

ORDINANCE NO. 4494

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, AMENDING CHAPTER 5, AVIATION, OF THE SCOTTSDALE REVISED CODE

WHEREAS, the Aviation Director and the Airport Advisory Commission desire to amend certain provisions of Chapter 5, Aviation, of the Scottsdale Revised Code to help foster the long-term economic health of the airport/airpark and enhance the safe operating environment in the airport/airpark; and

WHEREAS, the City of Scottsdale further desires to amend the provisions of Chapter 5 to provide clarity of language;

BE IT ORDAINED by the Council of the City of Scottsdale that the following amendments to Chapter 5 of the Scottsdale Revised Code are hereby approved:

Section 1. The definition of "Based" as set forth in Section 5-101 of the Scottsdale Revised Code is amended as follows, with strikethroughs indicating deletions and shading indicating additions:

Based means an aircraft: (1) which the owner physically locates at the Airport with the intent and purpose to remain for an undetermined period; (2) which, whenever absent from the Airport or Airpark, its owner intends to return to the Airport for permanent storage; and (3) whose presence on the Airport is not transitory in nature. ~~Based includes an aircraft that is located at the Airport or Airpark for a limited or seasonal duration.~~ Any aircraft that is parked at the Airport in a yellow painted tiedown for more than 21 days in two (2) consecutive calendar months is presumed to be based at the Airport, including aircraft that are located at the Airport or Airpark for a limited or seasonal duration. Aircraft temporarily parked at the Airport to have maintenance performed on it by an authorized Aeronautical Business Permit holder with the intention to leave when the maintenance is complete are not considered based. Once an aircraft is based at the Airport, it shall continue to be considered a based aircraft for six (6) months or as long as the aircraft is parked at the Airport, whichever is longer.

Section 8. If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of the Code adopted herein is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the City Council of the City of Scottsdale this 16 day of March, 2021.

ATTEST:

CITY OF SCOTTSDALE, an  
Arizona municipal corporation

By: Ben Lane  
Ben Lane, City Clerk

By: David D. Ortega  
David D. Ortega, Mayor

APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY

Sherry R. Scott, City Attorney  
By: Eric C. Anderson, Senior Assistant City Atty.