

## ORDINANCE NO. 2022-33

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS AMENDING THE CODE OF ORDINANCES; CHAPTER 18 (ENTITLED "AVIATION") BY AMENDING ARTICLE II (ENTITLED "MUNICIPAL AIRPORT") BY AND PROVIDING REVISIONS TO DIVISION 2 (ENTITLED "RULES AND REGULATIONS"); PROVIDING FOR PENALTY; PROVIDING CUMULATIVE, CORRELATIVE, REPEALER AND SEVERABILITY CLAUSES; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, City staff has been tasked with preparing a comprehensive revision to City Code Chapter 18, Articles I and II; and

**WHEREAS**, although the entire revision to the Articles is not ready for presentation to Council the revisions to the fee schedule are completed; and

**WHEREAS**, the existing rates were last updated in 2011.

**WHEREAS**, the Airport Manager conducted a survey of surrounding and similar size airports for comparable rates;

**WHEREAS**, to minimize the impact to tenants, the City desires to implement the new rates in two phases beginning October 1, 2022 and October 1, 2023; and

**WHEREAS**, City Council, finds, determines, and declares that publication of notice of this Ordinance, as required by Section 3.14 of the City Charter and the laws of the State of Texas, was made by the City Secretary within the period prescribed by Section 3.14; and

**WHEREAS**, City Council, finds, determines, and declares that the meeting at which this Ordinance is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Ordinance, was given as required by Chapter 551 of the Texas Government Code.

**NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BURNET, TEXAS THAT:**

**Section one. Findings.** The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Ordinance for all purposes and are adopted as a part of the judgment and findings of the Council.

**Section two. Amendment.** The Code of Ordinances, Chapter 18 (entitled "*aviation*") is hereby amended by replacing the existing language in Section 18-41(3)c with the language that follows:

c. *Rent.* Storage hangar rent shall be paid monthly in advance in accordance

with the fee schedule included herein. Rent is due by the first day of the month and shall be considered past due at midnight on the tenth day of the month. A late charge of \$25.00 will be assessed for any monthly payment not received at the city hall by the tenth day of the month.

Fee Schedule A:

Note. Fee Schedule A shall be effective October 1, 2022 to September 30, 2023.

<b><u>Lease Description</u></b>	<b><u>Rate</u></b>	<b><u>Deposit*</u></b>
Short term Tie-down	\$0.00 Daily	\$0.00
Long term Tie-down**	\$75.00/month	\$75.00
Sun Shelters (1-20)	\$125.00/month	\$125.00
D Sun Shelters (DSS04 – DSS07)	\$200.00/month	\$200.00
Standard T-hangars	\$275.00/month	\$275.00
Community Hangar (DH01 – DH03)	\$275.00/month	\$275.00
Large T- hangar(B-9)	\$600.00/month	\$600.00
Long Term Auto Parking	\$240/year	\$0.00

\*New deposit not applicable for Lessees which paid deposit prior to October 1, 2022.

\*\*If aircraft remains over 7 days, the long-term lease charge will be assessed.

Fee Schedule B:

Note. Fee Schedule B shall be effective October 1, 2023 until such time as amended by City Council.

<b><u>Lease Description</u></b>	<b><u>Rate</u></b>	<b><u>Deposit*</u></b>
Short term Tie-down	\$0.00 Daily	\$0.00
Long term Tie-down**	\$100.00/month	\$100.00
Sun Shelters (1-20)	\$150.00/month	\$150.00



D Sun Shelters (DSS04 – DSS07)	\$200.00/month	\$200.00
Standard T-hangars	\$300.00/month	\$300.00
Community Hangar (DH01 – DH03)	\$300.00/month	\$300.00
Large T- hangar(B-9)	\$650.00/month	\$650.00
Long Term Auto Parking	\$240/year	\$0.00

\*New deposit not applicable for Lessees which paid deposit prior to October 1, 2023.

\*\*If aircraft remains over 7 days, the long-term lease charge will be assessed.

**Section three. Penalty.** A violation of this ordinance is unlawful and subject to the penalties prescribed in City Code Section 1-6.

**Section four. Cumulative.** This ordinance shall be cumulative of all provisions of all ordinances and codes, or parts thereof, except where the provisions of this Ordinance are in direct conflict with the provisions of such Ordinances, in which event the more restrictive provision shall apply.

**Section five. Repealer.** All ordinances and codes, or parts thereof, which are in conflict or inconsistent with any provision of this Ordinance are hereby repealed to the extent of such conflict, and the provisions of this Ordinance shall be and remain controlling as to the matters resolved herein.

**Section six. Severability.** If any provision of this Ordinance or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this Ordinance and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City hereby declares that this Ordinance would have been enacted without such invalid provision.

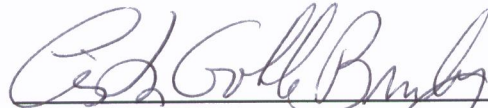
**Section eight. Publication.** The publishers of the City Code are authorized to amend said Code to reflect the changes adopted herein and to correct typographical errors and to format and number paragraphs to conform to the existing Code. On October 1, 2023 the publisher is authorized and directed to remove the “Fee Schedule A” effective October 1, 2022 to September 30, 2023; and upon the removal of “Fee Schedule A”, “Fee Schedule B” shall be renamed “Fee Schedule”

**Section nine. Effective Date.** This Ordinance shall be effective upon the date of final adoption hereof and publication as required by law, save and except “Fee Schedule A” shall be effective October 1, 2022 to September 30, 2023, and “Fee Schedule B” shall be effective October 1, 2023 until such time as amended by City Council.

Passed and approved on first reading on the 12<sup>th</sup> day of July, 2022

Passed, approved and adopted on the 9<sup>th</sup> day of August, 2022

**CITY OF BURNET**

  
Crista Goble Bromley, Mayor

**ATTEST:**

  
Kelly Dix, City Secretary

