

ST. TAMMANY PARISH COUNCIL

ORDINANCE

ORDINANCE CALENDAR NO.: 7675

ORDINANCE COUNCIL SERIES NO.: 24-

COUNCIL SPONSOR: PHILLIPS/LAUGHLIN

PROVIDED BY: COUNCIL/CIVIL ADA

INTRODUCED BY: MR. CORBIN

SECONDED BY: MR. IMPASTATO

ON THE 5TH DAY OF SEPTEMBER, 2024

ORDINANCE TO AMEND ST. TAMMANY PARISH CODE OF ORDINANCES, PART 1, CHAPTER 4, AIRPORTS AND AIRCRAFT TO MANDATE INSURANCE REQUIREMENTS UPON BASED AIRCRAFT.

WHEREAS, the Greater St. Tammany Regional Airport, as a public airport, is utilized by aircraft operators of varied types of aircraft; and

WHEREAS, for purposes of managing risk and uninsured losses, based operators utilizing the St. Tammany Parish Regional Airport shall be subjected to a uniform insurance coverage requirement; and

WHEREAS, IT IS NECESSARY TO AMEND THE St. Tammany Parish Code of Ordinances, Part 1, Chapter 4, Section 4-21, Definitions, to include the terms and definitions of "BASED AIRCRAFT," "REQUIRED LIABILITY INSURANCE" and "FIXED BASE OPERATOR"; and

WHEREAS, it is further necessary to amend and/or add to said sections of the Parish Code of Ordinances to reflect the current and future operations of Based Aircraft at the Greater St. Tammany Regional Airport; and

WHEREAS, it is the priority of the St. Tammany Parish Government to ensure that all Based Aircraft carry sufficient amounts of liability insurance in an amount of not less than One Million Dollars (\$1,000,000.00) in the event of accidental death or injury to persons or property at the Greater St. Tammany Regional Airport, naming St. Tammany Parish and any Fixed Base Operator as additional insureds.

THE PARISH OF ST. TAMMANY HEREBY ORDAINS that the St. Tammany Parish Code of Ordinances, Part 1, Chapter 4, Section 4-21, *Definitions*, shall be amended as follows:

"BASED OPERATOR" shall be defined as the Owner, Renter and/or Operator of any Based Aircraft.

"BASED AIRCRAFT" shall be defined as any aircraft habitually parked or stored on the Airport (Abita), whether in a hangar, other enclosure or without any enclosure at all. This also includes any aircraft or similar vehicle or conveyance, whether registered with the Federal Aviation Administration (FAA) or not, that, regardless of the number of occurrences, is transported onto the airport property, whether fully and/or partially assembled, and flown from the Airport (Abita).

"FIXED BASED OPERATOR" shall be defined as a person, persons, partnership or other juridical entity granted the right by St. Tammany Parish to operate at the Airport (Abita) to provide aeronautical services, including, but not limited to, fueling, flight instruction, hangaring, parking, tie-down, aircraft rental and aircraft maintenance.

"REQUIRED LIABILITY INSURANCE" shall be defined as a minimum amount of One Million and 00/100 (\$1,000,000.00) Dollars of aircraft liability insurance required of Based Aircraft at the Airport (Abita).

BE IT FURTHER ORDAINED that the St. Tammany Parish Code of Ordinances, Part 1, Chapter 4, Section 4.1 shall be added as follows:

All Based Aircraft at the Airport (Abita) shall be required to maintain the Required Liability Insurance, naming St. Tammany Parish and any Fixed Base Operator as an additional insured and the policy shall be endorsed to provide a waiver of subrogation in favor of St. Tammany Parish and any Fixed Base Operator. All insurance policies shall provide that insurance shall not be cancelled without thirty (30) days prior notice of cancellation given to St. Tammany Parish and any Fixed Base Operator, in writing. Based Operator shall present evidence of said insurance coverage to St. Tammany Parish and any Fixed Base Operator on or before commencement of Based Aircraft arriving at Airport (Abita).

REPEAL: All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

SEVERABILITY: If any provision of these Ordinances shall be held to be invalid, such invalidity shall not affect the other provisions herein which can be given effect without the invalid provision and to this end the provisions of these Ordinances are declared to be severable.

EFFECTIVE DATE: These Ordinances shall be come effective Fifteen (15) days after adoption.

MOVED FOR ADOPTION BY: _____ SECONDED BY: _____

WHEREUPON THIS ORDINANCE WAS SUBMITTED TO A VOTE AND RESULTED IN THE FOLLOWING:

YEAS:

NAYS:

ABSTENTION:

ABSENT:

THIS ORDINANCE WAS DECLARED DULY ADOPTED AT A REGULAR MEETING OF THE PARISH COUNCIL ON THE 3RD DAY OF OCTOBER, 2024; AND BECOMES ORDINANCE COUNCIL SERIES NO. 24-_____.

ARTHUR A. LAUGHLIN, COUNCIL CHAIR

ATTEST:

KATRINA L. BUCKLEY, COUNCIL CLERK

MICHAEL B. COOPER, PARISH PRESIDENT

Published introduction: AUGUST 28, 2024

Published Adoption: _____, 2024

Delivered to Parish President: _____, 2024 at _____ am/pm

Returned to Council Clerk: _____, 2024 at _____ am/pm