

## ORDINANCE NO. 71

### FINDINGS, CONCLUSION AND ORDER

WHEREAS, the Metropolitan Airports Commission, a public corporation, organized under the laws of the State of Minnesota, owns and operates the Minneapolis-St. Paul International Airport, Wold-Chamberlain Field, and six reliever airports in the metropolitan area; and

WHEREAS, in the 1987 Minnesota legislative session, Minn. Stat. § 626.862 was passed to clarify who, in addition to licensed peace officers, constables, and part-time peace officers may issue citations in lieu of arrest or continue detention; and

WHEREAS, the Commission finds that it would be appropriate to utilize this statutory authority to provide an additional method for enforcing unauthorized business or commercial operations at the reliever airports; and

WHEREAS, the Commission has given the above due regard and desires to repeal Ordinance 69 and replace it with Ordinance No. 71; and

WHEREAS, Notice of the Public Hearing was published in legal periodicals and mailed to interested parties; and

WHEREAS, a public hearing was held on August 9, 1989 to gather testimony and public comments regarding Ordinance No. 71; and

WHEREAS, written comments have been received and reviewed by the Hearing Officers, the Management and Operations Committee; and

NOW, THEREFORE, the Metropolitan Airports Commission hereby approves and adopts Ordinance No. 71 this 18 day of September, 1989.

METROPOLITAN AIRPORTS COMMISSION

Signature on file

Thomas E. Holloran, Chairman

Signature on file

Secretary

# METROPOLITAN AIRPORTS COMMISSION

## ORDINANCE NO. 71

An ordinance to promote and conserve public safety, health, peace, convenience and welfare relating to the management and operation of St. Paul Downtown Airport, Flying Cloud Airport, Crystal Airport, Anoka County/Blaine Airport, Lake Elmo Airport, and Airlake Airport, authorizing non-licensed personnel to issue citations in accordance with Minn. Stat. § 626.862(1), to enforce Ordinance 58 regarding unauthorized commercial operations; and relating to the management and operations of Minneapolis-St. Paul International Airport authorizing non-licensed personnel to issue citations in accordance with Minn. Stat. § 626.862(1); and repealing Ordinance No. 69.

The Metropolitan Airports Commission does ordain:

### SECTION 1. DEFINITIONS

The following words and phrases when used in this Ordinance shall have the meanings respectively ascribed to them in this section:

- 1.1 Commission. The "Commission" means the Metropolitan Airports Commission, a public corporation organized and operating pursuant to Chapter 500, Laws of Minnesota 1943, and amendments thereto.
- 1.2 Ordinances. Present or future codifications of rules adopted by the Commission after notice and publication and the amendments thereto.
- 1.3 Citation. A written order issued regarding minor violations of law commanding an individual to appear on a day named and do something therein mentioned.
- 1.4 Community Service Officers/Traffic Aides. Individuals designated by the Commission to perform traffic control and traffic enforcement functions and other duties which do not require the exercise of licensed police office authority.
- 1.5 Fire Inspection Personnel. Individuals designated by the commission to perform fire prevention and inspection functions.
- 1.6 Building/Zoning Inspectors. Individuals designated by the Commission to inspect facilities at any airport operated by the Commission.
- 1.7 Lease Violations Inspectors. Individuals designated by the Commission to inspect leaseholds upon properties owned by or under the supervision and control of the Commission.

## **SECTION 2. AUTHORIZATION**

2.1 Individuals Authorized. In addition those individuals so authorized by Minnesota Statutes, the following individuals may issue citations in lieu of arrest or continued detention for violations of such Commission ordinances and state laws described in Section 2.2:

- a) Community Service Officers/Traffic Aides;
- b) Fire inspection personnel;
- c) Building/Zoning Inspectors; and
- d) Lease Violations Inspectors

2.2 Enforcement Authority. Except where specifically prohibited by state law, the following individuals may issue citations in lieu of arrest or continued detention to enforce the following:

- a) Community Service Officers/Traffic Aides may enforce state motor vehicle laws and MAC ordinances relating to motor vehicles, as the same may be amended, except for violations involving the movement of motor vehicles.
- b) Fire inspection personnel may enforce fire prevention ordinances including, but not limited to, Ordinance 52.
- c) Building/Zoning Inspectors may enforce building and zoning ordinances.
- d) Lease Violations Inspectors may enforce Ordinance 58 regarding unauthorized business or commercial activities, or as the same may hereafter be amended.

## **SECTION 3. SAVINGS CLAUSE**

If any part of parts of this Ordinance shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this Ordinance. The Commission hereby declares it would have passed the remaining parts of this Ordinance if it had known that such part or parts thereof would be declared unconstitutional.

## **SECTION 4. REPEALER**

As of the effective date of this ordinance, Ordinance No. 69 is hereby revoked.

## **SECTION 5. EFFECTIVE DATE**

This ordinance shall be in force and effect upon the filing of the same with proof of publication thereof with the Secretary of State of Minnesota.

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