

El Paso, Texas, Code of Ordinances >> Title 14 - AIRCRAFT AND AIRPORTS >> Chapter 14.24 - COMMERCIAL AIR CARRIERS RATES AND CHARGES >>

Chapter 14.24 - COMMERCIAL AIR CARRIERS RATES AND CHARGES

Sections:

- [14.24.010 - Definitions.](#)
- [14.24.020 - Applicability—Compliance required.](#)
- [14.24.030 - Landing fees.](#)
- [14.24.040 - Terminal rentals.](#)
- [14.24.050 - Electricity charges.](#)
- [14.24.060 - Telecommunications charges.](#)
- [14.24.070 - Equipment parking rentals.](#)
- [14.24.080 - Security screening fee.](#)
- [14.24.090 - Apron use fee.](#)
- [14.24.100 - Employee parking facilities.](#)
- [14.24.110 - Airline equipment charges.](#)
- [14.24.120 - Loading bridge charge.](#)
- [14.24.130 - International arrivals areas charges.](#)
- [14.24.140 - Delinquent payments.](#)

14.24.010 - Definitions.

The following words and phrases, as used in this chapter, shall have the meanings indicated herein:

"Air cargo center" means the facilities owned by the city municipally known and numbered as 301 and 501 George Perry Blvd., El Paso, Texas.

"Airport" means El Paso International Airport, together with all improvements and facilities of whatever nature located thereon.

"Commercial air carrier" means any person or business entity who undertakes directly by hire, lease, or other arrangement to engage in the carriage by aircraft of persons or property for compensation. This definition includes, but is not limited to, the following: all classes of air carriers as defined by the FAA, commuter and air taxi operators, and commercial operators of large and small aircraft.

"Common use space" means terminal building space used by a commercial air carrier in common with all other carriers. This space includes, but is not limited to, the inbound baggage, baggage claim, and security screening areas.

"Cost recovery rate" means a schedule of rates and charges designed to recover from each user its proportionate share of the cost of providing, maintaining, operating and administering the facilities it uses.

"Director" means the director of aviation or his or her designee.

"Enplaned passenger" means any local boarding, interline transfer, or intraline transfer passenger at the airport.

"Exclusive use space" means the use of space exclusively by a tenant.

"Fiscal year" means September 1st through August 31st of any calendar year, or such other fiscal year as city may adopt for the airport.

"Joint use space" means Terminal Building space used by a commercial air carrier jointly with other commercial air carriers. This space includes, but is not limited to, the circulation areas of Concourses A and B.

"Preferential use space" means holdroom space used by airlines on a priority, non-exclusive basis.

"Shared use" means corridor space shared by commercial air carriers or other tenants.

"Signatory cargo carrier" means an entity in the business of hauling cargo to and from the airport and is a

tenant in the air cargo center pursuant to a current air cargo center agreement with the city.

"Terminal Building" means the main airline terminal building at the airport.

(Ord. 15728 § 1 (part), 2004; Ord. 15416 § 1, 2003; Ord. 12549 § 1, 1995)

14.24.020 - Applicability—Compliance required.

- A. The provisions of this chapter do not apply to commercial air carriers that are signatory to an airline operating and terminal building lease agreement with the city.
- B. As a condition precedent to the right of any commercial air carrier to use the airport, the carrier shall comply with all rules and regulations promulgated by the director and all ordinances of the city. Any provision in the permit, lease, or agreement inconsistent with any general provision of this title shall control over that provision of this title. Each such carrier shall be deemed to have consented to giving the director access to the carrier's books, at all reasonable times, in person or by agent, to examine the records of the carrier for purposes of validating information required to be reported by the carrier to the airport under this chapter.

(Ord. 16194 § 1, 2005; Ord. 12549 § 2, 1995)

14.24.030 - Landing fees.

- A. Each commercial air carrier operating under F.A.R. Parts 121 and 135 with aircraft exceeding sixty thousand pounds maximum gross landed weight shall pay airport landing fees equal to the number of thousands of pounds of the maximum gross landed weight of aircraft arrivals multiplied by the cost recovery rate set forth in the budget resolution approved by city council for the fiscal year in which the landings occurred. Such fees do not apply to flights which depart from the airport and return for emergencies, weather, or other reasons without landing at another airport.
- B. In tabulating weights, the weights of each aircraft shall be the certified maximum gross landing weight as computed by the manufacturer and the Federal Aviation Administration.
- C. As a condition precedent to the right to use and occupy the airport, each commercial air carrier shall furnish to the director on or before the tenth day of each month a report, duly certified as true and correct by the person delegated by the carrier as its office representative having custody of its records, containing the number of its flights which have landed at the airport during the preceding month, together with the manufacturer, type and landing weight of each of its aircraft landing at the airport; the volume of cargo, mail and express carried; and the number of enplaning and deplaning passengers on its flights during said month. The director shall have the right to prescribe and furnish forms for the making of all reports required to be made by this subsection. Any carrier under reporting or failing to report is subject to reimbursing the airport any amounts due, including interest and administrative costs.
- D. Within ten days of receipt of the report specified in subsection (C) of this section or as soon thereafter as practicable, the director shall send an invoice to each commercial air carrier making a report. Payment by the carrier shall be made within thirty days of the date of the invoice.
- E. It is unlawful and a violation of this chapter for any person to operate an aircraft of a commercial air carrier unless it provides assurance satisfactory to the director that the fees prescribed in this section have been or will be paid.

(Ord. 16194 § 2, 2005; Ord. 12549 § 3(A), 1995)

14.24.040 - Terminal rentals.

- A. The cost recovery rate for terminal building space per square foot per annum is set forth in Appendix A following this chapter.
- B. Commercial air carriers shall pay the square feet rental rate established in Appendix A following this chapter for each class of space listed below.
 - 1. Exclusive use space:
 - i. Ticket counter,
 - ii. Office,
 - iii. Outbound baggage area,
 - iv. Baggage service;
 - 2. Preferential use space:
 - i. Holdrooms,
 - ii. Equipment service areas;
 - 3. Joint use space:
 - i. Concourse circulation area;
 - 4. Common use space:
 - i. Baggage claim,
 - ii. Inbound baggage,

- iii. Security screening;
 - 5. Shared use space:
 - i. Exclusive use area hallways and facilities.
- C. Rentals for exclusive use terminal space shall be paid monthly in advance on the first day of each month.
- D. Rentals for joint use and preferential use space shall be prorated among the commercial air carriers in accordance with a formula that prorates fifty percent of the cost of the space on the basis of preferentially assigned gates and fifty percent of the cost on the basis of that proportion which the number of each commercial air carrier's enplaned passengers bears to the total number of enplaned passengers using such space.
- E. Rentals for common use space shall be prorated among the commercial air carriers at the airport using such leased premises on the basis of: (a) twenty percent of the total monthly rental apportioned evenly among all airlines using such space, except that any airline enplaning less than three hundred passengers per month is excluded from this allocation of rentals, and (b) the remaining eighty percent of the total monthly rental apportioned among all airlines using such space on the basis of the ratio of each airline's enplaned passengers at the airport to the total number of enplaned passengers at the airport of all commercial air carriers.
- F. Rentals for shared use space shall be prorated among the commercial air carriers on the basis of that proportion of the leased area of each user's exclusive use space relative to the total area of leased exclusive use space served by such shared use space.

(Ord. 12549 § 3(B), 1995)

14.24.050 - Electricity charges.

Commercial air carriers shall pay the city all charges for electrical power in its exclusive use and preferential use areas at a charge based on actual cost to the city for the amount of electricity used by commercial air carrier and arrived at through separate metering or computation by the city. If there is an increase or decrease in the use of electrical equipment, the above charges shall be increased or decreased based on computations made by the city. A commercial air carrier shall report to the director any plans to decrease or increase its use of electricity. The city shall invoice commercial air carriers monthly for such charges.

(Ord. 12549 § 3(C)(1), 1995)

14.24.060 - Telecommunications charges.

Upon installation of the new terminal telecommunications system, commercial air carriers shall pay, monthly in advance, for the use of city-owned telecommunications systems at the cost recovery rate set forth in Appendix A following this chapter. The city shall be responsible for maintaining the telecommunication system.

(Ord. 12549 § 3(C)(2), 1995)

14.24.070 - Equipment parking rentals.

Commercial air carriers shall pay the city as rent for its preferentially assigned equipment parking areas a monthly rental computed at the rate of two dollars and fifty cents per square foot per year.

(Ord. 12549 § 3(C)(3), 1995)

14.24.080 - Security screening fee.

Commercial air carriers shall pay the city amounts sufficient to reimburse the city for its appropriate share of the city's actual cost, plus an allowance for administrative overhead, of providing armed law enforcement support for the security screening operation as required by FAR Parts 107 and 108. The cost of such services shall be apportioned among airlines using the secured passenger boarding areas on the basis of the share which each airline's enplaned passengers bears to the total enplaned passengers of all such airlines for such month. City shall invoice commercial air carriers monthly for such fee.

(Ord. 12549 § 3(C)(4), 1995)

14.24.090 - Apron use fee.

Commercial air carriers shall pay an apron use fee in equal monthly installments for the use of each aircraft parking position preferentially assigned to each commercial air carrier (at the passenger terminal or in cargo areas). The annual fee for each preferentially assigned aircraft parking position is set forth in Appendix A following this chapter. Commercial air carriers shall pay a gate use fee on a per use basis for the use of common use aircraft parking positions at the rate set forth in Appendix A following this chapter.

(Ord. 12549 § 3(C)(5), 1995)

14.24.100 - Employee parking facilities.

Commercial air carrier employees working at the terminal building will be provided vehicular parking facilities, if available, for its employees in common with other employees. Such facilities shall be located in an area designated by the city. The city reserves the right to assess a reasonable charge to commercial air carrier or its employees for such employee parking facilities.

(Ord. 12549 § 3(C)(6), 1995)

14.24.110 - Airline equipment charges.

Commercial air carriers shall pay amounts sufficient to amortize their appropriate share of the cost of equipment and tenant finishes financed by the city, including applicable maintenance and operating expenses. City shall invoice commercial air carriers for such charges.

(Ord. 12549 § 3(C)(7), 1995)

14.24.120 - Loading bridge charge.

Commercial air carriers shall pay the city a loading bridge charge for each use of city-owned loading bridges at the rate set forth in Appendix A following this chapter.

(Ord. 12549 § 3(C)(8), 1995)

14.24.130 - International arrivals areas charges.

Commercial air carriers shall pay amounts for the use of the common-use international arrivals area as set forth in Appendix A following this chapter.

(Ord. 12549 § 3(C)(9), 1995)

14.24.140 - Delinquent payments.

Any fee, charge, rate, rental or other payment, whether due under written agreement, the provisions of this chapter or otherwise, shall be paid as of the established due date. Any portion of such fee, charge, rate, rental or other payment which remains unpaid after the established due date shall bear interest at the rate of one and one-half percentum per calendar month or fraction thereof during which the payment remains unpaid. Rentals for exclusive use terminal space and for preferentially assigned gate use fees shall be paid monthly in advance on the first day of each month. Payment for all other rentals, fees and charges shall be due within thirty days of the date of the invoice.

(Ord. 12549 § 4, 1995)

Appendix A Cost Recovery Rates for Fiscal Year 2005

(September 1, 2004 through August 31, 2005)

Chapter 14.24 of the El Paso Municipal Code

Landing fee rate per 1,000 pounds of weight	\$ 1.74
Landing fee rate for signatory air cargo carriers per 1,000 pounds of weight	\$ 1.39
Terminal rental rate per square foot per year	\$31.20
Electricity surcharge per square foot per year	\$ 3.18
Telecommunications charges per year	not applicable
Apron use fee per year (preferentially assigned gates)	\$12,000.00
Apron use fee per use (arrival or departure)	\$ 6.40
City-owned loading bridge charge per turn around	\$125.00
Security screening fee per enplaned passenger	\$ 0.15
International arrivals area charge per deplaning international passenger	\$ 2.00

(Ord. 15944 § 1, 2004; Ord. 15730 § 1, 2004; Ord. 15416 § 2, 2003; Ord. 15007, 2001; Ord. 14601, 2000; Ord. 13752, 1998; Ord. 12989, 1996; Ord. 12549 (part), 1995)

