

**METROPOLITAN AIRPORTS COMMISSION**

**ORDINANCE No. 113**

**ELECTRIC CARTS**

**Adopted by Commission: December 19, 2011**  
**Effective Date: January 1, 2012**

METROPOLITAN AIRPORTS COMMISSION

ORDINANCE NO. 113

An ordinance to promote and conserve public safety, health, peace, convenience, and welfare by regulating the use of the public properties owned by or under the supervision and control of the Metropolitan Airports Commission, including the regulation of electric Carts or other Carts, and drivers and Owners thereof in or about Terminal 1 – Lindbergh and Terminal 2 - Humphrey; prescribing the penalties for violation thereof, and repealing Ordinance 86.

The Metropolitan Airports Commission does ordain:

**SECTION 1 - DEFINITIONS**

- 1.1 Airport. Minneapolis-St. Paul International Airport, a public Airport under the supervision, operation, direction and control of the Metropolitan Airports Commission, and located in the County of Hennepin and State of Minnesota.
- 1.2 Airport Director. The Commission's administrative officer or the officer's designee and, for purposes of the licensing and control of Carts and enforcement of this Ordinance, the agent of the Metropolitan Airports Commission, responsible for operation of the Airport.
- 1.3 Cart. Every vehicle designed and which is or may be used to transport individuals and/or materials within the Terminals, including, but not limited to, electric Carts, except vehicles moved by human power.
- 1.4 Commission. The Metropolitan Airports Commission, a public corporation organized and operating pursuant to Chapter 500, Laws of Minnesota 1943 and amendments thereto.
- 1.5 License. Authorization from the Airport Director allowing a Cart to operate in the Terminal.
- 1.6 Hearing Officer. The Executive Director of the Commission or his/her designee who shall conduct hearings pursuant to the provisions of this Ordinance.
- 1.7 Operator. Every Person who operates or is in actual physical control of a Cart under this Ordinance.
- 1.8 Owner. A Person who holds the legal title to a Cart. In the event a Cart is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a Cart is entitled to possession, then such conditional vendee, lessee or mortgagor shall be deemed the Owner for the purpose of this Ordinance.
- 1.9 Passenger Cart. A Cart designed to carry Persons other than the driver.
- 1.10 Pedestrian. Any Person on foot.
- 1.11 Permit. Authorization from the Airport Director allowing an Operator to drive a Cart in the Terminal.

- 1.12 Person. Every natural Person, firm, partnership, association, corporation or other entity.
- 1.13 Solicit and Solicitation. The act of requesting, offering or urging by any means the business of carrying passengers in a Cart whether or not by the Owner or Operator of such Cart. Solicitation includes but is not limited to any effort by use of voice or movement of body to call attention to the availability of a Cart to carry a passenger, passengers or baggage.
- 1.14 Terminal. Terminal 1 – Lindbergh, Terminal 2 – Humphrey, or any other passenger terminals at the Airport.

## **SECTION 2 – SCOPE**

### **2.1 Purpose**

Carts for public conveyance are intended for use primarily by the elderly, disabled and persons who cannot walk great distances. Restrictions on the use of Carts may be instituted by the Airport Director if these needs are not adequately served.

### **2.2 Areas of Operation**

Carts are licensed for use only in the Terminals. To operate in other areas, a Cart must have prior authorization from the Airport Director. Authorization to operate in other areas will be given only for operational or safety reasons.

### **2.3 Emergencies Exception**

This Ordinance shall have no application to authorized emergency Carts responding to emergency calls.

## **SECTION 3 - OPERATORS**

### **3.1 Permit**

#### **a. Permit Required**

No Person shall operate and no Owner shall allow a Person to operate a Cart in the Terminals without a valid MAC Cart Operator's Permit.

#### **b. Display of Permit**

Cart Operators shall display their Permit on the Person's outermost garment above the waist when operating a Cart. Each Operator shall allow inspection of the Permit upon the request of a Commission employee or passenger.

### 3.2 Permit Requirements

Upon application, the Airport Director may issue a Permit to a Person who meets the following requirements. All Operators shall maintain these qualifications at all times while operating a Cart.

a. Driver's License

The applicant must have a valid state driver's license.

b. Age

The applicant must be at least 18 years of age.

c. English

The applicant must have a demonstrated ability to read, speak, understand and be understood in the English language to operate a Passenger Cart.

d. Background Check

The applicant must not have any of the following as verified by a criminal background check.

1. No more than two (2) moving violations in the last 12 months and no more than three (3) moving violations within the last 36 months.
2. No felony convictions in the last 36 months for any crime and at least 12 months have elapsed from the date of release from any imprisonment.
3. No DWI or related offenses in the past 10 years.
4. Qualify for an Airport Security Badge.

A Permit may be granted to a Person who does not qualify under the above criteria by submitting to the Airport Director substantial evidence indicating significant improvement of the Person's character and conduct subsequent to the conviction. After considering the facts and circumstances of the conviction, the evidence submitted by the Person and any recommendation by the Airport Police Department, the Airport Director may grant a Permit.

e. Employment Status

The applicant must be an employee of the Commission, an Airport tenant, a contractor authorized to conduct business at the Airport or other Person authorized by the Airport Director.

f. Health Status

The applicant must be capable of operating a Cart in a safe manner. If the applicant will be operating a Passenger Cart, then the applicant must be capable of assisting the passenger in embarking or disembarking and in loading or unloading luggage from the Cart.

g. Training

The applicant must complete the Owner's Cart Operator's training program that has been approved by the Airport Director, provide documentation to the Airport Director of satisfactory completion of the program and successfully complete the Commission's Cart training. All Cart Operators shall be trained to understand congested conditions and adjust speed accordingly.

The Cart Owner or Persons in the Owner's organization responsible for Cart Operators must also successfully complete the Commission's Cart training.

h. Other Requirements

A photograph of each applicant shall be required. A fingerprint record may be required by the Airport Director.

3.3 False Application

If the Airport Director determines a false application has been or was made the Airport Director shall deny the application. The applicant may reapply 6 months after the false application has been made. A false application is any incorrect statement that could have led the Airport Director to improperly issue a Cart Operator's Permit.

**SECTION 4 - CARTS**

4.1 License

a. License Required

No Person shall operate and no Owner shall allow a Person to operate a Cart in the Terminals without a valid Cart License issued by the Commission.

b. Application for Cart License

Upon application, the Airport Director may issue a License for each Cart that meets the requirements of Section 4.

c. Display of License Decals

License decals issued by the Commission shall be displayed on the front and back of the Cart so they can be read clearly.

d. Number of Carts

The Airport Director may limit the number of Cart Licenses to be issued. In doing so, the Airport Director will consider the needs of the elderly, disabled, unaccompanied minors, and others in accessing the Terminal areas.

e. Transfer of Cart License

A Cart License may be transferred to another Person and/or Cart only when the Person and/or Cart to which the License is to be transferred meets all requirements of this Ordinance including notification of the Commission and payment of the transfer fee. In the event a Cart License issued by the Commission is used by a Person and/or Cart other than the Person and/or Cart to whom the Cart License was issued, the License automatically and immediately shall be suspended, until all requirements of this Ordinance are met.

4.2 Cart Inspection

a. Annual Inspections

All Carts, whether for application or renewal, shall be examined and inspected by an inspector designated by the Airport Director for the purpose of insuring compliance with the Cart requirements of this Ordinance.

b. Compliance Checks

The Airport Director and Airport Police Officers may conduct random, unannounced compliance checks to determine compliance with this Ordinance. Airport Police Officers may run random driver's license and warrant checks on permitted Cart Operators.

Whenever the Airport Director or Airport Police Officers have reasonable grounds to believe that a Cart licensed by the Commission is not in compliance with the above standards, they may require the Owner of such Cart to submit such Cart for inspection and certification.

4.3 Insurance and Indemnity

a. Evidence of Insurance

The Owner shall at all times keep in full force and effect liability insurance in amounts and as required by this section and shall immediately notify the Airport Director whenever such insurance is cancelled, superseded, suspended or terminated in whole or in part. The Owner shall keep evidence of such insurance on file with the Airport Director at all times using the most current Association for Cooperative Operations Research and Development (ACORD) form and policies upon request by MAC. The Owner is responsible to ensure MAC is notified within 30 days of any material change or cancelation of a policy.

b. Policy Limits

Liability insurance required as to each Owner's Cart licensed pursuant to this Ordinance shall at a minimum insure each Owner's Cart in an amount of \$1,000,000 combined single limit liability for bodily injury and property damage per occurrence and as an annual aggregate, and every policy shall be written by a company licensed or admitted to write such insurance in the State of Minnesota, shall contain a clause that the liability of the insurer shall not be affected by the insolvency or bankruptcy of the insured, and further obligating the cart owner to give ten (10) days written notice to the Commission before any cancellation, addition or deletion of Carts insured, or termination thereof earlier than its expiration date. Such insurance shall not include any limitation, condition or clause releasing the insurer or insurers thereof from liability, or excluding from coverage the Carts mentioned, described or included therein when such Carts are operated, used, or maintained while the Operator or occupants thereof are intoxicated or engaged in the illicit transportation of liquor. The policy shall name the Commission as additional insured by endorsement or terms and conditions of the policy. The policy shall be primary and non contributory by endorsement or terms and conditions of the policy. The Cart Owner shall provide MAC with a current certificate of insurance using the standard ACORD form and policies upon request.

c. Workers' Compensation

Cart Owner will obtain and maintain workers' compensation insurance that meets Minnesota Statutes. The Cart Owner will also obtain and maintain employer's liability insurance with limits of at least \$100,000 bodily injury by accident, \$500,000 policy limit bodily injury by disease and \$100,000 per employee bodily injury by disease.

d. Indemnity

Each Cart Owner shall further provide for indemnity and security to the Commission as follows: Owner shall indemnify, protect, defend, and hold the Commission completely harmless from and against any and all liabilities, losses, suits, claims, judgments, fines or demands arising by reason of injury or death of any Person or damage to any property or any allegation or claim of such injury, death, or damage to any property, including all reasonable costs for investigation and defense thereof (including, but not limited to, attorney fees, court costs, and expert fees), of any nature whatsoever arising out of or incident to the use of Carts at the Airport or the acts or omissions of Owner's officers, agents, Owners, contractors, subcontractors, Operators, or invitees, regardless of where the injury, death, or damage may occur, unless such injury, death, or damage is caused by the sole negligence of the Commission. The Owner shall use counsel reasonably acceptable to Commission in carrying out its obligations hereunder. The provisions of this section shall survive the expiration or early termination of any License or Permit agreement. If Commission is required or in its sole discretion believes it to be in its best interest to defend or participate in the defense or payment of any such action or claim, Owner shall reimburse Commission for all sums including reasonable attorney's fees actually paid or required to be paid in connection with the action or claim.

#### 4.4 Cart Requirements

The Airport Director may waive or modify the following requirements of this section for individual Carts when necessary upon written request.

a. Company Name

Every Cart shall display the name or approved logo of the company or organization that owns the Cart. The name or logo must be at least 3" high, in a color contrasting to the color of the Cart, and be conspicuously displayed on as many sides of the Cart as practical with a minimum of 2 sides.

b. Capacity

Every Cart shall display the passenger carrying capacity on the Cart and shall provide adequate seating for that number of passengers.

c. Appearance

Every Cart shall be clean, of good appearance and well-painted. Carts shall be painted using a paint scheme approved by the Airport Director.

d. Size

No Cart shall exceed the size of 48 inches by 135 inches, except as authorized by the Airport Director.

e. Tires

Carts, and trailers towed by Carts, shall have pneumatic tires.

f. Reverse Beepers

All Carts shall have a beeper or audible noise device that is activated when the Cart is operating in reverse. This back up alarm may not be covered or tampered with to reduce volume.

g. Alerting Devices

The Airport Director may require or permit additional equipment for operational or safety or speed control reasons. Any such alerting devices, lights or noise-making equipment must be approved in advance by the Airport Director.

h. Safety Equipment

Every Cart shall be in a thoroughly safe condition for the transportation of passengers and/or baggage. Every Cart shall be equipped with brakes and a steering system, both in good working condition. Rear-facing seats must have seatbelts installed and in working condition.



i. Electrically Powered

All Carts shall be electrically powered. Gasoline powered Carts are not allowed in the Terminals. All Carts shall have a containment device or catch tray to prevent any leakage of battery acid, or fluids of any type. Gel batteries are required for passenger carts unless otherwise approved by the Airport Director. No items may be stored on top of batteries.

j. Towing

No Passenger Cart shall be connected to any type of trailer or other towing device. When a non-passenger Cart is used for towing, the Cart shall be connected by use of a hitch and shall tow only one trailer.

k. Speed Governing Device

All Carts shall be equipped with a tamper proof device that limits the speed of a Cart as designated by the Airport Director. No person shall tamper with, disable, or override the speed governing device.

l. Height

Carts, and trailers towed by Carts, shall not have a load that exceeds a height of 60 inches above the ground. In addition, all items being moved on a Cart or trailer must be secured so that the items will not fall off the Cart or trailer.

**SECTION 5 - CART OPERATING REQUIREMENTS**

5.1 Solicitation

No Person shall Solicit the business of carrying passengers in any Cart. No Cart shall be operated within the limits of the Airport for the purpose of Soliciting the carrying of passengers. No Person shall lay hands upon the Person or baggage of any Person without the express consent of such Person or obstruct the movement of any Person or follow any Person for the purpose of Solicitation.

5.2 Alcohol or Controlled Substance Use

No Person shall consume, be under the influence of or impaired by alcohol or a controlled substance while operating a Cart at the Airport. No Person shall operate a Cart with the odor of alcohol on the Person's breath. No Person shall operate a Cart while using prescription drugs that impairs their ability to operate a Cart. "Controlled Substance" has the meaning given in Minnesota Statutes Section 152.01, subd. 4 or as amended.

5.3 Transporting Alcohol

No Person shall operate a Cart or have in possession while riding on a Cart, any open bottle or container containing an alcoholic beverage. For purposes of this section, "possession" means either that the Person had actual possession of the bottle or container or that the Person exercised dominion and control over the bottle or container.

This section does not apply to bottles or containers which are sealed or stored in a Person's bag.

5.4 Speed

No Person shall operate a Cart at a speed greater than is reasonable and prudent under the conditions, which include actual or potential hazards, surrounding Pedestrian traffic and design of the Terminal. In every event, speed shall be so restricted as may be necessary to avoid colliding with any Person or property. If speed measuring devices are required for Carts under Section 4.4.g, the Airport Director has the authority to set a speed limit.

5.5 Direction of Travel

Operators shall travel in a forward direction whenever possible. Operators may travel in reverse only when necessary, and for no longer than necessary for safe operation.

5.6 Reckless or Careless Driving

a. Reckless Driving

No Person shall operate any Cart in such a manner as to indicate either a willful or a wanton disregard for the safety of Persons or property.

b. Careless Driving

No Person shall operate or halt a Cart carelessly or heedlessly in disregard of the rights of others, or in a manner that endangers or is likely to endanger any Person or any property including the Operator or passengers of the Cart.

5.7 Right of Way

Operators of Carts shall yield the right-of-way to Pedestrians at all times. Horns shall not be used to signal or attempt to signal that the Cart has the right of way.

5.8 Accidents

Operators shall report all accidents immediately to the Airport Police Department. Operators shall not leave the immediate area of any Cart accident until receiving permission to leave from an Airport Police Officer or Airport Director.

Employer or Cart Owner must have Cart Operator employee submit to a chemical test immediately after any cart accident that involves a Person being injured or property damage.

5.9 Obstructing Traffic

No Person shall operate, stop or park a Cart in the Terminal so as to block, obstruct or interfere with the orderly flow of traffic. Carts shall not obstruct the flow of traffic near escalators or moving walkways.

5.10 Transporting Passengers

- a. No Operator shall require, Solicit or request a fee for service. Tips may be accepted, but not Solicited.
- b. Carts shall not be used to transport any more Persons than the Cart is designed for.
- c. Passengers under the age of five (5) may not ride in the front seat of a Cart.

5.11 Transporting Wheelchairs

Carts may transport unoccupied wheelchairs only after securing such chairs to the Cart.

5.12 Appearance and Uniform

Operators shall be clean in dress and person when operating a Cart. Operators of Passenger Carts shall be in a company uniform when operating a Cart.

5.13 Parking

a. Unattended Carts

An Operator or Owner shall not leave a Cart unattended in the Terminal without stopping the motor, locking the ignition, activating the emergency brake and removing the key. "Unattended" means the Cart is not in the Operator's physical presence.

b. Parking Areas

When Carts are left unattended, the Operators and Owners shall park in designated areas only. The Airport Director will designate the allowable parking areas in the Terminal.

c. No Parking on Grade

An Operator shall not park an unattended Cart on a grade except in areas designated by the Airport Director.

d. Wheels

An Operator or Owner shall not park a Cart with the wheels chained, blocked or fastened in a manner which does not allow for easy movement in emergency situations.

e. Towing

The Airport Director may remove the keys or tow away and store any inoperative Cart or any Cart parked in violation of this Ordinance. The Cart will not be returned to the Owner except upon satisfactory proof of Ownership and upon payment of the reasonable cost for towing and storage.

f. No Loitering

No more than two Carts may be parked or stopped in an area other than a designated Cart storage area or area specifically designed for more Carts. Hub or connection areas may have up to four Carts parked.

5.14 Flow of Traffic

Operators shall drive on the right side of hallways and other areas, similar to street traffic whenever reasonable.

5.15 No Use of Cell Phones and Wireless Devices while Driving

No Person may operate a Cart while using a wireless communications device to read a display screen, talk on the telephone or compose or send an electronic message when the Cart is in motion or part of traffic. Such devices may be used when the Cart is parked and circumstances do not pose a safety risk to Persons or property.

**SECTION 6 – ENFORCEMENT**

6.1 Warnings

a. Conduct

When any Airport Police Officer or designee of the Airport Director has reasonable grounds to believe that a Cart is not in compliance with this Ordinance, the Person may issue a Warning for such violations.

b. Duration

After a Warning is issued, the Cart may continue to operate on Airport premises for three (3) days except when the deficiency is one or more of the following:

1. Unsafe tire(s).
2. Unsafe brakes(s).
3. Unsafe steering mechanism.
4. Failure to have insurance on the Cart as required by this Ordinance.
5. No device on the Cart to govern the speed, a device that is not properly set or a device that has been tampered with.
6. Any Cart which is in such unsafe condition as to endanger any Person.

c. Reinstatement

Immediately – for the items listed above – or after the 3-day correction period, the Cart shall cease operation unless and until the deficiency has been corrected and the Cart has passed inspection by the Airport Director.

d. Other Actions Not Precluded

Any Cart Warning shall be without prejudice to other enforcement actions under this Ordinance.

e. Review

Any Cart Warning shall be reviewable by the Airport Director upon written request.

6.2 Suspensions

a. Conduct

Cart Operator's Permits and Cart Licenses may be suspended for any one of the following reasons:

1. Violation of this Ordinance.
2. Violation of any Ordinance of the Commission for which a criminal penalty may be imposed.
3. Violation while on Airport property of any law of the State of Minnesota or the United States for which a criminal penalty may be imposed.
4. Actions which interfere with or threaten the safety, comfort, or convenience of passengers or otherwise constitute just cause for Suspension.

b. Duration

The Suspension shall be for up to six (6) months as determined by the Airport Director based on the severity of the violation. The Suspension shall begin immediately if the Airport Director deems the Owner or Operator constitutes an immediate safety threat to the public. Operator may be required to re-complete Cart training prior to reinstatement of the Permit or License. All other Suspensions shall begin not earlier than 7 days from the date the notice of Suspension is issued or, where a hearing is requested, the final action of the Commission sustaining the Suspension.

c. Number of Cart Licenses Affected

The Suspension shall apply to all of, or more than one of, an Owner's Cart Licenses depending on the severity of the violation if the Airport Director determines the conduct warranting a notice of Suspension involved more than one of the Owner's Carts, was a repeat violation, or showed a pattern of unsafe conduct.

d. Notice

The Airport Director shall issue written notice of the Suspension which shall state the nature and date of the violation, the length of the Suspension, the date the Suspension shall begin and the right to a hearing.

e. Examples of Conduct Warranting Suspension

Examples of conduct warranting Suspension include but are not limited to:

1. An Owner's failure to insure the Cart under this Ordinance or failure to keep evidence of such insurance on file with the Commission.
2. A Person operating or an Owner allowing a Person to operate a Cart who is not Permitted by the Commission or whose Permit has been suspended or revoked.
3. A Person tampering with a speed governing device or an Owner allowing such tampering.
4. An Owner or Operator failing to pay a judgment related to damage to Person or property by use of a Cart within 90 days after time to appeal has expired or 90 days after the termination of the appeal.
5. An Owner or Operator knowingly allowing unsafe Carts to remain in operation or encouraging unsafe conduct.

6.3 Revocation

a. Conduct

Cart Operators' Permits and Cart Licenses may be revoked for any one of the following reasons:

1. Any act that seriously endangers property or Persons or indicates willful or reckless disregard for, and which has an immediate impact on the health, safety or welfare of the public.
2. A violation warranting Suspension where the Person has had a Suspension within the previous 12 months.
3. A third violation warranting Suspension within any time period.

b. Duration

The Revocation shall be for 2 years. An Operator whose Permit has been revoked shall not be eligible to reapply during that time. A Cart for which the License has been revoked may not be operated at the Airport during that time.

The Revocation shall begin immediately if the Airport Director deems the Owner or Operator constitutes an immediate safety threat to the public. All other Revocations shall begin not earlier than 7 days from the date the notice of

Revocation is issued or, where a hearing is requested, the final action of the Commission sustaining the Revocation.

c. Number of Cart Licenses Affected

The Revocation shall apply to all of, or more than one of, an Owner's Cart Licenses depending on the severity of the violation if the Airport Director determines the conduct warranting a notice of Revocation involved more than one of the Owner's Carts, was a repeat violation, or showed a pattern of unsafe conduct.

d. Notice

The Airport Director shall issue written notice of Revocation which shall state the nature and date of violation, the date the Revocation shall begin, and the right to a hearing.

6.4 Reduction of Penalty

During the term of a Suspension or Revocation, the Owner or Operator may request in writing that the length of the penalty be reduced. The Person shall explain the conduct involved in the violation and actions, such as a company policy, to correct the situation and prevent future incidents. The Airport Director in his or her discretion may reduce the penalty.

6.5 Procedure

- a. These procedures shall apply to Persons receiving a Notice of Suspension or Revocation.
- b. The Airport Director shall review any report brought to his or her attention and may conduct additional investigation into such facts as deemed necessary to determine whether there is grounds to issue a Notice of Suspension or Revocation.
- c. Any Person receiving a Notice of Suspension or Revocation may request a hearing before a Hearing Officer. Requests must be written and received by the Airport Director within 7 days after the notice was issued.
- d. If the Person demands a hearing, the Airport Director shall so advise the Hearing Officer of the Commission and the Hearing Officer shall set a time for such hearing, to be held as soon as practical. The Airport Director shall notify the Person of the time and place of the hearing not less than 5 days before the time set for the hearing.
- e. The hearing shall be conducted by the Hearing Officer, shall be recorded by electrical or mechanical recorder or by a qualified reporter, and shall proceed as follows:
  1. The Airport Director shall present evidence which supports the facts constituting grounds for the proposed Suspension or Revocation.

2. The Person requesting the hearing may appear in Person, may be represented by counsel, may cross-examine the Airport Director's witnesses who are present, and may present any relevant evidence relating to the facts constituting grounds for the proposed Suspension or Revocation.
3. All testimony shall be taken under oath but both the Airport Director and Person requesting the hearing may introduce testimony under oath in the form of sworn statements if witnesses are unavailable or refuse to appear in Person.
4. The Hearing Officer shall hear the evidence and shall make findings concerning the facts and penalty recommended by the Airport Director.
5. The Hearing Officer shall issue a report in writing stating the findings as soon as practical following the hearing.
6. The decision of the Hearing Officer constitutes the final administrative action of the Commission.

#### 6.6 Other Enforcement Action

In addition to or in place of the other penalties specified in this Ordinance, the Airport Director, in his or her discretion according to the severity of the violation, may issue a warning letter and/or require the Person to complete additional Cart training.

### **SECTION 7 – FEES**

#### 7.1 Operator Permit Fee

a. Amount

Cart Operators shall pay the Permit fee stated in Schedule I. The Permit fee must be paid in full at time of application. The Permit fee is established to at least recover costs that include but are not limited to background investigations, training classes, and administrative costs to the Commission.

b. Duplicate Operator Permit

The fee for a duplicate Permit is stated in Schedule I.

#### 7.2 Cart License Fee

a. Amount

The annual License fee for each Cart is stated in Schedule I. The License fee is established to at least recover costs that include but are not limited to Cart inspection and administrative costs to the Commission.



b. Due Date

The License fee must be paid in full at time of initial application, and regardless of the date issued, is valid until the renewal date in subsection c. For any Cart that does not pass inspection during the designated inspection period, the Owner must pay the License fee again to have the Cart reinspected.

c. Renewal

Cart Licenses are renewable from year to year by February 1st of each year or other date established by the Airport Director.

d. Transfer Fee

The fee to transfer a Cart License is stated in Schedule I.

7.3 Adjustment of Fees

The Airport Director has the authority to adjust the fees established by this Ordinance. Notice of fee adjustments shall be provided to Cart Owners. The fees in this Ordinance are not applicable to the Commission or its employees.

7.4 Other Fees

The Airport Director has the authority to establish other fees that cover reasonable administrative costs for services provided to or regulation of Cart Owners and Operators.

**SECTION 8 – GENERAL PROVISIONS**

8.1 Applicability

This Ordinance applies to all Persons and Carts operating in the terminals and to all Persons and Carts permitted or licensed under this Ordinance when operating in other areas of the Airport. This Ordinance is in addition to applicable laws of the State of Minnesota and the United States, which remain in full force and effect. In case two or more rules, Ordinances or laws cover the same subject, all shall be given effect, except in case of irreconcilable conflict, in which case the rules, Ordinance or law having the most stringent requirements shall govern.

8.2 Notice

Persons permitted or licensed under this Ordinance are responsible for keeping a current address on file with the Commission. Notice required to be given under this Ordinance is sufficient if delivered in Person, mailed to the last address on file with the Commission, or transmitted by fax. The notice is issued at the time it is hand delivered, placed in the mail, or faxed.

8.3 Compliance with Legal Requirements

a. Laws

All Persons and Carts engaged in Cart operation at the Airport shall comply with all applicable federal, state and local laws.

b. Orders

All Persons engaged in Cart transportation at the Airport shall comply with all lawful orders or directions given by the Airport Director, Airport Police Officers and Commission staff.

8.4 Penalty

Any Person violating any of the provisions of this Ordinance shall upon conviction be punished by sentence within the parameters of the maximum penalty for misdemeanors set forth in Minn. Stat. §609.03 or as amended.

8.5 Provisions Severable

If any part or parts of this Ordinance shall be held unconstitutional or invalid, this does not affect the validity of the remaining parts of this Ordinance. The Commission declares it would have passed the remaining parts of this Ordinance without the unenforceable provisions.

8.6 Repealer

Ordinance 86 is repealed on the effective date of this Ordinance.

8.7 Effective Date

This Ordinance is effective January 1, 2012.

Schedule I – Fees

Operator Permit Fee	\$40
Duplicate Permit Fee	\$10
Annual Cart License Fee	\$70
Cart License Transfer Fee	\$70
Cart License Reinspection	\$100

Fees are subject to adjustments by the Airport Director according to Section 7.