

ORDINANCE NO. _____

AN ORDINANCE REPEALING AND RESTATING CHAPTER 3 “AIRPORTS AND AIRCRAFT,” ARTICLE V “REGULATIONS GOVERNING AIRPORTS,” SECTION 3-122 “AIRCRAFT MOVEMENT.” OF THE CODE OF THE CITY OF FORT WORTH, TEXAS (2015), AS AMENDED; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL PRIOR ORDINANCES AND REPEAL CONFLICTING ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A SAVINGS CLAUSE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR PUBLICATION IN THE OFFICIAL NEWSPAPER OF THE CITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Fort Worth ("City Council") seeks to protect the public safety, preserve the quality of life, and promote efficiency within the City; and

WHEREAS, the City Council seeks to establish and promulgate the standards deemed necessary to the maintenance and promotion of the peace, health, good government and welfare of city-owned Airports; to promote the security of persons using the Airports and their facilities; and to promote greater efficiency, expediency, and flexibility in administering Airports within the City; and

WHEREAS, pursuant to Texas Local Government Code Chapter 51, the City Council has the general authority to adopt and publish an ordinance or police regulation that is for the good government, peace or order of the municipality and is necessary or proper for the carrying out of a power granted by law to the municipality; and

WHEREAS, revisions to the City’s ordinance are necessary to conform to state and federal law and aid in the administration of city Airports; and

WHEREAS, the City Council finds this ordinance to be reasonable and necessary;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS, THAT:

SECTION 1.

Chapter 3 “Airports and Aircraft,” Article V “Regulations Governing Airports,” Section 3-122 “Aircraft Movement,” subsection (c) "Aircraft Lights", of the Code of the City of Fort Worth is hereby repealed and restated to read as follows:

§ 3-122. Aircraft Movement

(c) *Aircraft Lights*. Every person operating a towing vehicle at night shall operate the equipment with the lights on and ensure that any towed aircraft is either lighted (i.e., all aircraft position lights are on) or clearly illuminated (i.e., external lights are shining onto the aircraft to make it clearly illuminated). Additional means of compliance may be granted with approval from the Aviation Director, if all applicable FAA rules, regulations, policies, and procedures are followed.

SECTION 3.

This ordinance shall be cumulative of all provisions of ordinances of the Code of the City of Fort Worth, Texas, (2015), as amended, except where the provisions of this ordinance are in direct conflict with the provisions of such other ordinances and such Code, in which event conflicting provisions of such ordinances and such Code are hereby repealed.

SECTION 4.

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 5.

All rights and remedies of the City of Fort Worth, Texas, are expressly saved as to any and all violations of the provisions of the Code of the City of Fort Worth, or any other ordinances of the City, that have accrued at the time of the effective date of this ordinance; and, as to such accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, same shall not be affected by this ordinance, but may be prosecuted until final disposition by the courts.

SECTION 6.

Any Person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of the provisions of this ordinance shall be fined an amount not exceeding two thousand dollars (\$2,000.00) for each offense. Each day that a violation exists shall constitute a separate offense.

SECTION 7.

The City Secretary of the City of Fort Worth, Texas is hereby directed to publish the caption, penalty clause and effective date of this ordinance for two (2) days in the official newspaper of the City of Fort Worth, Texas, as authorized by Texas Local Government Code, Section 52.013.

SECTION 8.

This ordinance shall take effect upon adoption and publication as required by law, and it is so ordained.

APPROVED AS TO FORM AND LEGALITY:

ATTEST:

Assistant City Attorney

Date: _____

ADOPTED: _____

EFFECTIVE: _____