

METROPOLITAN AIRPORTS COMMISSION**ORDINANCE NO. 58**

An Ordinance to promote and conserve the public safety, health, peace, and welfare on properties owned by or under the supervision and control of the Metropolitan Airports Commission; establishing rules of conduct and regulating the activities of persons thereon; establishing the responsibility for control of aircraft loading, ramp, and servicing areas; prohibiting breaches of the peace, or disorderly conduct thereon; and providing the penalty for violation thereof, and superseding and repealing Ordinance No. 27.

The Metropolitan Airports Commission does ordain:

Section 1. - Upon properties owned by or under the supervision and control of the Commission no persons shall lurk, lie in wait or conceal himself with intent to do any mischief or to pilfer or to commit any crime or misdemeanor whatever, nor shall any person who is not an agent, servant or employee, passenger or invitee of the owner of any aircraft or vehicle get on or off such aircraft or vehicles or tamper with or deface the same.

Section 2. - Upon properties owned by or under the supervision and control of the Commission no person shall:

- a. Make, aid or countenance or assist in making any noise, riot, disturbance or improper division, including but not in limitation thereof quarrelling, fighting, reveling or collect in bodies or crowds for unlawful purposes or to the annoyance or disturbance of other person or persons.
- b. Use in reference to and in the presence of another, or in reference to or in the presence of any member of the family of another, obscene language, fighting words or libelous language intended to or which naturally may provoke an assault or any breach of the peace.
- c. Use, operate, or permit the use or operation of any radio, tape player, phonograph, musical instrument, or other device for the production of sound in a distinctly and loudly audible manner as to unreasonably disturb the peace, quiet and comfort of any person nearby.
- d. While on a public conveyance, use, operate, or permit the use or operation of any radio, tape player, musical instrument or other electronic device for the production of sound to produce sound abroad (excluding radios operated by the personnel of the public conveyance for official business). A "public conveyance" is any motor vehicle which transports members of the public at large from place to place in consideration of the payment of a fare.

Section 3. - No person shall consume any intoxicating liquor as defined by Minnesota Statutes, Section 340.07, Subdivision 2 or non-intoxicating malt liquor as defined by Minnesota Statutes, Section 340.001, Subdivision 2, while on any properties owned by or under the supervision and control of the Commission. This section does not apply to areas leased by the Commission to airport tenants or to areas approved or licensed by the Commission or its designated representative for the consumption or sale of intoxicating liquor or non-intoxicating malt liquor.

Section 4. - No person shall kindle or maintain any bonfire or charcoal fire on property owned by or under the supervision and control of the Commission. This section does not apply to areas leased by the Commission to airport tenants or to activities carried out pursuant to the authority of the Executive Director.

Section 5. - Upon properties owned by or under the supervision and control of the Commission no person shall:

- a. Expectorate or spit upon the floors, walls, or other surfaces of any building located therein;
- b. Urinate or defecate except in comfort stations or rest rooms provided therefor, which comfort stations or rest rooms shall be so used as to keep the same in a clean and sanitary condition;
- c. Disposed of any garbage, paper or refuse of any kind except in receptacles provided for that purpose;
- d. Throw paper, cigars, cigarettes, bottles or any other material from an Observation Deck or from windows or roofs of any building or structures.
- e. Smoke on any open aircraft observation deck, or aircraft loading aprons, ramps, or in any other place where smoking is specifically prohibited by signs.
- f. Enter or remain within any airport terminal building while not wearing shoes. "Shoes" are defined as a covering for the feet which have firm soles.

Section 6. - Skateboarding and roller skating shall be prohibited:

- a. Within the airport terminal and in areas adjacent to it.
- b. on sidewalks;
- c. on any roadway having a grade of six percent (6%) or more;
- d. on any roadway where the volume or speed of the vehicular traffic or the width of the roadway renders the roadway unsafe or unsuitable for skateboarding or roller skating.

Section 7. - No person shall bring any animal upon properties owned by or under the supervision and control of the Commission unless on a leash; no animal, except a seeing eye dog in custody of its master, or an animal properly confined for shipment, shall be permitted within buildings located thereon.

- a. No person shall enter an aircraft observation deck or aircraft loading apron, ramp, or aircraft servicing area with dog or other animal except a "seeing eye" dog, or one properly confined for shipment.

Section 8. - No person shall hunt, kill, trap, take or otherwise molest wildlife, nor have in his possession the eggs or nest of any wildlife, nor give or offer any wildlife any known noxious substance on properties owned by or under the supervision and control of the Commission. This section does not apply to:

- a. lawful animal control activities by Federal, State, or Commission officers and employees, or
- b. the capturing or killing of rodents or small pests, including mice, rats, gophers, moles and squirrels by Commission tenants for the purpose of preventing property damage.

Section 9. - No person, except a peace officer, member of the armed forces, or other person duly authorized and when required to carry fire arms or explosives in the course of his or their duty:

- a. Shall carry any loaded fire arms or explosives upon or onto properties owned by or under the supervision and control of the Commission;
- b. Shall discharge any fire arm on, onto, from or over properties owned by or under the supervision and control of the Commission, provided further, however, that fire arms shall only be discharged by the persons who under paragraph a. of this section are authorized to carry the same in the event of emergency requiring the discharge of the same by such authorized person in the course of carrying out his duties, or otherwise where authorized in writing by the Commission to discharge such fire arms.
- c. It shall be unlawful for any person or properties owned by or under the supervision and control of the Commission to carry or wear concealed about his person any pistol, dagger, sling shot, or knuckles of lead, brass or other metal, bowie knife, razor or any other dangerous or deadly weapons.
- d. No person shall shoot any arrow by bow or shot by sling shot, on, onto, from or over properties owned by or under the supervision and control of the Commission.

Section 10. - On properties owned by or under the supervision and control of the Commission.

- a. No person shall pass through, over, under turnstiles or coin operated doors that require the deposit of a coin for the privilege of passage without first depositing such coin in the slot provided therefor. Organized groups of children in charge of an adult or other groups approved by the Airport Director or supervisor of the airport involved may be admitted free to aircraft observation decks located on Commission's airports, but in any event children under 12 years of age shall only be admitted to aircraft observation decks when accompanied by an adult.
- b. No person or vehicles shall enter upon any public passenger aircraft loading apron, ramps and aircraft servicing areas unless authorized so to do by a representative of the air carrier or aircraft operator in control of the same.

Section 11. - Unless first authorized in writing by the Commission or its designated representative, no person shall, upon properties owned by or under the supervision and control of the Commission:

- a. Engage in any business, or commercial activity;
- b. Solicit funds for commercial purposes, or noncommercial purpose not incident to and a part of Constitutionally-protected rights of expression, or,
- c. Post, distribute or display signs, posters, circulars, billboards, pictures or any printed or written matter for business or commercial purposes. The foregoing shall not apply to Constitutionally-protected rights of expression by members of the public within or from properties under the control of the Commission which right of expression shall be subject to regulation and control under Commission Ordinance No. 47.

Section 12. - No person shall solicit or obtain money, by donation or sale, through willfully:

- a. Employing any device, scheme or artifice to defraud;
- b. Making any oral or submitting any written untrue statement of a material fact, or omitting to state a material fact necessary that the statements made, in light of the circumstances under which they were made not be misleading;
- c. Engaging in any act, practice or course or business which operates or would operate as a fraud or deceit upon any person in connection with any purchase, sale or gift; or
- d. Otherwise engaging in activity in violation of Minn. Stat. §309.55, Subd. 5, Minn Stat. §309.556, Minn. Stat. §325.79, Subd. 1, Minn. Stat. §325.943.

Section 13. - No person shall upon properties owned by or under the supervision and control of the Commission willfully resist, delay or obstruct a peace officer in discharging or attempting to discharge a duty of his office.

Section 14. - In order to preserve the Constitutional right of the individual to travel, no person shall willfully act or cause another to act so as to unreasonably obstruct, hinder, impede, interfere or prevent a traveler from engaging in that activity and movement necessary to and associated with traveling except as otherwise restricted by other applicable ordinances dealing with safety, and security and traffic for the protection of the traveling public or as apply in agreements and/or regulation governing travel by the public.

Section 15.

- a. Violation of any of the provisions of this Ordinance is a misdemeanor as the same is defined in the Minnesota Statutes.
- b. Anyone knowingly and willfully violating any of the aforesaid provisions may be ejected from the Airport premises by the Airport Director or supervisor.

Section 16. - If any part or parts of this Ordinance shall be held 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 17. - This Ordinance as amended shall be in full force and take effect upon the filing of the same with proof of publication thereof with the Secretary of State or the State of Minnesota, and Ordinance No. 27 of the Commission is superseded hereby and of no force and effect.