

RESOLUTION NO. 00- 17629

A RESOLUTION RE-AUTHORIZING IMPLEMENTATION OF FEDERAL AVIATION REGULATION PART 158 -- PASSENGER FACILITY CHARGE.

WHEREAS, the U.S. Congress in November 1990 passed the Aviation Safety and Capacity Expansion Action 1990 (ACT); and

WHEREAS, the Federal Aviation Administration (FAA) issued Federal Aviation Regulation (FAR) Part 158, effective June 28, 1991, which is the final rule by the FAA that implements Sections 9110 and 9111 of the ACT, and authorizes the establishment and use of a Passenger Facility Charge (PFC); and

WHEREAS, it is the policy of the City of Billings to continue to improve Billings Logan International Airport to meet the aviation demands of Billings, Montana and its surrounding air service area in a financially sound manner; and

WHEREAS, the growth in passenger activity continues to place significant demands on the airport to maintain its facilities to provide for continued passenger and cargo growth; and

WHEREAS, the City of Billings has identified numerous airport capital improvements that must be accomplished; and

WHEREAS, the City of Billings intends to fund these airport capital improvements in whole or in part by revenues generated by PFCs.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BILLINGS, MONTANA, AS FOLLOWS:

Section 1. The City Council authorizes the staff to take appropriate steps, give appropriate notices, hold appropriate consultations, and make appropriate applications to implement a Passenger Facility Charge in accordance with FAR Part 158.

Section 2. The level of Passenger Facility Charge to be implemented is \$3.00 per enplaned passenger in accordance with FAR Part 158. Subject to FAA approval, collection should begin in November 2000. As allowed in FAR Part 158 as amended and subject to FAA approval, beginning April 1, 2001 the level of Passenger Facility Charge may be increased to \$4.50 per enplaned passenger, and collections will continue until funds are collected to support all projects authorized in accordance with FAR Part 158.

Section 3. This resolution shall take effect immediately upon its adoption by the City Council.

APPROVED AND PASSED by the City Council of the City of Billings this 23<sup>rd</sup> day of October, 2000.

THE CITY OF BILLINGS:

BY: Charles J. Tealby  
MAYOR

ATTEST:

Colleen R. Schell-Berg  
CITY CLERK  
Deputy City Clerk

