

Ordinance amending various sections of the Code of Ordinances, Chapter 9, Aviation, by revising Corpus Christi International Airport fees, rates, and charges and other necessary edits, corrections, and clarifications; and providing an effective date.

WHEREAS, the fees, rates, and charges (“rates and charges”) established for the Corpus Christi International Airport (“Airport”) are presently included in various sections of Chapter 9 of the Corpus Christi Code of Ordinances (“Code”) and need to be revised, in addition to other necessary edits, corrections, and clarifications.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF CORPUS CHRISTI, TEXAS, THAT:

SECTION 1. Various sections of Chapter 9, “Aviation,” of the Code of Ordinances are amended by revising the rates and charges at the Corpus Christi International Airport and making other necessary edits, corrections, and clarifications, with the relevant sections’ new text shown underlined and deleted text shown stricken, to read as follows:

“Sec. 9-1. Minimum altitude.

It shall be unlawful for any person to operate any aircraft, airship or balloon over the city or any property owned, leased or controlled by the city at an altitude lower than ~~one thousand five hundred (1,500)~~ 1,500 feet from the earth's surface or, in the case of a rotorcraft, at an altitude lower than ~~five hundred (500)~~ 500 feet from the earth's surface, or in violation of the minimum altitude established by Federal Aviation Administration regulations if such altitude is lower. This section shall not apply to aircraft, airships, rotorcraft and balloons landing or taking off from an authorized and properly designated Federal Aviation Agency Administration landing field or airport, ~~nor to any aircraft, airship, rotorcraft or balloon being operated in compliance with a permit issued under section 9-2 or 9-3,~~ nor to any aircraft, airship, rotorcraft or balloon being operated in compliance with the joint airport zoning regulations promulgated jointly by the county and the city.

“Sec. 9-2. Exhibition, educational and photographic flights.

~~On special occasions and for the purpose of exhibition of photographing or educational purposes, the city manager may authorize aircraft exhibitions and flights below the minimum altitude specified in section 9-1 to be conducted under the restrictions prescribed by the city manager upon written application to the airport manager, and providing such protection for the benefit of the public as may be prescribed by the city manager.~~

“Sec. 9-3. Permits for crop spraying and operation of VTOL craft.

~~The airport manager may issue permits for the operation of aircraft below the minimums prescribed in section 9-1 for the purpose of applying chemicals to crops and the landing and taking off of VTOL craft at locations not otherwise authorized. Each applicant shall comply with all regulations for the safety of persons and property promulgated by the airport manager and approved by the city manager and filed in the office of the city secretary. The permit fee shall be twenty five dollars (\$25.00) per permit. Each permit shall be in effect for the period indicated in the permit but in no event for more than one year.~~

“Sec. 9-4 9-2. Acrobatic flying prohibited. * * *

“Sec. 9-5. Operation of hydroplanes, seaplanes or amphibians.

~~No person may operate a hydroplane, seaplane or amphibian in or upon any reservoir or lake or body of water belonging to the city or under the control of the~~

~~city, or within the corporate limits of the city, without first obtaining an operator's permit issued by the airport manager. All hydroplane, seaplane or amphibian operations shall be subject to all rules and regulations set forth in this chapter which might apply; applicable rules and regulations of the airport manager, the Federal Aviation Administration and the harbor master; and all surface craft regulations. In addition, the operation shall be subject to special rules and regulations for the operation, set forth by the airport manager and approved by the city manager. The operations permit issued by the airport manager shall be good for a period of one year and the permit fee shall be twenty five dollars (\$25.00) for each permit or renewal thereof.~~

"Sec. 9-6 9-3. Parachute jumps over the city generally. * * *

"Secs. 9-7 9-4 -- 9-19. Reserved.

* * *

"Sec. 9-23. Manager Director of Aviation—General powers and duties.

~~The airport manager~~ director of aviation shall at all times have full authority ~~over, and over and~~ shall take such action as may be necessary in the handling, conduct and management of municipally-owned, leased or operated airports.

"Sec. 9-24. Same – Authority over persons at airport.

~~The airport manager~~ director of aviation and ~~his~~ the director's authorized assistants shall at all times have authority to take action as may be necessary in the handling, conduct and management of the public in attendance at Corpus Christi International Airport.

"Sec. 9-25. Airport public safety officers; duties and responsibilities; limitations.

(a) ~~The director of aviation and his assistants and~~ All public safety officers shall be sworn as special peace officers of the city, as qualified by state law.

(b) * * *

* * *

(e) * * *

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"Sec. 9-30. Pedestrian traffic.

(a) Where sidewalks are provided at the Corpus Christi International Airport, it shall be unlawful for any person to walk along and upon adjacent roadways, grassed ~~areas~~ areas, or other adjacent surfaces.

(b) * * *

"Sec. 9-31. Trespass upon restricted areas of the airport.

(a) *Application of provisions.* * * *

* * *

(d) *Airport security responsibilities.* * * *

(1) Air operations area, secured area and security identification display area (SIDA):

a. * * *

* * *

f. Each person who uses a door or gate to enter or exit the AOA or secured area shall ensure that the door or gate through which passage is made is properly closed and secured after such passage. If a door or gate fails to properly ~~close~~ close, the person accessing shall promptly notify an airport public safety officer or operations specialist if such door or gate does not close and secure properly. This notification requirement may be accomplished by notifying the airport public safety officer or operations specialist orally, either in person or by telephone.

g. * * *

* * *

i. No person shall use or display any airport identification or access device that has been declared ~~less~~ lost or destroyed by the person to whom it was issued.

j. * * *

(2) * * *

* * *

(f) * * *

* * *

“Sec. 9-32. Vehicles to stay within parking areas and drives; exceptions.

Vehicles other than those regularly employed in the service of the airport, those performing services in connection with the maintenance and operation of the airport or with the maintenance and operation of licensed planes, or aircraft or emergency vehicles engaged in the performance of their normal functions shall stay within the limits of the parking areas, streets and drives and shall not enter the landing area, aircraft ramps or taxiways except with the written permission of the ~~airport manager or his authorized agent~~ director of aviation, or the director's authorized designees.

* * *

“Sec. 9-34. Regulation of stopping, standing, or parking of vehicles and loading and unloading of passengers.

The ~~airport manager~~ director of aviation is ~~hereby~~ authorized to designate, by appropriate signs, areas for public parking, and is further authorized to limit or prohibit public parking, by appropriate signs, in such areas necessary to facilitate safety and efficiency in the operation of the Corpus Christi International Airport. It shall be unlawful for any person to stop, ~~stand~~ stand, or park a vehicle in any area except for the expeditious loading or unloading of passengers where parking has been prohibited or limited by the erection of appropriate traffic control devices and then only for a period not to exceed three (3) minutes. The ~~airport manager~~ director is ~~hereby~~ authorized to remove any vehicles that are stopped, ~~standing~~ standing,

or parked in violation of this section to the public parking lot at the Corpus Christi International Airport. The airport manager director may also have unattended or unauthorized vehicles towed and/or impounded at the owner's expense. The airport manager director, with the approval of the city traffic engineer, may designate loading zones in accordance with chapter 53 of this Code.

"Sec. 9-35. Parking rates.

Parking rates for the public parking lots at Corpus Christi International Airport are established as follows:

(1) *Long-term parking rates:*

~~For the first hour\$1.00~~

~~For each additional hour thereafter1.00~~

~~Maximum with parking ticket for each twenty-four (24) hours7.00~~8.00

~~Without/lost ticket per day or portion thereof7.00~~10.00

~~Ten (10) per cent reduction in fees for thirty (30) or more days of parking.~~

~~Commuter monthly parking permits for FAA Part 121 and Part 135 airline flight crew members staff of CCIA based airlines and code sharing partners of CCIA based airlines30.00~~45.00

(2) *Short-term parking rates:*

~~For the first 3 hours~~20 minutesNo Charge

~~For 3.01 hours to 24 hours12.00~~

~~From 21 minutes to the first half hour1.00~~

~~For each additional half hour thereafter1.00~~

~~Maximum with parking ticket for each twenty-four (24) hours10.00~~12.00

~~Without/lost ticket per day10.00~~14.00

~~Ten (10) per cent reduction in fees for thirty (30) or more days of parking.~~

(3) *Covered parking rates:*

~~For the first hour\$1.50~~

~~For each additional hour thereafter1.50~~

~~Maximum with parking ticket for each twenty-four (24) hours8.50~~12.00

~~Without/lost ticket per day8.50~~14.00

~~Ten (10) per cent reduction in fees for thirty (30) or more days of parking.~~

Specific rates may be adjusted at any time, and the director shall have the authority to negotiate special rates for special situations (i.e., holidays and special events). Such rates shall bear a reasonable relation to current rates charged for use of similar commercial facilities so as to neither be excessive nor grossly deficient by comparison, provided however, no such rates shall increase annually by more than 10% nor shall new fees be created without city council's approval by ordinance or resolution. ~~The airport manager director of aviation may waive fees for city employees on official city and airport business travel, active airport board members, elected members of the city council, Texas House, Senate, U.S. Congress, disabled veterans, purple heart recipients, and visitors conducting business at the airport.~~

"Sec. 9-36. Smoking allowed only in certain areas ~~prohibited~~.

~~The airport manager or their designee~~ director of aviation, or the director's designee, is ~~hereby~~ authorized to designate, by appropriate signs, "No Smoking Area" areas on the property of the Corpus Christi International Airport. It shall be unlawful for any person to carry ~~onto such area~~ any cigarette, cigar or other flammable substance or material while lighted or burning or to ignite same while not in such area.

“Sec. 9-37. Consumption of alcoholic beverages; intoxication.

(a) No person may be allowed to consume alcoholic beverages upon the property of the Corpus Christi International Airport, except:

(1) Alcohol obtained from authorized franchise holders and lessees may be consumed in public areas of the second floor of the terminal building specified locations per the Texas Alcoholic Beverage Commission.

(2) * * *

(b) * * *

“Sec. 9-38. Possession of firearms, ~~knives or knives,~~ or other weapons.

It shall be unlawful for any person to carry on or about his person any pistol, rifle or other firearm of any description, knuckles, or any knife or dagger manufactured or sold for the purpose of offense or defense, on the property of the Corpus Christi International Airport. The provisions of this section shall not apply to a person in actual military service, ~~nor to any peace officer in the actual discharge of his official duty,~~ nor to persons traveling on commercial airlines when such person checks the above described weapons with ~~his~~ their baggage and places the same in the control of the agents of authorized commercial airlines within a reasonable time of arriving at the Corpus Christi International Airport, nor to any person lawfully carrying the above described weapons to or from a private aircraft, nor to any of the following when discharging their official duty: game warden, deputy, peace officer, reserve police officer, or Federal Flight Deck Officer ~~game warden, nor to any deputy when in the actual discharge of his duties, nor to any reserve police officer in the actual discharge of his official duty.~~

* * *

“Sec. 9-41. Soliciting business, selling ~~merchandise~~ merchandise, or distributing advertising matter.

It shall be unlawful for any person to solicit customers or patronage or funds for himself or on behalf of any person or to sell or make delivery of any merchandise of any type or distribute advertising matter upon the premises or property of the Corpus Christi International Airport without obtaining the prior written authority of the ~~airport manager~~ director of aviation ~~or of the city council.~~ This section shall not apply to those persons making routine deliveries of supplies or equipment to franchise holders or lessees who operate under a valid contract with the city.

* * *

“Sec. 9-43. ~~Same~~—Permit to display.

The ~~airport manager~~ director of aviation is authorized to approve, by written permit, signed by the ~~airport manager~~ director of aviation ~~and approved in writing by the city manager,~~ the placing of any show card, placard, ~~advertisement~~ advertisement, or sign for the purpose of advertising or attracting the attention of the public for a limited time stated in the permit, subject to the regulations concerning the use of Corpus Christi International Airport. Every such permit shall be subject to revocation by the city council at any time and subject to revocation by the ~~airport manager~~ director of aviation on the breach of any of the rules and

regulations concerning airport property, or the violation of any of the terms of the permit by written notice by the ~~airport manager~~ director of aviation.

* * *

“Sec. 9-48. Interfering, tampering, etc., with aircraft, etc.

No person shall interfere or tamper with any aircraft at ~~any~~ the airport or put in motion the engines of such aircraft, or use any aircraft, aircraft parts, ~~instruments~~ instruments, or tools, without permission of the owner.

“Sec. 9-49. Starting of engines generally.

No aircraft engine shall be started or run at any airport, unless a licensed pilot or competent mechanic is in the cockpit attending the controls, and aircraft shall be started and warmed up only in the place designated for such purposes by the ~~airport manager~~ director of aviation.

“Sec. 9-50. Taxiing requirements.

Upon landing at the airport, a pilot shall assure himself that there is no danger of collision with other aircraft taking off, landing or taxiing before he begins to taxi and while he is taxiing to the line or other part of the airport. All aircraft shall be taxied at a reasonable speed, particularly in the vicinity of the hangars and other ~~buildings, and~~ buildings and shall be brought to a full stop prior to passing the retaining line when approaching a runway. Aircraft taxiing for takeoff shall not cut across or traverse the field but instead shall taxi according to the field regulations or the control tower requirements until the desired takeoff position is obtained. Landing aircraft shall taxi according to the field regulations or the control tower requirements until such aircraft are ~~no longer visible to tower controllers~~ outside the designated movement area. No aircraft shall taxi onto or from the hangars under its own power but must be moved by hand, ~~by means of dollies or otherwise~~ or specialized ground support equipment. All aircraft shall keep to the runways, taxiways and ~~ramps aprons~~ and avoid cutting the surface of the field or portions thereof other than the runways, taxiways or ~~ramps~~ aprons.

* * *

“Sec. 9-54. Landing fees for commercial aircraft.

For purposes of this section "commercial aircraft" shall mean any aircraft, scheduled or unscheduled, with a gross certificated landing weight greater than ~~twelve thousand five hundred (12,500)~~ 12,500 pounds that uses the airport for commercial purposes. "Operator" shall mean the person, company, or other entity which owns or is legally responsible for the conduct of the commercial activity for which the aircraft is utilized.

No commercial aircraft shall use the airport for the purpose of carrying passengers, freight, or mail for hire unless monthly reports and fees are timely filed and paid to the airport as provided by this section.

Monthly reports on landings shall be filed by the fixed base operator servicing the aircraft with the office of the director of aviation on such forms as provided by the department of aviation. The operator of each commercial aircraft shall pay landing fees equal to:

- (1) A landing fee established by contract between the operator and the airport; or

(2) A landing fee for nonscheduled commercial aircraft equal to ~~one hundred twenty-five (125) per cent~~ 125% of the highest landing fee effective for scheduled commercial aircraft operating pursuant to a contract with the airport.

Landing fees may be waived by the director of aviation upon evidence that a flowage fee for fuel purchased at the airport for the commercial aircraft exceeds the landing fees assessed against said aircraft.

* * *

"Sec. 9-61. Permit for ground transportation operations.

(a) * * *

(b) Except for franchised airport shuttle service and vehicles delivering business products to airport tenants, each person operating a ground transportation service at the airport must pay monthly and/or trip charge fees as set forth in the following schedule:

(1) Taxicabs, the fee per vehicle is ~~fifty dollars (\$50.00)~~ \$55.00 per month. Each taxicab not permitted pursuant to subsection (a) above shall pay a fee of ~~two dollars (\$2.00)~~ \$5.00 per arrival to pick up pre-arranged fares at the airport. Each non-permitted taxicab must notify the airport at least ~~fifteen (15)~~ 15 minutes prior to arriving at the airport and ~~pay any fees due in advance of the pickup of persons at the airport will be billed and are payable monthly.~~

(2) Courtesy vehicles transporting hotel/motel customers, referred to as "hotel/motel courtesy vehicles", the fee per vehicle is ~~fifty dollars (\$50.00)~~ \$55.00 per month ~~plus fifty cents (\$.50) per arrival~~ for pick up of persons at the airport. Each hotel/motel courtesy vehicle not permitted pursuant to subsection (a) above shall pay a fee of \$5.00 per arrival at the airport. Persons with hotel/motel courtesy vehicle permits may be required to provide written proof of contracts with hotels or motels to the director of aviation or designee whenever requested and must provide immediate written changes to the contract to the director of aviation or designee. The hotel/motel courtesy vehicle fee is also applicable to island shuttle companies' vehicles transporting customers to North Beach and/or Padre Island. Each non-permitted hotel/motel courtesy vehicle must notify the airport at least 15 minutes prior to arriving at the airport and will be billed and are payable monthly.

(3) Off-airport rental car shuttle vehicles, referred to as "off-airport rental car shuttle vehicles", the fee is the greater of: (1) ~~ten (10) per cent~~ 10% of the gross income generated from the rental of vehicles by persons picked up at the airport or (2) ~~five hundred dollars (\$500.00)~~ \$500.00 per month. Where applicable, Gross-gross income is defined as the time and mileage charges included in the rental contracts, net of contractual discounts (including rebates). Bad debts may not be deducted in the calculation of gross-revenues income.

(4) Cargo, freight, luggage, and all other companies whose primary business is pick up and delivery services, referred to as "delivery vehicles", the fee is ~~fifty dollars (\$50.00)~~ \$55.00 for each access card issued for any vehicle operating at the airport. If more than four (4) access cards are requested, the fee is ~~forty dollars (\$40.00)~~ \$40.00 for each access card.

(5) Companies who provide transportation services for persons on a pre-arranged basis using a private charter bus, luxury limousine, luxury automobile,

or private charter van, referred to as a "charter vehicle", the fee is \$55.00 per month ~~five dollars (\$5.00) per arrival~~ for pick up of persons at the airport. Each charter vehicle not permitted pursuant to subsection (a) above shall pay a fee of \$5.00 per arrival at the airport if the charter vehicle's seating capacity does not exceed 25 persons; for vehicles with a seating capacity of more than 25 persons, the fee is \$25.00 per arrival. Fees for charter vehicles not permitted pursuant to subsection (a) above will be billed and payable monthly. Private charter vehicle companies must notify the airport ~~twenty four (24)~~ 24 hours prior to arriving at the airport ~~and pay any fees due in advance of the pick up of persons at the airport.~~ Charter vehicles will not be required to obtain an access card. Charter vehicles shall obtain a permit ~~placard~~ prior to picking up persons at the airport to be displayed in the vehicle at all times during operations at the airport.

(c) The director of aviation or, the director's designee, will issue ground transportation permits, enforce all ground rules and regulations, and collect applicable fees. If any permit holder fails to comply with applicable rules, regulations, and ordinances, such permit holder will be issued a notice of noncompliance. If the violation persists for ~~ten (10)~~ 10 days after the issuance of said notice, the director of aviation may revoke the permit and such permit holder may be prohibited from conducting further operations on airport property.

"Sec. 9-61.1. Transportation network company airport operations.

(a) *Definitions.* * * *

(b) *Transportation network company operations.*

(1) A transportation network company must enter into an airport TNC operating agreement, executed by the director, and be at all times in compliance with the terms and conditions of the airport TNC operating agreement in order to operate at the airport. The airport TNC operating agreement may include the payment of a separate, annual airport operating fee of ~~six hundred dollars (\$600.00)~~ \$600.00 to offset the cost of AVI and geofence technology applications, administration of the agreement, and other airport costs in connection with each agreement including, but not limited to, monthly and annual reporting required to be submitted by each transportation network company to the airport.

(2) * * *

(c) * * *

(d) *Payment of trip fees.* Transportation network companies shall pay an airport trip fee of ~~two dollars (\$2.00)~~ \$2.00 per passenger picked up by each transportation network driver authorized and providing service under the transportation network company's airport TNC operating agreement. Trip fees are assessed each time a transportation network driver enters the airport's geofence boundary for the purpose of picking up a passenger, and each such entry is presumed to be for the purpose of picking up a passenger unless the airport is notified otherwise in advance. Fees must be remitted by each transportation network company to the airport based upon monthly accumulated trip fees and are due on the ~~tenth~~ 10th day of every month next following the month in which the trips are completed. Transportation network companies shall remit payment to the airport electronically either by wire transfer or by automated clearing house (ACH) payments to the city bank account designated by the director.

* * *

“Sec. 9-63. Animal control.

No person shall enter the terminal building or landing area of the airport with a dog or other animal. It shall be a defense to prosecution that:

- (1) The animal was assisting a ~~disabled~~ person with a disability;
- (2) The animal was being shipped on an air carrier or private aircraft and was restrained by a leash or certified air shipment container; or
- (3) The animal is a certified law enforcement canine.

“Sec. 9-64. Federal inspection fee.

(a) The airport is hereby authorized to collect a federal inspection fee of two dollars and fifty cents (\$2.50) \$2.50 per international passenger, assessed to the airline with which said passenger is traveling.

(b) * * *

* * *

“Sec. 9-66. Rental rates.

The director of aviation shall prepare a schedule of rental rates for the use of the conference rooms. This schedule shall be submitted to the city manager for approval and shall be reviewed on an annual basis. Such rates shall bear a reasonable relation to current rental rates charged for use of similar commercial facilities so as to neither be excessive nor grossly deficient by comparison; provided however, no such rates shall increase annually by more than ~~twenty five (25) per cent~~ 25%, nor shall new fees be created, without city council's approval by motion or resolution. The approved schedule shall be filed with the city secretary and copies shall be provided to the city council. Specific rates, however, may be adjusted at any time, and the director shall have the authority to negotiate special rates for special situations.

“Sec. 9-67. City-owned equipment.

Unless specifically stated in an agreement, the use of city-owned equipment is not included in the rental of conference rooms. The director shall prepare a list of city-owned equipment that is available for rent and recommend fees for its use. This fee schedule shall be submitted to the city manager for review and approval on an annual basis. Such fees shall bear a reasonable relation to cost and depreciation of such equipment to allow the city to recover the acquisition, maintenance, and replacement costs of such equipment as necessary. The approved schedule shall be filed with the city secretary and copies shall be provided to the city council.

* * *

“~~Sec. 9-69. -- Reserved.~~

“~~Secs. 9-70 9-69 -- 9-90. - Reserved.~~”

Section 2. If, for any reason, any section, paragraph, subdivision, clause, phrase, word or provision of this ordinance shall be held invalid or unconstitutional by final judgement or decree of a court of competent jurisdiction, it shall not affect any other section, paragraph, subdivision,

clause, phrase, word or provision of this ordinance, for it is the definite intent of this City Council that every section, paragraph, subdivision, clause, phrase, word or provision hereof be given full force and effect for its purpose.

Section 3. This ordinance takes effect October 1, 2021.

The foregoing ordinance was read for the first time and passed to its second reading on this the _____ day of _____, 2021, by the following vote:

Paulette M. Guajardo _____	John Martinez _____
Roland Barrera _____	Ben Molina _____
Gil Hernandez _____	Mike Pusley _____
Michael Hunter _____	Greg Smith _____
Billy Lerma _____	

The foregoing ordinance was read for the second time and passed finally on this the _____ day of _____, 2021, by the following vote:

Paulette M. Guajardo _____	John Martinez _____
Roland Barrera _____	Ben Molina _____
Gil Hernandez _____	Mike Pusley _____
Michael Hunter _____	Greg Smith _____
Billy Lerma _____	

PASSED AND APPROVED on this the _____ day of _____, 2021.

ATTEST:

Rebecca Huerta
City Secretary

Paulette M. Guajardo
Mayor