aircraft FAA registered to states other than Texas
- Training Flights (Touch and Go's)
- Angel Flights upon discretion of Airport Director
- Maintenance Flights
- Air Ambulance Flights

- Aircraft subcontracted with USDA for firefighting purposes

Section 3: *All Airlines shall furnish to Airport and Airport's designated contractor on or before, the fifteenth (15th) day of each month, a written report, in a form approved by Airport, showing Airline's Fee Landings at Airport during the preceding month; such report shall include the number and the type of aircraft and the maximum certificated gross landing weight thereof and to include the net cargo landed and enplaned at Airport.*

Section 4: Airline and ground Handling providers shall report to Airport on or before the fifteenth (15<sup>th</sup>) day of each month for the preceding month, a written report, showing the number of aircraft landings by types of aircraft, for which it provided ground handling services of any kind, to include Airlines which do not have written agreements with Airport to use the Airport, and the names and addresses of operators of such aircraft.

Section 5: Is deleted.

Section 6: ~~Airline shall pay to Airport the Landing Fees~~ *are* due for the preceding month within twenty (20) days of the succeeding month. If ~~Airline aircraft operator~~ fails to pay said Landing Fees when due and payable as stated, herein, then ~~Airline aircraft operator may be liable for shall pay interest on the past due balance to Airport,~~ calculated at the rate of one and one half percent per month, calculated on a daily basis.

Section 7: Notwithstanding anything to the contrary contained herein. Airline *and Non-Airline* shall not be exempt from paying Landing Fees on a particular landing or landings when the Airline *and Non-Airline* purchased aviation fuel at Airport corresponding to that landing or landings and paid the Fuel Flowage Fee charged on fuel sales.

Section 8: The City Manager be and is hereby authorized to implement the ~~commercial~~ aircraft landing fees and landing rate ordinance for the Laredo International Airport.

Section 9: This ordinance shall be cumulative of all provisions of ordinances of the City of Laredo, Texas, except where the provisions of this ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 10: It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance are severable, and if any phrase, clause, sentence, paragraph or section of this ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and sections of this ordinance, since the same would have been enacted by the City Council without the incorporation in this ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

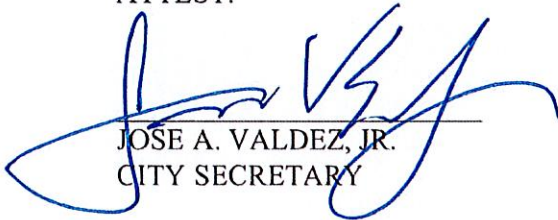
Section 11: This Ordinance shall become effective from and after its adoption and publication in accordance with the provisions of the Charter of the City of Laredo.

PASSED BY THE CITY COUNCIL AND APPROVED BY THE MAYOR ON THIS  
18<sup>th</sup> DAY OF September, 2023.



DR. VICTOR D. TREVINO  
MAYOR


ATTEST:



JOSE A. VALDEZ, JR.  
CITY SECRETARY



APPROVED AS TO FORM:



DOANH "ZONE" T. NGUYEN  
CITY ATTORNEY