

METROPOLITAN AIRPORTS COMMISSION

ORDINANCE NO. 128

REPEAL OF VARIOUS SPECIAL REGULATIONS AND ORDINANCES



Adopted by Commission: December 16, 2019
Effective Dates: *See* Section 2

202411

METROPOLITAN AIRPORTS COMMISSION

ORDINANCE NO. 128

REPEAL OF VARIOUS SPECIAL REGULATIONS AND ORDINANCES

An Ordinance relating to the internal operations of the Commission to repeal various Special Regulations and Ordinances.

The Metropolitan Airports Commission does ordain:

SECTION 1 – REPEALER

- 1.1 Special Regulation Nos. 6, 9, 28, 30, 33, 34, 35, 37, 38,44, 45, 47, and 48, as well as Ordinance Nos. 10, 11, 35, 37, 44, 45, and 57 are repealed;
- 1.2 Ordinance No. 6 is repealed;
- 1.3 Ordinance No. 7 is repealed;
- 1.4 Ordinance No. 39 is repealed.

SECTION 2 – EFFECTIVE DATES

- 2.1 Section 1.1 is effective upon the filing of this ordinance with the Secretary of State;
- 2.2 Section 1.2 is effective upon the final adoption of a Joint Airport Zoning Ordinance by a Joint Airport Zoning Board duly established under Minnesota Statutes, section 360.063, subdivision 3 for the purpose of adopting airport zoning regulations around the Crystal Airport;
- 2.3 Section 1.3 is effective upon the final adoption of a Joint Airport Zoning Ordinance by a Joint Airport Zoning Board duly established under Minnesota Statutes, section 360.063, subdivision 3 for the purpose of adopting airport zoning regulations around the Lake Elmo Airport;
- 2.4 Section 1.4 is effective upon the effective date of section 1.2 or the effective date of section 1.3, whichever is later.

Attachment 1

Repealed Special Regulations and Ordinances

Attachment 1
Repealed Special Regulations and Ordinances

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

Special Regulation No. 6

Parking

Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission pursuant to § 3.13 of Ordinance No. 12 of the Commission.

BE IT RESOLVED that the following Special Regulation be and hereby is adopted for the control of parking within the congested district at Wold-Chamberlain Field:

The west side of Airport Service Road north of the easterly extension of 62nd St. East and the west side of Airport Service Road adjacent and to the east of the Braniff Airlines parking lot is hereby designated for 15 minute parking.

FURTHER RESOLVED that appropriate parking control devices be installed along streets, avenues, roadways, and within parking areas affected thereby indicating the parking regulation hereby adopted.

FURTHER RESOLVED that this Special Regulation is to take effect upon publication and filing with the Secretary of State as provided by law and upon installation of appropriate traffic devices as herein required, and that this Special Regulation supersedes and repeals Section G of Parking Regulations under Resolution 354 of Minneapolis-Saint Paul Metropolitan Airports Commission adopted the 17th day of September, 1956.

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Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission on the 6th day of April, 1959, by 9 votes for and no votes against.

Published in Finance and Commerce, a legal newspaper of the City of Minneapolis, on the 9th day of April, 1959.

Published in Saint Paul Legal Ledger, a legal newspaper of the City of Saint Paul, on the 10th day of April, 1959.

Filed with proof of publication with the Secretary of State of the State of Minnesota on the 17th day of April, 1959.

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Traffic control devices installed and in place the 30th day of April, 1959.

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MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

Special Regulation No. 9

Traffic

Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission pursuant to § 2.16 of Ordinance No. 12 of the Commission.

BE IT RESOLVED that the following Special Regulation be and hereby is adopted for the control of traffic within the congested district at Wold-Chamberlain Field:

The movement of traffic at the intersection of 62nd St. E. with 34th Ave. So. shall be controlled by electrically operated "Stop", "Caution", and "Go" traffic control signals.

FURTHER RESOLVED that appropriate traffic control devices be installed along streets, avenues, roadways, and within parking areas affected thereby indicating the traffic regulation hereby adopted.

FURTHER RESOLVED that this Special Regulation is to take effect upon publication and filing with the Secretary of State as provided by law and upon installation of appropriate traffic devices as herein required.

Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission on the 6th day of April, 1959, by 9 votes for and no votes against.

Published in Finance and Commerce, a legal newspaper of the City of Minneapolis, on the 9th day of April, 1959.

Published in Saint Paul Legal Ledger, a legal newspaper of the City of Saint Paul, on the 10th day of April, 1959.

Filed with proof of publication with the Secretary of State of the State of Minnesota on the 17th day of April, 1959.

Traffic control devices installed and in place the 30th day of April, 1959.

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

Special Regulation No. 28

Parking

Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commiss:

BE IT RESOLVED that the following Special Regulation be and hereby is adopted for the control of parking within the Wold-Chamberlain Field - Congested Districts:

Parking along the east edge of the elevated roadway opposite the center of the new Terminal Building and between the two central doors thereof, Wold-Chamberlain Field - Congested District (B), shall be limited to restricted temporary parking for the servicing of private vehicles.

FURTHER RESOLVED that appropriate parking control devices be installed along streets, avenues, roadways, and within parking areas affected thereby indicating the parking regulation hereby adopted.

FURTHER RESOLVED that this Special Regulation is to take effect upon publication and filing with the Secretary of State as provided by law and upon installation of appropriate traffic devices as herein required, and that this Special Regulation supersedes and repeals Special Regulation No. 13 of the Minneapolis-Saint Paul Metropolitan Airports Commission as of the effective date hereof.

Adopted at a special meeting by unanimous vote of the members all being present.

Published in Finance and Commerce, a legal newspaper of the City of Minneapolis, January 12, 1962.

Published in St. Paul Legal Ledger, a legal newspaper of the City of St. Paul, January 11, 1962.

Filed with the Secretary of State of the State of Minnesota, January 19, 1962.

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

Special Regulation No. 30

Traffic

Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission.

BE IT RESOLVED that the following Special Regulation be and hereby is adopted for the control of traffic within the Wold-Chamberlain Field - Congested Districts:

Traffic in the paved area around and between the aircraft loading piers A, B, C, and D, Wold-Chamberlain Field - Congested District (B), shall be limited to aircraft servicing vehicles.

FURTHER RESOLVED that appropriate traffic control devices be installed along streets, avenues, roadways, leading to and within the area affected thereby indicating the traffic regulation hereby adopted.

FURTHER RESOLVED that this Special Regulation is to take effect upon publication and filing with the Secretary of State as provided by law and upon installation of appropriate traffic devices as herein required, and that this Special Regulation supersedes and repeals Special Regulation No. 8 of the Minneapolis-Saint Paul Metropolitan Airports Commission as of the effective date hereof.

Adopted at a special meeting by unanimous vote of the members, all being present.

Published in Finance and Commerce, a legal newspaper of the City of Minneapolis, January 12, 1962.

Published in St. Paul Legal Ledger, a legal newspaper of the City of St. Paul, January 11, 1962.

Filed with the Secretary of State of the State of Minnesota, January 19, 1962.

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

Special Regulation No. 33

Parking

Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission.

BE IT RESOLVED That the following Special Regulation be and hereby is adopted for the control of parking within the congested district (B) at Wold-Chamberlain Field:

(1) The east side of the elevated and lower roadways in front of the New Public Passenger Terminal Building, located in Wold-Chamberlain Field Congested District (B) are hereby designated as 20 minute limited parking zones as indicated by appropriate markings and by parking meters set to permit 20 minutes parking on deposit of two (2) nickels or one dime coin of the United States of America which meters shall control parking therein.

FURTHER RESOLVED that appropriate parking control devices be installed along streets, avenues, roadways, and within parking areas affected thereby indicating the parking regulation hereby adopted.

FURTHER RESOLVED that this Special Regulation is to take effect upon publication and filing with the Secretary of State as provided by law and upon installation of appropriate traffic devices as herein required, and that this Special Regulation supersedes and repeals Special Regulation No. 23 of the Minneapolis-Saint Paul Metropolitan Airports Commission adopted the 2nd day of November, 1959.

Adopted at a regular meeting of the Commission November 5, 1962 there being a quorum present.

Votes for	7
Votes against	0
Absent	2

Published in Finance and Commerce a legal newspaper of the City of Minneapolis, November 14, 1962.

Published in Saint Paul Legal Ledger a legal newspaper of the City of Saint Paul, November 13, 1962.

Filed with the Secretary of State of the State of Minnesota November 19, 1962.

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

Special Regulation No. 34

Traffic

Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission pursuant to § 2.16 of Ordinance No. 12 of the Commission.

BE IT RESOLVED that the following Special Regulation be and hereby is adopted for the control of traffic within Wold-Chamberlain Field - congested district (B):

Within congested district (B) the following streets, avenues and roads are hereby designated as one-way streets, avenues and roads with vehicular traffic limited to a single direction as follows:

(a) The new Passenger Terminal entrance road, the new Passenger Terminal frontage roads, the new Passenger Terminal exit road, and the return road from the new Passenger Terminal exit road to the new Passenger Terminal entrance road (these roads running from one end to the other form a closed loop) are one-way roads and vehicular traffic thereon shall be limited to traffic traveling in a counter-clockwise direction around said closed loop.

FURTHER RESOLVED that appropriate traffic control devices be installed along streets, avenues and roads affected thereby indicating the traffic regulation hereby adopted.

FURTHER RESOLVED that this Special Regulation is to take effect upon publication and filing with the Secretary of State as provided by law and upon installation of appropriate traffic devices as herein required, and that this Special Regulation supersedes and repeals Special Regulation No. 32 of the Minneapolis-Saint Paul Metropolitan Airports Commission adopted the 2nd day of April, 1962.

Adopted at a regular meeting of the Commission November 5, 1962, there being a quorum present.

Votes for	7
Votes against	0
Absent	2

Published in Finance and Commerce a legal newspaper of the City of Minneapolis, November 14, 1962.

Published in Saint Paul Legal Ledger a legal newspaper of the City of Saint Paul, November 13, 1962.

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

Special Regulation No. 35

Traffic

Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission.

BE IT RESOLVED that the following Special Regulation be and hereby is adopted for the control of traffic within the Wold-Chamberlain Field - Congested Districts (A) and (B):

(1) Within Congested District (A):

(a) Two separate pedestrian crosswalks are hereby established running across Airport Service Road from the North and South ends of the old passenger terminal building.

(b) Four separate pedestrian crosswalks are established at the four points of intersection of 62nd Street East and 34th Avenue South.

(2) Within Congested District (B):

(a) Two separate pedestrian crosswalks are hereby established running across ground level frontage road opposite the two center doors of the new terminal building.

(b) Two separate pedestrian crosswalks are hereby established across the new Passenger Terminal exit road and across "A" Street opposite the Southeast end of the public pay parking lot.

(c) Two separate pedestrian crosswalks are hereby established across the new Passenger Terminal entrance road and across "D" Street opposite the southeast end of the public pay parking lot.

FURTHER RESOLVED that appropriate traffic control devices be installed along streets, avenues, roadways, leading to and within the areas affected thereby indicating the traffic regulation hereby adopted.

FURTHER RESOLVED that this Special Regulation is to take effect upon publication and filing with the Secretary of State as provided by law and upon installation of appropriate traffic devices as herein required, and that this Special Regulation supersedes and repeals Special Regulation No. 29 of the Minneapolis-Saint Paul Metropolitan Airports Commission as of the effective date hereof.

Adopted at a regular meeting of the Commission November 5, 1952
there being a quorum present.

Votes for	7
Votes against	0
Absent	2

Published in Finance and Commerce a legal newspaper of the City of
Minneapolis, November 14, 1952.

Published in Saint Paul Legal Ledger a legal newspaper of the City
of Saint Paul, November 13, 1952.

Filed with the Secretary of State of the State of Minnesota, November
19, 1952.

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

Special Regulation No. 37

Traffic

Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission pursuant to § 2.16 of Ordinance No. 12 of the Commission.

BE IT RESOLVED, that the following Special Regulation be and hereby is adopted for the control of traffic within Wold-Chamberlain Field - Congested Districts (A) and (B) and elsewhere on the Field:

The following streets, avenues, or roads are hereby designated as through streets, before entering or crossing of which streets from intersecting streets, avenues, or roads vehicular traffic is required to stop or to yield as hereafter required.

(1) In Congested District (A):

(a) 34th Avenue South from the South side of 61st Street East to the North Side of 70th Street access road. All traffic shall stop.

(b) 62nd Street East from 34th Avenue South to the West side of 28th Avenue South. All traffic shall stop.

(c) Airport Service Road for its full length. All traffic shall stop.

(2) In Congested District (B):

(a) "A" Street for its full length. All traffic shall stop.

(b) "D" Street for its full length. All traffic shall stop.

(c) The new Passenger Terminal entrance road; the new Passenger Terminal Frontage Roads, the new Passenger Terminal exit road and the return road from the new passenger terminal exit road to the new passenger terminal entrance road for this full length. All traffic entering shall yield to traffic thereon.

(3) Elsewhere on the Minneapolis-Saint Paul International Airport - Wold-Chamberlain Field:

(a) South Perimeter Road from 34th Avenue South Easterly and Southeasterly to but not through the east Perimeter Road. All traffic shall stop.

(b) East Perimeter Road from the Northwest
Airlines Main Base leased premises Southwesterly
through the South Perimeter Road. All traffic
shall stop.

FURTHER RESOLVED that appropriate traffic control devices be
installed along streets, avenues, roadways and within parking areas
affected thereby indicating the traffic regulation hereby adopted.

FURTHER RESOLVED that this Special Regulation is to take effect
upon publication and filing with the Secretary of State as provided
by law and upon installation of appropriate traffic devices as here-
in required, and that this Special Regulation supersedes and repeals
Special Regulation No. 12 of Minneapolis-Saint Paul Metropolitan
Airports Commission adopted the 6th of April, 1959.

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

Special Regulation No. 38

Traffic

Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission pursuant to § 2.16 of Ordinance No. 12 of the Commission.

BE IT RESOLVED that the following Special Regulation be and hereby is adopted for the control of traffic within the congested districts (A) and (B) at Wold-Chamberlain Field and elsewhere on the Field:

On all streets, avenues and roads situated on commission owned properties the speed limit for vehicles shall be 30 miles per hour except as hereinafter provided:

(1) The speed limit shall be 20 miles per hour within all parking lots; and within Congested Districts (A) exclusive of 34th Avenue South, East 62nd Street, East 61st Street and 70th Street Access Road; and within Congested District (B) exclusive of the new passenger terminal entrance and exit roads, and "A" Street and "D" Street.

(2) Within Congested District (A) the speed limit on 34th Avenue South and 61st Street East shall be 30 miles per hour.

(3) The speed limit on East 62nd Street and on 70th Street access road, both in Congested District (A) and on South Perimeter Road shall be 40 miles per hour.

(4) Within Congested District (B) on the new passenger terminal entrance road from the airport property line northerly to its intersection with the return road from the new passenger terminal exit road, the speed limit shall be 50 miles per hour; thereafter to its termination at point of separation of the elevated and ground level public passenger frontage roads the speed limit shall be 35 miles per hour.

(5) Within Congested District (B) on the new passenger terminal exit roads from its commencement at the termination of the public passenger frontage roads to a point just beyond the traffic interchange bridge, the speed limit shall be 30 miles per hour; thereafter to its termination at the airport property line the speed limit shall be 50 miles per hour.

(6) Within Congested District (B) on all turn-offs from the new passenger terminal entrance road to "D" Street the speed limit shall be 35 miles per hour.

(7) Within Congested District (B) on all turn-offs from "A" Street to the new passenger terminal exit road, the speed limit shall be 20 miles per hour.

FURTHER RESOLVED that appropriate traffic control devices be installed along streets, avenues, roadways, and within parking areas affected thereby indicating the traffic regulation hereby adopted.

FURTHER RESOLVED that this Special Regulation is to take effect upon publication and filing with the Secretary of State as provided by law and upon installation of appropriate traffic devices as herein required, and that this Special Regulation supersedes and repeals Special Regulation No. 7 of Minneapolis-Saint Paul Metropolitan Airports Commission adopted the 6th day of April, 1959.

METROPOLITAN AIRPORTS COMMISSION

SPECIAL REGULATION NO. 44

NOTICE OF CONSTITUTIONALLY PROTECTED ACTIVITY

Adopted by the Metropolitan Airports Commission, sometimes referred to as Minneapolis-Saint Paul Metropolitan Airports Commission,

BE IT RESOLVED that the Notice to be filled out, signed by or on behalf of a member of the public desiring to carry on a constitutionally protected activity on Commission property, and filed with Commission's designated representative at the airport where the activity is to be carried on, shall be in form as Exhibit A hereto attached.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY - 4 1976
John Gustafson
Secretary of State

Adopted at a regular Commission meeting 19 April, 1976 by vote of a majority of the Commissioners present and voting, and there being a quorum present and voting thereon.

Notice of Adoption of Special Regulation published in the St. Paul Legal Ledger Friday, 23 April, 1976.

Notice of Adoption of Special Regulation published in Finance and Commerce Friday, 23 April, 1976.

Filed with the Secretary of State 4 May, 1976 with Affidavit of Publication from Finance and Commerce and St. Paul Legal Ledger.

engage in constitutionally protected expression for their
such expression.)

DATE OF NOTICE: _____

1. Member of the
public/organization: _____
Address: _____
Telephone No. _____
State of Incorporation, if any: _____
2. Representative or member of the public (organization) to
act as liaison with MAC: _____
Permanent Address: _____
Telephone No: _____
Local Address: _____
Telephone No: _____
3. Nature, purpose and manner of proposed Expression. Be specific (e.g.
distribution of leaflets, picketing, etc.) _____
4. If Expression involves any solicitation of donations as an integral
part of the Constitutionally-protected expression and inseparable
from it:
 - a. Name(s) of the organization or of the person(s) on whose behalf
solicitation is to be made;
 - b. Name(s) of chief officer and secretary of such organization and
state of incorporation, if any;
 - c. Name of person(s) responsible for distribution of funds collected
 - d. Purpose for which such solicitation is made and the use made of the
funds derived from it, including the beneficiaries of the solicitation;
 - e. Attach a copy of current financial statement containing the
following:
 - i. expenses incurred in solicitation;
 - ii. proposed distribution of funds collected in the solicitation;
 - f. Attach a copy of the applicant's current budget;
 - g. Attach a copy of federal tax exempt status, and state tax exempt
status, if any.
5. Intended audience: _____

State why commission property is preferred and/or necessary to reach
the intended audience.

6. PREFERRED AND ALTERNATIVE DATE(S), TIME(S) AND LOCATION(S) FOR PROPOSED
CONSTITUTIONALLY-PROTECTED EXPRESSION

PREFERRED:		ALTERNATIVE:	
a. Date(s)		b. Date(s)	
c. Time(s) and duration(s)		d. Time(s) and duration(s)	
e. Facility(ies)		f. Facility(ies)	

Procession expression:

The undersigned states that the above is true and correct signed under and penalties of perjury.

Signature of Member of Public Title

DECISION OF COMMISSION'S DESIGNATED REPRESENTATIVE THEREON NOTED BY PLACING "X" IN APPROPRIATE BOX

APPROVAL GRANTED

For:

Member of Public/Organization

Box:

Maximum Number of Persons

On:

Date (s)

At:

Time (s)

At:

MBC Facility (es)

Specifically

Area (s)

☐

APPROVAL IS GRANTED FOR NEITHER THE PREFERRED NOR ALTERNATIVE

FOR THE FOLLOWING FACTUAL REASONS

Circle appropriate items

AND SUCH APPROVAL GRANTED ABOVE IS BASED ON THE FOLLOWING FACTUAL

CONSIDERATIONS:

☐

APPROVAL IS DENIED FOR FAILURE OF THE APPLICANT'S REQUEST TO QUALIFY AS A CONSTITUTIONALLY PROTECTED EXPRESSION AND/OR ACTIVITY FOR THE FOLLOWING REASONS:

Date: METROPOLITAN AIRPORT COMMISSION

By

Commissioner's Designated Representative

Title

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

MAY - 4 1976

Secretary of State

METROPOLITAN AIRPORTS COMMISSION

SPECIAL REGULATION NO. 45

REGULAR PUBLIC SOLICITATION AREAS

Adopted by the Metropolitan Airports Commission, sometimes referred to as Minneapolis-Saint Paul Metropolitan Airports Commission

BE IT RESOLVED that solicitation of the traveling public within the Terminal Building at Minneapolis-Saint Paul International Airport by members of the public (corporate, association, or individual) shall be assigned to and located within the 2nd floor ticketing concourse within booths to be constructed at the north and south ends of the central mezzanine areas and opposite the entrances to the green and gold loading concourses as indicated on Exhibit A attached hereto and a part hereof.

Adopted at a regular Commission meeting 19 April, 1976 by vote of a majority of the Commissioners present and voting, and there being a quorum present and voting thereon.

Notice of Adoption of Special Regulation published in the St. Paul Legal Ledger Friday, 23 April, 1976.

Notice of Adoption of Special Regulation published in Finance and Commerce Friday, 23 April, 1976.

Filed with the Secretary of State 4 May, 1976 with Affidavit of Publication from Finance and Commerce and St. Paul Legal Ledger.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAY - 4 1976
J. G. Johnson
Secretary of State

**MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS
COMMISSION**

SPECIAL REGULATION NO. 46

Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission.

BE IT RESOLVED, That the following regulation be and hereby is adopted for the control of parking, traffic flow, and pickup of passengers and baggage, of and by vehicles used for public conveyance within the Minneapolis-Saint Paul Metropolitan Airport—Wold-Chamberlain Field:

(1) The Airport Director of the Minneapolis-Saint Paul Metropolitan Airport—Wold-Chamberlain Field, for the purpose of providing an efficient and effective system of traffic flow and for the purpose of providing for the safety and convenience of the persons using the airport facility, is hereby authorized and empowered to adopt and promulgate such procedures and rules as may be necessary or useful to control the traffic flow and parking of vehicles used for public conveyance, including but not limited to, airport limousines, buses, and taxicabs and to control the pickup of passengers and baggage by such vehicles, within the Minneapolis-Saint Paul Metropolitan Airport—Wold-Chamberlain Field.

(2) All rules adopted and promulgated by the Airport Director pursuant to this regulation shall be set forth in writing and signed and dated by the Airport Director. Such rules shall be effective as of the date they are accepted by the Minneapolis-Saint Paul Metropolitan Airport Commission, as hereinafter provided, unless an emergency situation exists which requires an earlier effective date, in which case the effective date shall be the date set

forth in the rule and such rule shall be temporarily effective until accepted by the Minneapolis-Saint-Paul Metropolitan Airport Commission. All such rules adopted pursuant to this regulation shall be presented to the Minneapolis-Saint Paul Metropolitan Airport Commission for their acceptance at its regularly scheduled meeting which next follows the date the rule was signed by the Airport Director and all such rules so presented and accepted shall be included in the Commission's records.

BE IT FURTHER RESOLVED, That this Special Regulation, upon publication and filing in the Secretary of State's office, as provided by law, shall be in full force and effect from and after June 20, 1977, and that upon its taking effect it shall supersede and repeal Special Regulations 42 and 43.

Adopted at a regular Commission meeting June 20, 1977, by vote of a majority of the Commissioners present and voting, and there being a quorum present and voting thereon.

Notice of Adoption of Special Regulation published in St. Paul Legal Ledger, July 2, 1977.

Notice of Adoption of Special Regulation published in Finance and Commerce, July 2, 1977.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
JUL 20 1977

James Andrew Howe
Secretary of State

Filed with the Secretary of State, July 20, 1977 with Affidavit of Publication from Finance and Commerce and St. Paul Legal Ledger.

METROPOLITAN AIRPORTS COMMISSION
SPECIAL REGULATION NUMBER 47

Adopted by the Metropolitan Airports Commission, sometimes referred to as Minneapolis-St. Paul Metropolitan Airports Commission,

BE IT RESOLVED, that all lessees, licensees and other tenants (herein after "Lessees") of the Metropolitan Airports Commission, for themselves, their heirs, personal representatives, successors in interest, and assigns, shall comply with the following regulations:

- (1) In the event facilities are constructed, maintained, or otherwise operated on property under lease to Lessee for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the Lessee shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.
- (2) The Lessee for himself, his personal representatives, successors in interest, and assigns, does hereby covenant and agree that (a) no person on the grounds of race, color, creed, sex or national origin shall be excluded from participating in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (b) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the grounds of race, color, creed, sex or national origin shall be excluded from participation in, denied the benefits of, or otherwise be

ected to discrimination, (c) that the Lessee shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation-Effectuation of Title VI of the Civil Rights Act of 1964, as said Regulations may be amended.

(3) The Lessee assures that it will undertake an affirmative action program as required by 14 CFR Part 152, Subpart E, to insure that no person shall on the grounds of race, creed, color, national origin, or sex be excluded from participating in any employment activities covered in 14 CFR Part 152, Subpart E. The Lessee assures that no person shall be excluded on these grounds from participating in or receiving the services or benefits of any program or activity covered by this subpart. The Lessee assures that it will require that its covered suborganizations provide assurances to the Metropolitan Airports Commission that they similarly will undertake affirmative action programs and that they will require assurances from their suborganizations, as required by 14 CFR Part 152, Subpart E, to the same effect.

MINNEAPOLIS-SAINT PAUL METROPOLITAN
AIRPORTS COMMISSION

SPECIAL REGULATION NO. 48

IN ORDER TO PROMOTE EFFICIENT MANAGEMENT OF AIRPORT PROPERTIES, CONVENIENCE FOR THE TRAVELING PUBLIC AND EFFICIENT USE OF CURB SPACE NEAR THE MAIN TERMINAL BUILDING OF THE MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORT, WOLD-CHAMBERLAIN FIELD, THIS SPECIAL REGULATION IS ADOPTED BY THE MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION.

Section 1 - Definitions

- 1.1 Airport - Minneapolis-Saint Paul International Airport -Wold-Chamberlain Field, a public airport under the supervision, operation, direction and control of the Minneapolis-Saint Paul Metropolitan Airports Commission, and located in the County of Hennepin and State of Minnesota.
- 1.2 Airport Limousine - Every motor vehicle designed and used under license from the Public Service Commission of the State of Minnesota to carry passengers for hire over predetermined routes between the airport and predetermined destinations within the State of Minnesota.
- 1.3 Metropolitan Area Airport Limousine - Every Airport Limousine licensed to serve and serving primarily the Minneapolis-Saint Paul seven county metropolitan area.
- 1.4 Out-State Airport Limousine - Every Airport Limousine licensed to serve and serving primarily areas outside of the Minneapolis-Saint Paul seven county metropolitan area.
- 1.5 Bus - Every motor vehicle designed for carrying more than ten passengers and used for transportation of persons for compensation.
- 1.6 Hotel/Motel/Business Courtesy Vehicle - Every motor vehicle operated by or for a hotel, motel, company, corporation or other business to transport personnel between the airport and the hotel, motel, company, corporation or business affiliate concerned.
- 1.7 Off-Airport Auto Rental Vehicle - Every motor vehicle used to transport passengers between the airport and the offices of those auto rental companies not having concession privileges on airport property.
- 1.8 Taxicab - Every motor vehicle carrying passengers for pay or hire upon public streets and upon the streets, avenues and roads of the airport, equipped with a taxi-meter and subject to call on or upon such public streets and airport streets, avenues or roads or from a garage or other established place of business.

Section 2 - Pick Up and Parking Areas

- 2.1 Taxicabs shall pickup and discharge passengers and/or baggage and park as required by Ordinance No. 50, Special Regulation No. 46, and such rules as are promulgated thereunder and as they are from time to time amended.
- 2.2 Metropolitan Area Airport Limousine shall pick up passengers on the right (west) side of the outer roadway in the 120 foot curb area beginning 30 feet south of the southernmost walkway and extending generally southwest on the lower roadway level (See Area A in the attached diagram for clarification). Additional limousines waiting for a position in the pick up area shall park in the curb area on the left (east) side of the outer roadway on the lower roadway level in the area beginning at a point approximately 120 feet generally northeast of the intersection of the northernmost walkway and the outer roadway and extending generally northeast approximately 120 feet to a point approximately 240 feet generally northeast of the intersection of the outer roadway and the northernmost pedestrian walkway (See Area B in the attached diagram for clarification).
- 2.3 Out-State Airport Limousines shall pick up passengers on the right (west) side of the upper roadway level in an area beginning immediately northeast of the handicap curb access area and extending approximately 60 feet generally northeast (See Area C in the attached diagram for clarification).
- 2.4 Hotel/Motel/Business Courtesy Vehicles and Off-Airport Auto Rental Vehicles shall pickup passengers at the curb area on the left (east) side of the outer roadway between the intersection of the north walkway and extending 120 feet generally northeast of that intersection on the lower roadway level (See Area D in the attached diagram for clarification).
- 2.5 Buses shall pickup passengers on the right (west) side of the inner roadway in the curb area beginning immediately north of the entrance to the yellow lot and extending 120 feet generally northeast from the entrance of the yellow lot. The yellow lot is that parking lot immediately adjacent to the south side of the lower level of the main terminal building (See Area E on the attached diagram for clarification).

Section 3 - PROVISIONS SEVERABLE. If any part of this Special Regulation shall be held to be unconstitutional or in conflict with any law of the United States or the State of Minnesota, such unconstitutionality or conflict shall not affect the validity of the remaining parts of this Special Regulation. The Commission hereby declares it would have passed the remaining parts of this Special Regulation if it had known that such other part or parts hereof would be declared unconstitutional or in conflict with other State or Federal legislation.

Section 4

4.1 Special Regulation No. 31 is hereby repealed.

Section 5

5.1 The effective date of this Special Regulation shall be November 1, 1980.

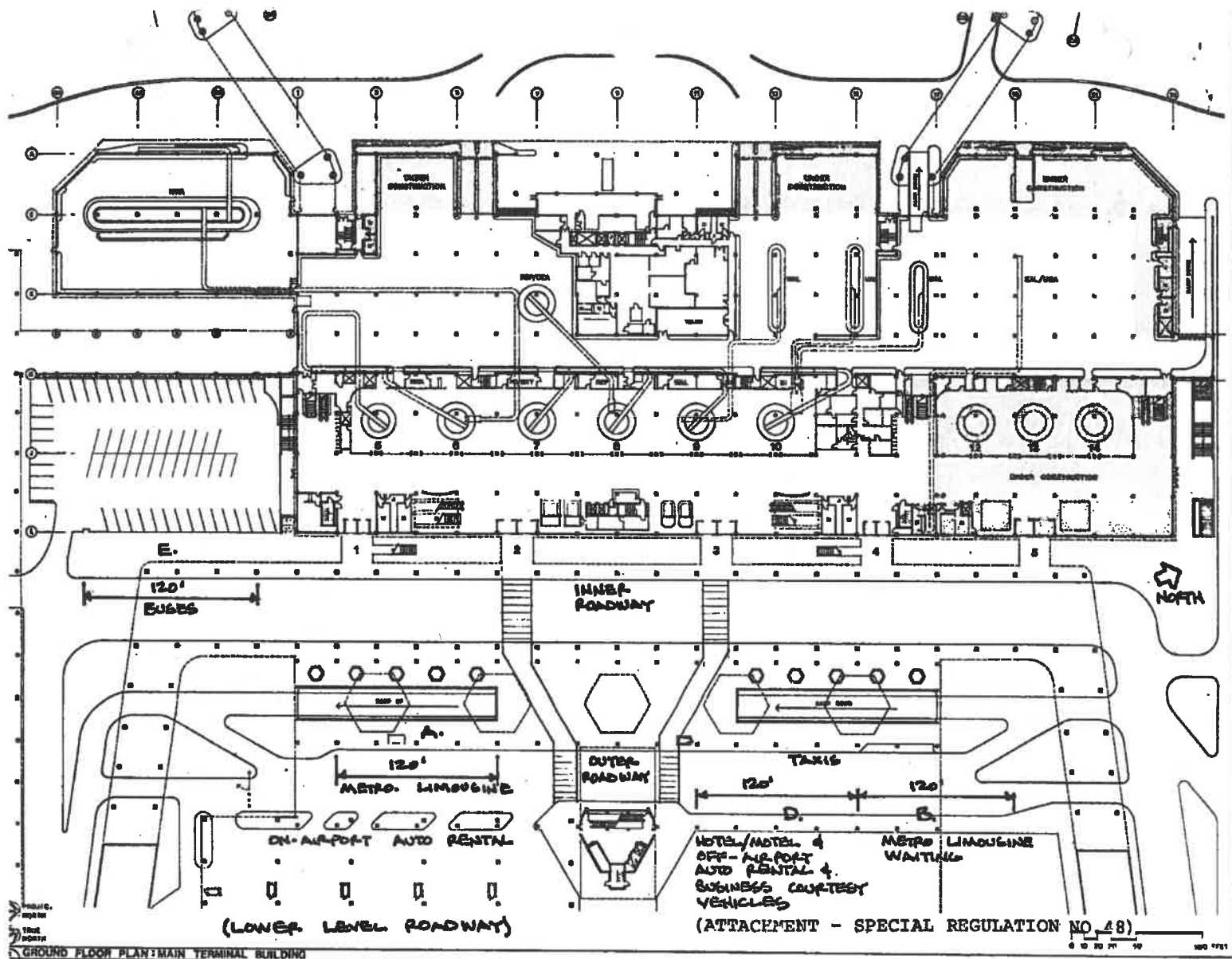
Adopted at a regular Commission meeting October 20, 1980, by vote of a majority of the Commissioners present and voiting, and there being a quorum present and voting thereon.

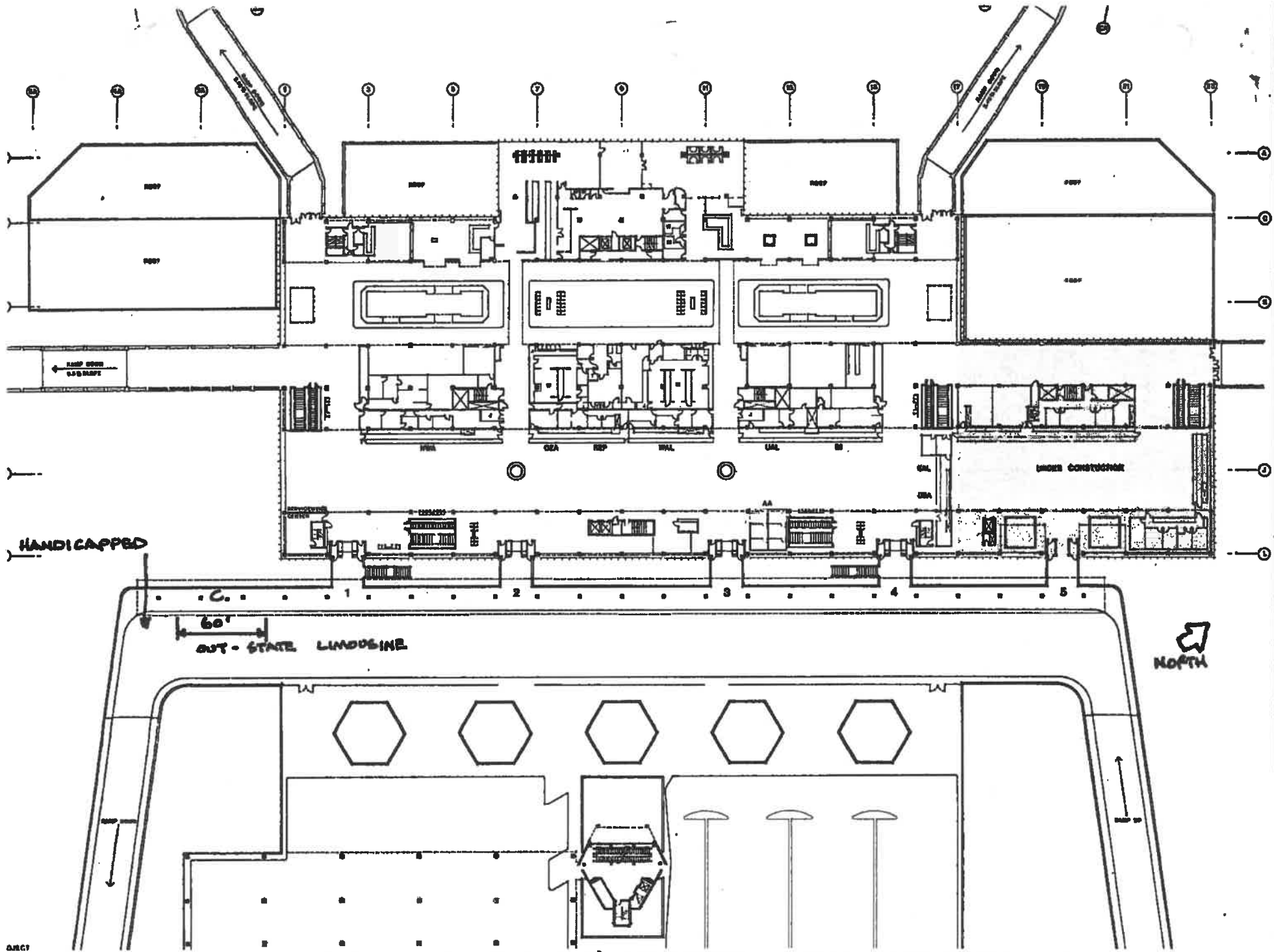
Notice of Adoption of Special Regulation published in St. Paul Legal Ledger, October 28, 1980.

Notice of Adoption of Special Regulation published in Finance and Commerce, October 25, 1980.

Filed with the Secretary of State, October 29, 1980 with Affidavit of Publication from Finance and Commerce and St. Paul Legal Ledger.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT 28 1980
James Andrew Howe
Secretary of State





01001
 01001
 01001

AIN FLOOR PLAN: MAIN TERMINAL BUILDING

(UPPER LEVEL ROADWAY) (ATTACHMENT - SPECIAL REGULATION No. 48)

0 10 20 30 40 50 60 70 80 90 100 FEET

ORDINANCE NO. 6

An Ordinance regulating the height of structures and trees and the use of the property in the vicinity of Crystal Airport.

WHEREAS, the Minneapolis-Saint Paul Metropolitan Airports Commission considers it necessary for the purpose of promoting public health, safety, order, convenience and general welfare by protecting the lives and property of users of the Crystal Airport and of owners and occupants of land in its vicinity to adopt the following airport zoning ordinance applicable to Crystal Airport as authorized by Minnesota Laws 1945, Chapter 303 as amended, M.S.A. 360.061-360.074.

The Minneapolis-Saint Paul Metropolitan Airports Commission does ordain:

Section 1. Definitions. As used in this ordinance, unless the context otherwise requires:

- (1) "Airport" means the Crystal Airport, a public airport owned and being operated, maintained and developed by the Commission.
- (2) "Airport hazard" means any structure of tree or use of land, which obstructs the air space required for the flight of aircraft in landing or taking off at the airport or is otherwise hazardous to such landing or taking off of aircraft.
- (3) "Airport hazard area" means the area of land or water or both upon which an airport hazard might exist if not prevented as provided in this ordinance.
- (4) "Person" means any individual, firm, partnership, corporation, company, association, joint stock association or body politic, and includes any trustee, receiver, assignee or other similar representative thereof.
- (5) "Nonconforming use" means any structure, tree or use of land, which does not conform to a regulation prescribed in this ordinance or any amendment thereto as of the effective date of such regulation or amendment.
- (6) "Structure" means any object constructed or installed by man including but without limitation buildings, towers, smoke stacks and overhead transmission lines.
- (7) "Tree" means and includes any object of natural growth.
- (8) Zoning "map" means the Crystal Airport Zoning Map hereto attached and made a part of this ordinance.
- (9) "Master Plan" means the established airport layout as shown by Commission's Plan #2745B, Drawing 2 hereto attached and made a part of this ordinance.
- (10) "Airport reference point" means the center point of the airport hazard area, as designated on the zoning map.
- (11) "Commission" means Minneapolis-Saint Paul Metropolitan Airports Commission, herein referred to as MAC.

- (12) "Committee" means the MAC Airport Zoning Committee.
- (13) "Board" means the MAC Airport Zoning Appeal Board.
- (14) "Public notice" shall mean notice published at least twice with an interval of at least seven days between publication dates in the official newspaper of the cities of Minneapolis and Saint Paul, and of the county in which the airport is located.

Section 2. Airport Hazard Area, Airport Reference Point And Zones. The airport hazard area is the area surrounding the airport reference point as designated on the zoning map and is divided into zones, as shown on the zoning map, in respect to which zones height limits as hereinafter set forth will apply:

- (1) The landing zones are strips within the confines of the airport boundaries, designated in black on the map, and along which landings and take-offs are made and taxiing is done.
- (2) The approach zones are trapezoidal areas which extend beyond the ends of all landing zones as indicated on the zoning map.
- (3) The horizontal surface zones are areas having radii of 5,000 feet from the airport reference point and are shown on the zoning map.
- (4) The conical surface zones are areas lying immediately beyond the horizontal surface zones having to their outer-limits a radius of 8,000 feet from the airport reference point as shown on the zoning map.
- (5) The transition zones are irregular areas lying just outside of approach zones as shown on the zoning map.

Section 3. Height Limits. Except as otherwise provided in this ordinance, no structure shall be located, constructed, altered or maintained, and no tree shall be allowed to grow above height limits hereinafter established within any landing zone, approach zones, horizontal surface zones, conical surface zone or transition zones, said heights being measured in feet above established elevations as follows:

- (1) Within landing zones - the elevation of the surface of the landing strips except as required and as necessary and incidental to airport operations or as may be recommended by or is in accordance with rules of the Civil Aeronautics Administration.
- (2) Within approach zones - the established elevation for the beginning of each approach zone as shown on the Master Plan, plus one foot of height for every 30 feet of horizontal distance measured along the centerline of the approach zone from the end nearest the landing zone to a point on said centerline at right angles to the structure or tree in question.
- (3) Within horizontal surface zones - 150 feet above the established elevation of the airport, said established airport elevation being mean sea level elevation 869 feet.

- (4) Within conical surface zones - The elevation of the horizontal surface zone at 5,000 feet from the airport reference point plus one foot of height for every 20 feet of horizontal distance to 8,000 feet from the airport reference point.
- (5) Within transition zones - The height limit permitted at a point on the centerline of the nearest approach zone at right angles to the structure or tree in question plus one foot in height for every seven feet of horizontal distance from the nearest side boundary of said landing or approach zone to such structure or tree measured along a line at right angles to the centerline of such landing or approach zone.
- (6) Where zones overlap, the height limit shall be that of the zone imposing the more stringent height limit.

Section 4. Use Restrictions. Except as provided in Section 8 hereof, from and after the taking effect of this ordinance it shall be unlawful to put any land located within the airport hazard area to any of the following uses:

- (1) Any use which would create unreasonable interference with radio communication between aircraft and the airport or communication facilities in the vicinity thereof, or which would unreasonably interfere with other navigational aid or devices used by the airport or by aircraft using said airport, or with electronic navigational aids that may at the time of such interference be established for the vicinity thereof.
- (2) Any use which would materially reduce the visibility within the aforementioned airport hazard area or which would make it difficult for flyers in the vicinity of or on the airport to distinguish between airport lights or markers or other navigational lights or markers in the vicinity of the airport or which would result in glare in the eyes of flyers using the airport.
- (3) The conduct of any business or occupation, or any use, which business, occupation or use, by its very nature, is inherently dangerous or hazardous as respects likelihood of causing or resulting in injury or damage to aircraft or the occupants thereof flying to and from or in the vicinity of said airport, or persons present at or in the vicinity of said airport or lawfully in the vicinity thereof.
- (4) Any other use or uses which would be dangerous or hazardous to the safety of aircraft using the airport or maneuvering in the vicinity thereof or to the health, safety or general welfare of airport personnel and other persons using said airport.

Section 5. Existing Nonconforming Uses. The height limits and use restrictions as provided herein or as may hereafter be provided in any amendment hereto, except as hereinafter provided in Section 6, subdivision 2 and Section 9, subdivision 2, shall in no event be construed to interfere with the continuance of any nonconforming use or to require the removal, lowering or other change or alteration of any existing nonconforming tree, or of any nonconforming structure the construction or alteration of which was begun through the letting of contracts therefor prior to the effective date of this ordinance or amendment thereto and where such construction or alteration is prosecuted with reasonable diligence; provided that the provisions hereof shall not be construed as a limitation upon the rights conferred upon MAC by M.S.A. 360.074.

Section 6. Permits. Application shall be made and permit procured from the MAC Zoning Committee created hereunder in each of the following instances and subject to the following conditions:

- (1) Where it is desired to erect or locate structures, to increase the height of existing structures or to plant or transplant trees within the airport hazard area to a height in excess of ten feet below the height limit herein provided with respect thereto.
- (2) Where it is desired to replace, substantially alter or repair, rebuild, or relocate any nonconforming structure or tree within the airport hazard area, provided, however, that whenever the Committee determines that a nonconforming structure or tree within the airport hazard area has been abandoned or more than 80% torn down, destroyed, deteriorated or decayed no permit shall be granted.
- (3) No permit shall be granted that would allow the establishment or creation of an airport hazard or that would permit a nonconforming structure or tree or nonconforming use to be made or to become higher or to become a greater airport hazard than was the case under the applicable zoning regulations at the time when the application for permit was made.
- (4) In granting any permit, the Committee may, if it deems such action advisable to effectuate the purpose of this ordinance and reasonable in the circumstances, so condition such permit as to require the owner of a structure or tree in question to permit the MAC at its own expense to install, operate and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.
- (5) Whenever any person prior to erection, alteration or relocation of structures or planting or transplanting of trees within the airport hazard area makes a report of the contemplated erection, alteration or relocation of structures or the contemplated planting or transplanting of trees within said airport hazard area, to the committee, the committee shall promptly investigate and determine whether or not there would be a violation of the ordinance; and if a violation be found the committee shall so advise such person, who shall thereupon alter his plans so as to meet the requirements of the ordinance.

Section 7. Variances. Any person desiring to erect or to locate any structure or to increase the height thereof or to permit the growth of any tree or otherwise to use property within the airport hazard area contrary to the provisions of this ordinance may apply to the MAC Airport Zoning Appeal Board created hereunder for variance from the provisions of this ordinance. Such variance shall be allowed where literal application or enforcement of the provisions of this ordinance would result in practical difficulty or unnecessary hardship to the applicant, and where the relief granted would not be contrary to the public interest but would do substantial justice and would be in accordance with the spirit of these provisions. Any variance may be granted, however, subject to such reasonable conditions as the Board may deem necessary to effectuate the purposes of this ordinance, and the granting of such variance may be conditioned upon the owner of a structure or tree granting to the MAC the right at its expense to install, operate and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

- (1) Two copies of an application for variance, indicating the facts surrounding such application in sufficient detail to permit a determination of the application on its merits, shall be filed with the MAC Airport Zoning Committee which shall forthwith transmit one copy to the MAC Airport Zoning Appeal Board, the second copy being retained by the Committee for its files.

Section 8. Administration. For the administration and enforcement of the provisions of this ordinance there is hereby created an administrative agency to be known as the MAC Airport Zoning Committee, the same to consist of three members. The said Committee shall include one member of the Commission appointed by the said Commission to represent the City of Minneapolis, a second member of the Commission appointed by the said Commission to represent the City of Saint Paul and a third member who shall be the Executive Director of the said Commission serving ex officio. The members of the Committee, except the ex officio member, shall serve at the pleasure of the Commission. No compensation shall be paid members of the MAC Zoning Committee except reimbursement of actual expense.

- (1) The powers and duties of said administrative agency shall be as provided by Laws 1945, c. 303, as amended, M.S.A., sections 360.061-. 074.
- (2) Where a nonconforming structure or tree within the airport hazard area has been abandoned or more than 80% torn down, destroyed, deteriorated or decayed, although no application for permit has been made, the Committee may order the owner of such nonconforming structure or tree at the owner's expense to lower, remove, reconstruct or equip the same as may be necessary to conform to this ordinance, in which case the Committee shall give notice thereof to the owner, and if the owner shall neglect or refuse to comply with such order for ten days after notice is given, then the Committee may proceed to have such nonconforming structure or tree lowered, removed reconstructed or equipped and assess the cost and expense thereof against such structure or against the land whereon such structure or tree is or was located. Unless such an assessment is paid within ninety days from the date of service of notice thereof on the owner or upon the person in possession of such structure or tree or of the land upon which the same is or was located, the sum due shall bear interest at the rate of 8% per annum until paid and may be collected either by suit in a court of competent jurisdiction or in the same manner as are general taxes. Notice aforesaid shall be in writing and served in the same manner as a summons in a civil action.
- (3) Applications for permits shall be made to the Committee on forms prepared and furnished by it. The forms shall provide for a statement by applicant of the purpose for which the permit is applied, and for statement of applicant of all facts pertinent to the question whether or not the application should be granted. Such applications shall be promptly considered and the permit granted or denied by the Committee, notice in writing of the Committee's decision to be promptly delivered or mailed to the applicant.
- (4) All reports made pursuant to Section 6 hereof shall be received by the Committee and shall be reviewed by it promptly to determine whether there is an airport hazard, and if found that there is one, notice in writing of such finding setting forth the reasons therefor shall be promptly delivered or mailed to the person making such report.

- (5) All applications for variance shall be received by the Committee, which shall forthwith transmit the copy of such application to the MAC Airport Zoning Appeal Board, retaining a second copy of such application for the Committee's files. The Committee shall be represented at all hearings on applications for variance before the Board unless it shall attach its written approval to the application for variance on transmitting it to the Board.
- (6) The Committee shall have its office at the office of the MAC. It shall keep and file in its said office records of all its proceedings, all applications for permits and reports and of action thereon. The Committee shall also keep on file a record of all variances granted by the MAC Airport Zoning Appeal Board. The files of the Committee shall be open to the public.
- (7) The majority vote of the members shall control on all matters coming before it.

Section 9. Board of Adjustment. There is hereby created a MAC Airport Zoning Appeal Board consisting of five members. Two members shall be appointed by the Commission from the City of Minneapolis, two members shall be appointed by the Commission from the City of Saint Paul, and the fifth member shall be appointed by a majority vote of the other four members. No member of the MAC Airport Zoning Appeal Board may be a member of the MAC Airport Zoning Committee. Each member shall serve for a term of three years and until his successor is appointed and all members shall be removable by the Commission for cause upon written charges and after notice and opportunity for public hearing before the Commission. The powers and duties of said Board shall be as provided by Laws 1945, c. 303 as amended, M.S.A. Sections 360.061-.074.

Section 10. Appeals.

- (1) Any person aggrieved or taxpayer affected by any decision of the MAC Airport Zoning Committee made in its administration of this ordinance, or the Commission or any governing body or administrative agency of a political subdivision, if of the opinion that a decision of said Committee is an improper application of airport zoning regulations of concern of such Commission, governing body or administrative agency, may appeal to the MAC Airport Zoning Appeal Board from the decision of the Committee.
- (2) All appeals must be taken within a reasonable time, as provided by the rules of the Board, by filing with the Committee and with the Board a notice of appeal specifying the grounds thereof. The Committee shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.
- (3) An appeal shall stay all proceedings in furtherance of the action appealed from unless the Committee certifies to the Board after notice of appeal has been filed with it that by reason of the facts set forth in the certificate a stay would in its opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by order of the Board on due notice to the Committee and on due cause shown.

- (4) The Board shall fix a reasonable time for the hearing of appeals, give public notice and due notice to the parties in interest and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.
- (5) The Board may in conformity with the provisions of this ordinance reverse or affirm wholly or partly or modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end the Board shall have all the powers of the MAC Airport Zoning Committee from which the appeal is taken.

Section 11. Judicial Review. Any person aggrieved or taxpayer affected by any decision of the MAC Airport Zoning Appeal Board, or any governing body or administrative agency of a political subdivision which is of the opinion that a decision of the Committee is illegal will have such right of judicial review as is provided in Minnesota Laws 1945, Chapter 303 as amended upon exhausting the administrative remedies herein provided.

- (1) In any case in which provision or provisions of this Ordinance are held by a court to interfere with the use or enjoyment of a particular structure or parcel of land to such an extent or to be so onerous in their application to such a structure or parcel of land as to constitute a taking or deprivation of that property in violation of the constitution of this state or of the United States, such holding shall not affect the application of such provisions as to other structures and parcels of land.

Section 12. Violation and Penalty. Every person who within the airport hazard area shall construct, locate or maintain, substantially change or substantially alter or repair any existing structure or plant, transplant or permit the growth of any tree or make use of property contrary to the terms of this ordinance, or who having been granted a permit or variance as herein provided, shall construct, locate, substantially change or substantially alter or repair any existing growth or structure or permit the growth of any tree except as permitted by such permit or variance, or who otherwise shall violate the terms hereof or regulations, orders or rules promulgated hereunder, shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$300 or imprisonment for not more than 90 days or by both such fine and imprisonment. Each day a violation continues to exist shall constitute a separate offense, provided however, that where a report has been made and filed with the MAC Airport Zoning Committee as herein provided, for the purposes of this section there shall be no violation within the meaning of this section until the Committee has given notice that the alteration, erection or location of structures or planing or transplanting of trees, in respect to which such report is made and filed, constitutes an airport hazard in violation of this ordinance, and reasonable opportunity has been given to remove the hazard. (As amended by MAC Ordinance 39 adopted and in effect January 10, 1972)

- (1) In addition, the MAC may institute in any court of competent jurisdiction an action to prevent, restrain, correct or abate any violation of this ordinance or of regulations, orders or rulings promulgated hereunder, and the court shall adjudge to the Commission such relief by way of injunction (which may be mandatory) or otherwise as may be proper under all the facts and circumstances of the case in order to fully effectuate the purposes of this ordinance and of regulations, orders and rulings promulgated pursuant thereto.

Section 13. Severability. If any of the provisions of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 14. Effective Date. This ordinance shall be in full force and effect from and after its adoption.

Passed by the Minneapolis-Saint Paul Metropolitan Airports Commission on the 25th day of August, 1952.

Filed in the office of the Secretary of State on the 2nd day of September, 1952.

Map filed on the 10th day of September, 1952.

ATTACHMENT AVAILABLE UPON REQUEST

ORDINANCE NO. 7

An Ordinance regulating the height of structures and trees and the use of the property in the vicinity of Lake Elmo Airport.

WHEREAS, the Minneapolis-Saint Paul Metropolitan Airports Commission considers it necessary for the purpose of promoting public health, safety, order, convenience and general welfare by protecting the lives and property of users of the Lake Elmo Airport and of owners and occupants of land in its vicinity to adopt the following airport zoning ordinance applicable to Lake Elmo Airport as authorized by Minnesota Laws 1945, Chapter 303 as amended, M.S.A. 360.061-360.074.

The Minneapolis-Saint Paul Metropolitan Airports Commission does ordain:

Section 1. Definitions. As used in this ordinance, unless the context otherwise requires:

- (1) "Airport" means the Lake Elmo Airport, a public airport owned and being operated, maintained and developed by the Commission.
- (2) "Airport hazard" means any structure or tree or use of land, which obstructs the air space required for the flight of aircraft in landing or taking off at the airport or is otherwise hazardous to such landing or taking off of aircraft.
- (3) "Airport hazard area" means the area of land or water or both upon which an airport hazard might exist if not prevented as provided in this ordinance.
- (4) "Person" means any individual, firm, partnership, corporation, company, association, joint stock association or body politic, and includes any trustee, receiver, assignee or other similar representative thereof.
- (5) "Nonconforming use" means any structure, tree or use of land, which does not conform to a regulation prescribed in this ordinance or any amendment thereto as of the effective date of such regulation or amendment.
- (6) "Structure" means any object constructed or installed by man including but without limitation buildings, towers, smoke stacks and overhead transmission lines.
- (7) "Tree" means and includes any object of natural growth.
- (8) Zoning "map" means the Lake Elmo Airport Zoning Map hereto attached and made a part of this ordinance.
- (9) "Master Plan" means the established airport layout as shown by Commission's Plan #3975, Drawing 4, hereto attached and made a part of this ordinance.
- (10) "Airport reference point" means the center point of the airport hazard area, as designated on the zoning map.
- (11) "Commission" means Minneapolis-Saint Paul Metropolitan Airports Commission, herein referred to as MAC.

- (12) "Committee" means the MAC Airport Zoning Committee.
- (13) "Board" means the MAC Airport Zoning Appeal Board.
- (14) "Public notice" shall mean notice published at least twice with an interval of at least seven days between publication dates in the official newspaper of the cities of Minneapolis and Saint Paul, and of the county in which the airport is located.

Section 2. Airport Hazard Area, Airport Reference Point And Zones. The airport hazard area is the area surrounding the airport reference point as designated on the zoning map and is divided into zones as shown on the zoning map, in respect to which zones height limits as hereinafter set forth will apply:

- (1) The landing zones are strips within the confines of the airport boundaries, designated in black on the map, and along which landings and take-offs are made and taxiing is done.
- (2) The approach zones are trapezoidal areas which extend beyond the ends of all landing zones as indicated on the zoning map.
- (3) The horizontal surface zones are areas having radii of 5,000 feet from the airport reference point and are shown on the zoning map.
- (4) The conical surface zones are areas lying immediately beyond the horizontal surface zones having to their outer limits a radius of 8,000 feet from the airport reference point as shown on the zoning map.
- (5) The transition zones are irregular areas lying just outside of approach zones as shown on the zoning map.

Section 3. Height Limits. Except as otherwise provided in this ordinance, no structure shall be located, constructed, altered or maintained, and no tree shall be allowed to grow above height limits hereinafter established within any landing zone, approach zones, horizontal surface zones, conical surface zone or transition zone, said heights being measured in feet above established elevations as follows:

- (1) Within landing zones - the elevation of the surface of the landing strips except as required and as necessary and incidental to airport operations or as may be recommended by or be in accordance with rules of the Civil Aeronautics Administration.
- (2) Within approach zones - the established elevation for the beginning of each approach zone as shown on the Master Plan, plus one foot of height for every 30 feet of horizontal distance measured along the centerline of the approach zone from the end nearest the landing zone to a point on said centerline at right angles to the structure or tree in question.
- (3) Within horizontal surface zones - 150 feet above the established elevation of the airport, said established airport elevation being mean sea level elevation 869 feet.

- (4) Within conical surface zones - The elevation of the horizontal surface zone at 5,000 feet from the airport reference point plus one foot of height for every 20 feet of horizontal distance to 8,000 feet from the airport reference point.
- (5) Within transition zones - The height limit permitted at a point on the centerline of the nearest approach zone at right angles to the structure or tree in question plus one foot in height for every seven feet of horizontal distance from the nearest side boundary of said landing or approach zone to such structure or tree measured along a line at right angles to the centerline of such landing or approach zone.
- (6) Where zones overlap, the height limit shall be that of the zone imposing the more stringent height limit.

Section 4. Use Restrictions. Except as provided in Section 8 hereof, from and after the taking effect of this ordinance it shall be unlawful to put any land located within the airport hazard area to any of the following uses:

- (1) Any use which would create unreasonable interference with radio communication between aircraft and the airport or communication facilities in the vicinity thereof, or which would unreasonably interfere with other navigational aid or devices used by the airport or by aircraft using said airport, or with electronic navigational aids that may at the time of such interference be established for the vicinity thereof.
- (2) Any use which would materially reduce the visibility within the aforementioned airport hazard area or which would make it difficult for flyers in the vicinity of or on the airport to distinguish between airport lights or markers or other navigational lights or markers in the vicinity of the airport, or which would result in glare in the eyes of flyers using the airport.
- (3) The conduct of any business or occupation, or any use, which business, occupation or use, by its very nature is inherently dangerous or hazardous as respects likelihood of causing or resulting in injury or damage to aircraft or the occupants thereof flying to and from or in the vicinity of said airport, or persons present at or in the vicinity of said airport or lawfully in the vicinity thereof.
- (4) Any other use or uses which would be dangerous or hazardous to the safety of aircraft using the airport or maneuvering in the vicinity thereof or to the health, safety or general welfare of airport personnel and other persons using said airport.

Section 5. Existing Nonconforming Uses. The height limits and use restrictions as provided herein or as may hereafter be provided in any amendment hereto, except as hereinafter provided in Section 6, subdivision 2 and Section 9, subdivision 2 shall in no event be construed to interfere with the continuance of any nonconforming use or to require the removal, lowering or other change or alteration of any existing nonconforming tree, or of any nonconforming structure the construction or alteration of which was begun through the letting of contracts therefor prior to the effective date of this ordinance or amendment thereto and where such construction or alteration is prosecuted with reasonable diligence; provided that the provisions hereof shall not be construed as a limitation upon the rights conferred upon MAC by M.S.A. 360.074.

Section 6. Permits. Application shall be made and permit procured from the MAC Zoning Committee created hereunder in each of the following instances and subject to the following conditions:

- (1) Where it is desired to erect or locate structures, to increase the height of existing structures or to plant or transplant trees within the airports hazard area to a height in excess of ten feet below the height limit herein provided with respect thereto.
- (2) Where it is desired to replace, substantially alter or repair, rebuild or relocate any nonconforming structure or tree within the airport hazard area, provided, however, that whenever the Committee determines that a nonconforming structure or tree within the airport hazard area has been abandoned or more than 80% torn down, destroyed, deteriorated or decayed no permit shall be granted.
- (3) No permit shall be granted that would allow the establishment or creation of an airport hazard or that would permit a nonconforming structure or tree or nonconforming use to be made or to become higher or to become a greater airport hazard than was the case under the applicable zoning regulations at the time when the application for permit was made.
- (4) In granting any permit, the Committee may, if it deems such action advisable to effectuate the purpose of this ordinance and reasonable in the circumstances, so condition such permit as to require the owner of a structure or tree in question to permit the MAC at its own expense to install, operate and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.
- (5) Whenever any person prior to erection, alteration or relocation of structures or planting or transplanting of trees within the airport hazard area makes a report of the contemplated erection, alteration or relocation of structures or the contemplated planting or transplanting of trees within said airport hazard area, to the committee, the committee shall promptly investigate and determine whether or not there would be a violation of the ordinance; and if a violation be found, the committee shall so advise such person, who shall thereupon alter his plans so as to meet the requirements of the ordinance.

Section 7. Variances. Any person desiring to erect or to locate any structure or to increase the height thereof or to permit the growth of any tree or otherwise to use property within the airport hazard area contrary to the provisions of this ordinance may apply to the MAC Airport Zoning Appeal Board created hereunder for variance from the provisions of this ordinance. Such variance shall be allowed where literal application or enforcement of the provisions of this ordinance would result in practical difficulty or unnecessary hardship to the applicant, and where the relief granted would not be contrary to the public interest but would do substantial justice and would be in accordance with the spirit of these provisions. Any variance may be granted, however, subject to such reasonable conditions as the Board may deem necessary to effectuate the purposes of this ordinance, and the granting of such variance may be conditioned upon the owner of a structure or tree granting to the MAC the right at its expense to install, operate and maintain thereon such markers and lights as may be necessary to indicate to flyers the presence of an airport hazard.

- (1) Two copies of an application for variance, indicating the facts surrounding such application in sufficient detail to permit a determination of the application on its merits, shall be filed with the MAC Airport Zoning Committee which shall forthwith transmit one copy to the MAC Airport Zoning Appeal Board, the second copy being retained by the Committee for its files.

Section 8. Administration. For the administration and enforcement of the provisions of this ordinance there is hereby created an administrative agency to be known as the MAC Airport Zoning Committee, the same to consist of three members. The said Committee shall include one member of the Commission appointed by the said Commission to represent the City of Minneapolis, a second member of the Commission appointed by the said Commission to represent the City of Saint Paul and a third member who shall be the Executive Director of the said Commission serving ex officio. The members of the Committee, except the ex officio member, shall serve at the pleasure of the Commission. No compensation shall be paid members of the MAC Zoning Committee except reimbursement of actual expense.

- (1) The powers and duties of said administrative agency shall be as provided by Laws 1945, c. 303, as amended, M.S.A., sections 360.061-. 074.
- (2) Where a nonconforming structure or tree within the airport hazard area has been abandoned or more than 80% torn down, destroyed, deteriorated or decayed, although no application for permit has been made, the Committee may order the owner of such nonconforming structure or tree at the owner's expense to lower, remove, reconstruct or equip the same as may be necessary to conform to this ordinance, in which case the Committee shall give notice thereof to the owner, and if the owner shall neglect or refuse to comply with such order for ten days after notice is given, then the Committee may proceed to have such nonconforming structure or tree lowered, removed reconstructed or equipped and assess the cost and expense thereof against such structure or against the land whereon such structure or tree is or was located. Unless such an assessment is paid within ninety days from the date of service of notice thereof on the owner or upon the person in possession of such structure or tree or of the land upon which the same is or was located, the sum due shall bear interest at the rate of 8% per annum until paid and may be collected either by suit in a court of competent jurisdiction or in the same manner as are general taxes. Notice aforesaid shall be in writing and served in the same manner as a summons in a civil action.
- (3) Applications for permits shall be made to the Committee on forms prepared and furnished by it. The forms shall provide for a statement by applicant of the purpose for which the permit is applied, and for statement of applicant of all facts pertinent to the question whether or not the application should be granted. Such applications shall be promptly considered and the permit granted or denied by the Committee, notice in writing of the Committee's decision to be promptly delivered or mailed to the applicant.
- (4) All reports made pursuant to Section 6 hereof shall be received by the Committee and shall be reviewed by it promptly to determine whether there is an airport hazard, and if found that there is one, notice in writing of such finding setting forth the reasons therefor shall be promptly delivered or mailed to the person making such report.

- (5) All applications for variance shall be received by the Committee, which shall forthwith transmit the copy of such application to the MAC Airport Zoning Appeal Board, retaining a second copy of such application for the Committee's files. The Committee shall be represented at all hearings on applications for variance before the Board unless it shall attach its written approval to the application for variance on transmitting it to the Board.
- (6) The Committee shall have its office at the office of the MAC. It shall keep and file in its said office records of all its proceedings, all applications for permits and reports and of action thereon. The Committee shall also keep on file a record of all variances granted by the MAC Airport Zoning Appeal Board. The files of the Committee shall be open to the public.
- (7) The majority vote of the members shall control on all matters coming before it.

Section 9. Board of Adjustment. There is hereby created a MAC Airport Zoning Appeal Board consisting of five members. Two members shall be appointed by the Commission from the City of Minneapolis, two members shall be appointed by the Commission from the City of Saint Paul, and the fifth member shall be appointed by a majority vote of the other four members. No member of the MAC Airport Zoning Appeal Board may be a member of the MAC Airport Zoning Committee. Each member shall serve for a term of three years and until his successor is appointed, and all members shall be removable by the Commission for cause upon written charges and after notice and opportunity for public hearing before the Commission. The powers and duties of said Board shall be as provided by Laws 1945, c. 303, as amended, M.S.A. Sections 360.061-.074.

Section 10. Appeals.

- (1) Any person aggrieved or taxpayer affected by any decision of the MAC Airport Zoning Committee made in its administration of this ordinance, or the Commission or any governing body or administrative agency of a political subdivision, if of the opinion that a decision of said Committee is an improper application of airport zoning regulations of concern of such Commission, governing body or administrative agency, may appeal to the MAC Airport Zoning Appeal Board from the decision of the Committee.
- (2) All appeals must be taken within a reasonable time, as provided by the rules of the Board, by filing with the Committee and with the Board a notice of appeal specifying the grounds thereof. The Committee shall forthwith transmit to the Board all papers constituting the record upon which the action appealed from was taken.
- (3) An appeal shall stay all proceedings in furtherance of the action appealed from unless the Committee certifies to the Board after notice of appeal has been filed with it that by reason of the facts set forth in the certificate a stay would in its opinion cause imminent peril to life or property. In such case, proceedings shall not be stayed otherwise than by order of the Board on due notice to the Committee and on due cause shown.

- (4) The Board shall fix a reasonable time for the hearing of appeals, give public notice and due notice to the parties in interest and decide the same within a reasonable time. Upon the hearing any party may appear in person or by agent or by attorney.
- (5) The Board may in conformity with the provisions of this ordinance reverse or affirm wholly or partly or modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end the Board shall have all the powers of the MAC Airport Zoning Committee from which the appeal is taken.

Section 11. Judicial Review. Any person aggrieved or taxpayer affected by any decision of the MAC Airport Zoning Appeal Board, or any governing body or administrative agency of a political subdivision which is of the opinion that a decision of the Committee is illegal will have such right of judicial review as is provided in Minnesota Laws 1945, Chapter 303 as amended upon exhausting the administrative remedies herein provided.

- (1) In any case in which provision or provisions of this ordinance are held by a court to interfere with the use or enjoyment of a particular structure or parcel of land to such an extent or to be so onerous in their application to such a structure or parcel of land as to constitute a taking or deprivation of that property in violation of the constitution of this state or of the United States, such holding shall not affect the application of such provisions as to other structures and parcels of land.

Section 12. Violation and Penalties. Every person who within the airport hazard area shall construct, locate or maintain, substantially change or substantially alter or repair any existing structure or plant, transplant or permit the growth of any tree or make use of property contrary to the terms of this ordinance, or who having been granted a permit or variance as herein provided, shall construct, locate, substantially change or substantially alter or repair any existing growth or structure or permit the growth of any tree except as permitted by such permit or variance, or who otherwise shall violate the terms hereof or regulations, orders or rules promulgated hereunder, shall be guilty of a misdemeanor and shall be punished by a fine of not more than \$300 or imprisonment for not more than 90 days or by both such fine and imprisonment. Each day a violation continues to exist shall constitute a separate offense, provided, however, that where a report has been made and filed with the MAC Airport Zoning Committee as herein provided, for the purposes of this section there shall be no violation within the meaning of this section until the Committee has given notice that the alteration, erection or location of structures or planting or transplanting of trees, in respect to which such report is made and filed, constitutes an airport hazard in violation of this ordinance, and reasonable opportunity has been given to remove the hazard. (As amended by MAC Ordinance 39 adopted and in effect January 10, 1972)

- (1) In addition, the MAC may institute in any court of competent jurisdiction an action to prevent, restrain, correct or abate any violation of this ordinance or of regulations, orders or rulings promulgated hereunder, and the court shall adjudge to the Commission such relief by way of injunction (which may be mandatory) or otherwise as may be proper under all the facts and circumstances of the case in order to fully effectuate the purposes of this ordinance and of regulations, orders and rulings promulgated pursuant thereto.

Section 13. Severability. If any of the provisions of this ordinance or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the ordinance which can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are declared to be severable.

Section 14. Effective Date. This ordinance shall be in full force and effect from and after its adoption.

Passed by the Minneapolis-Saint Paul Metropolitan Airports Commission on the 25th day of August, 1952.

Filed in the office of the Secretary of State on the 2nd day of September, 1952.

Map filed on the 10th day of September, 1952.

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

ORDINANCE NO. 10

An Ordinance regulating the use to be made of the northeasterly 1,000 feet of the Northeast-Southwest Runway at Wold-Chamberlain Field, and providing penalties for violations thereof.

Minneapolis-Saint Paul Metropolitan Airports Commission, a public corporation, organized and operating under Minn. Stat. 1953, 360.101-360.125, does ordain, as and with respect to the use to be made of the northeasterly 1,000 feet of the Northeast-Southwest Runway at Wold-Chamberlain Field as follows:

Section 1. The northeasterly 1,000 feet of the Northeast-Southwest Runway shall not be used for landings by non-military aircraft of any kind or type, or for takeoffs by such aircraft except when wind conditions require its use for takeoffs in the interest of safety.

Section 2. Use of the said 1,000 feet of said runway shall be permitted for taxiing by any aircraft and for overruns in landings by any aircraft landing from the Southwest.

Section 3. The Air Force at its sole expense shall be permitted to construct and operate aircraft arresting barriers 100 feet or thereabouts to the northeast of the northeasterly 1,000 feet of said runway, and to surface the space between said northeast end of said runway and said barriers provided such construction and operation is approved by the Regional Administrator of the CAA, it being understood that the surfacing of said space shall not be construed as an extension of said Northeast-Southwest Runway.

Section 4. Upon the removal of the jet plane activities of the military forces from Wold-Chamberlain Field the northeasterly 1,000 feet of said Northeast-Southwest Runway shall not thereafter be reconstructed, resurfaced or in any manner be reconditioned for use for runway purposes.

Section 5. The foregoing conditions as to the use to be made of the northeasterly 1,000 feet of the Northeast-Southwest Runway shall be implemented by identification of said 1,000 feet by appropriate painted and lighted markings; by the publication of this Ordinance and the filing thereof with proof of publication with the Secretary of State of the State of Minnesota; by service of this Ordinance on, by the delivery of copies thereof to the Air Force, the Navy, the airlines and all other users of said northeasterly 1,000 feet of said runway; and by delivery of a copy of this Ordinance to the Civil Aeronautics Administrator for use of the several divisions of the Civil Aeronautics Administration, including airport traffic control, airway traffic control, air carriers, aviation safety and airports, with the request to said Civil Aeronautics Administrator that such agencies be requested at appropriate times and places to notify all users of Wold-Chamberlain Field of the conditions imposed with respect to the use of said northeasterly 1,000 feet of said runway.

Section 6. The Commission shall institute from time to time as necessity may require, a suit or suits for an injunction or injunctions to enforce compliance with this Ordinance.

Section 7. Any person, as defined in Minn. Stat. 1953, 360.102, Subd. 7, violating any of the provisions of this Ordinance shall upon conviction be punished by imprisonment in jail or workhouse for not more than 90 days or by a fine of no more than \$300, or both. (As amended by MAC Ordinance 39 adopted and in effect 10th January, 1972).

Sections 8. This Ordinance shall take effect and be in force from and after the filing thereof with proof of publication in the office of the Secretary of State of the State of Minnesota, which said filing shall be made within twenty (20) days after the adoption of such Ordinance, all as provided by Minn. Stat. 1953, 360.105, Subd. 17.

Adopted and enacted at the regular meeting of Minneapolis-Saint Paul Metropolitan Airports Commission held on May 6, 1957.

The matter of the identification of the northeasterly 1,000 feet of the Northeast-Southwest Runway at Wold-Chamberlain Field, pursuant to Commission's Ordinance No. 10, Section 5 thereof, enacted by the Commission at its meeting of May 6, 1957, came up for consideration and following explanation of the matter, Commissioner _____ presented and moved the adoption and enactment of an Ordinance, supplementing and amending Commission's Ordinance No. 10, to be designated as Commission's Ordinance No. 11, reading as follows:

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

ORDINANCE NO. 11

An Ordinance supplementing and amending Commission's Ordinance No. 10, regulating the use to be made of the northeasterly 1,000 feet of the Northeast-Southwest Runway at Wold-Chamberlain Field, and providing penalties for violations thereof.

Minneapolis-Saint Paul Metropolitan Airports Commission does ordain that Commission's Ordinance No. 10 be supplemented and amended by adding thereto a section to be designated as Section 9, reading as follows:

Section 9. The identification of the northeasterly 1,000 feet of the Northeast-Southwest Runway, Wold-Chamberlain Field, be as follows:

- (a) That the relocated threshold and the northeasterly 1,000 feet of the Northeast-Southwest Runway be marked by white paint on the runway in accordance with CAA Drawing No. 925 dated 12-05-55 entitled "Proposed standard for marking runway ends not usable for landings";
- (b) That the relocated threshold and the northeasterly 1,000 feet of the runway be lighted in accordance with TSO-N1c and AGA-NS7, the relocated threshold lights to be green and the original threshold lights and the runway lights along the northeasterly 1,000 feet of the Northeast-Southwest Runway to be revised to show red in the approach direction and clear in the takeoff direction;

such identification, (a) and (b) being as indicated on Commission's 2690 K5 Drawing 2 dated June 11, 1957, as revised July 12, 1957, the same being on file with and part of the records of the Commission.

- (c) That notice of said identification and copy of this Ordinance, Ordinance No. 11, be served on all parties mentioned in Section 5 of Ordinance No. 10 and as therein provided; and that said Ordinance No. 11 be published and such Ordinance with proof of publication thereof be filed with the Secretary of State of the State of Minnesota, all as by law required.

Commissioner _____ seconded the motion, and the same was carried unanimously and said Ordinance No. 11, supplementing and amending said Ordinance No. 10, was adopted and enacted unanimously on the following roll call vote:

Ayes:
Nays: None
Absent: None,

and the said motion was declared carried and the said Ordinance, Ordinance No. 11, amending said Ordinance No. 10 was declared adopted and enacted.

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

ORDINANCE NO. 35

An Ordinance to promote and serve public convenience and welfare in furtherance of management and operation of Minneapolis-Saint Paul International Airport-Wold-Chamberlain Field; to require reporting by fixed base operators on a daily basis to the Commission covering transient aircraft operations to, at or from the airport; and to prescribe penalties for violation thereof.

The Minneapolis-Saint Paul 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:

- 1.1 **AIRPORT** - Minneapolis-Saint Paul International Airport-Wold-Chamberlain Field, a public airport under the supervision, operation, direction and control of the Commission, and located in the County of Hennepin and State of Minnesota.
- 1.2 **COMMISSION** - The Minneapolis-Saint Paul Metropolitan Airports Commission, a public corporation and agency of the State of Minnesota.
- 1.3 **FIXED BASE OPERATOR** - A commercial operator at the airport whose operations under agreement with the Commission encompass some or all of the following: The furnishing of services such as aircraft storage, aircraft repairs, aircraft flight instruction, air charter flights, and sale of aircraft, aircraft parts and equipment, aviation fuel and other petroleum products for use in aircraft.
- 1.4 **TRANSIENT AIRCRAFT** - Aircraft, not having the airport as its home base, making use of the airport for charter, air taxi, personal or business use other than first and second level air carriers operating under certificate of convenience and necessity from regulatory agency of the Federal government or a Minnesota regulatory agency on scheduled flights or otherwise incident to such air carrier or permitted use of the airport pursuant to operating and leasing agreements with the Commission.

Section 2. - DAILY LOG OF TRANSIENT AIRCRAFT OPERATION.

Each fixed base operator at the airport shall keep a daily log on form furnished by the office of the airport director of the airport, covering the following information as to transient aircraft operations to, at or from each such fixed base operator's area of operation at the airport, to-wit:

- (1) The make, model and license number of each transient aircraft,
- (2) The name of the transient aircraft owner and owner's address or the home base of such aircraft,
- (3) Date of arrival to and/or departure from the airport,
- (4) If departing, the announced destination,

- (5) The number of arriving and/or departing passengers including crew,
- (6) The number of pounds of freight or cargo off-loaded and/or on-loading, and
- (7) nature of operation.

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

ORDINANCE NO. 37

An Ordinance of the Minneapolis-Saint Paul Metropolitan Airports Commission relating to the management and operation of its airports, adopted to promote the public safety and welfare and to protect the public interest in labor-management peace thereat; prohibiting the use of professional strikebreakers; and prescribing the penalties for violation thereof.

The Minneapolis-Saint Paul Metropolitan Airports Commission does ordain:

Section 1. The Commission finds that the recruiting, procuring, supplying or referring for purposes of employment and the employment of and service through employment as a professional strikebreaker, as hereinafter defined, in the course of labor disputes at the Commission's airports contributes to industrial strife and endangers the peace, safety and welfare of the public in their use of said airports.

Section 2. When uses herein, the terms "person" includes individuals, partnerships, corporations, associations, and firms, and any officer, employee, or agent thereof; "labor dispute" includes any controversy between an employer and his employees which results in a strike or lockout; "professional strikebreaker" includes any person who repeatedly secures or seeks to secure gainful employment by offering to take the place of or replace any employee absent from his position because of a labor dispute; securing or seeking to secure such employment more than twice within the period of one calendar year at any of Commission's airports or elsewhere shall constitute prima facie evidence that the person involved is a professional strikebreaker.

Section 3.

- (a) No person shall recruit, procure, supply or refer for purposes of employment any professional strikebreaker in place of any employee involved in a labor dispute in which such person is not directly involved.
- (b) No person involved in a labor dispute shall, either directly or indirectly:
 - (1) employ in the place of any employee involved in such labor dispute any professional strikebreaker during the course of the labor dispute; or
 - (2) contract or arrange with any other person to recruit, procure, supply or refer for purposes of employment any professional strikebreaker in place of employees involved in such a labor dispute.
- (c) No professional strikebreaker shall take or offer to take the place of any employee involved in a labor dispute during the course of that dispute.

Section 4. Nothing contained herein shall be construed to prevent or prohibit a person involved in a labor dispute from conducting lawful business operations so long as such operations do not include the employment of professional strikebreakers.

Section 5. Any person violating any provision hereof shall be guilty of a misdemeanor for which sentence of not more than ninety (90) days or a fine of not more than \$300.00, or both, may be imposed.

Section 6. This Ordinance, upon filing of the same with proof of publication with the Secretary of State of the State of Minnesota, shall thereafter be in full force and effect.

Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission on the 5th day of January, 1970 by seven (7) votes for, no votes against, and two (2) absent.

Published in the St. Paul Legal Ledger, a legal newspaper of the City of Saint-Paul on the 8th day of January, 1970.

Published in Finance and Commerce, a legal newspaper of the City of Minneapolis on the 8th day of January, 1970.

Filed with proof of publication in the office of the Secretary of State on the 16th day of January, 1970.

ORDINANCE NO. 39

An Ordinance, adopted to conform to the penalty requirements as set out in Chapter 27 Minnesota Extra Session Laws 1971 and Chapter 739 Minnesota Session Laws 1969; amending Ordinance No. 12 and revoking Ordinance No. 36 heretofore adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission to apply the penalties as prescribed by State law for violation of Commission ordinances including traffic violations; establishing those traffic violations determined to be petty misdemeanors thereunder; to carry into effect the purposes of the Commission's organic law relating to the internal operations of the Commission and to the management and operation of its airports, and more particularly violations covered by Commission ordinances adopted under Minnesota laws and more particularly under Minnesota Statutes §360.107, Subd. 17.

The Minneapolis-Saint Paul Metropolitan Airports Commission does ordain:

SECTION 1 - Section 5 of Ordinance No. 12 of the Minneapolis-Saint Paul Metropolitan Airports Commission be and hereby is amended to read:

Section 5. Violations of the provisions of this Ordinance shall constitute petty misdemeanors consistent with and to the extent that such violations under Chapter 27, Minnesota Extra Session Laws 1971 are so considered as petty misdemeanors. The penalty for violations constituting petty misdemeanors, upon conviction, shall be a fine of not more than \$100. Violations of the provisions of this ordinance which, consistent with the provisions of Chapter 27, Minnesota Extra Session Laws 1971 do not constitute petty misdemeanors, unless specific penalty is otherwise stated herein as applicable thereto, shall upon conviction be by imprisonment in jail or workhouse for not more than ninety (90) days or by a fine of not more than three hundred dollars (\$300), or both.

SECTION 2 - Wherever in Minneapolis-Saint Paul Metropolitan Airports Commission's Ordinances numbered 6, 7, 10, 27, 28, 31, 34, and 35 the penalty for violation of the same as a misdemeanor pursuant to Minnesota Statutes §360.107, Subd. 17, calls for imprisonment in jail or workhouse for not more than ninety (90) days or by fine of not more than \$100, such penalty for violation of said ordinance is hereby amended, and violation of any of said ordinances shall constitute a misdemeanor for which a sentence of not more than ninety (90) days or a fine of not more than \$300, or both, may be imposed.

SECTION 3 - Minneapolis-Saint Paul Metropolitan Airports Commission's ordinance numbered 36 is hereby revoked as of the effective date hereof.

SECTION 4 - The aforesaid Ordinances numbered 6, 7, 10, 12, 27, 28, 31, 34, and 35 as and to the extent heretofore amended in other particulars and as hereby amended is ratified and confirmed.

SECTION 5 - This Ordinance, upon filing of the same with proof of due publication with the Secretary of State of the State of Minnesota shall thereafter be in full force and effect.

Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission on the 20th day of December, 1971 by eight votes for, no votes against and one absent.

Published in the St. Paul Legal Ledger, a legal newspaper of the City of Saint Paul on the 24th day of December, 1971.

Published in Finance and Commerce, a legal newspaper of the City of Minneapolis on the 24th day of December, 1971.

Filed with proof of publication in the office of the Secretary of State on the 10th day of January, 1972.

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

ORDINANCE NO. 44

An Ordinance relating to the management and operation of its airports, adopted to promote the public health and welfare; providing for the monitoring and control of both incoming and outgoing air shipments of potentially radioactive materials and radioactive exposure resulting therefrom; providing for the charges to be made against shippers or recipients of such materials to finance such program; and prescribing the penalties for violation thereof.

WHEREAS, The Minneapolis-Saint Paul Metropolitan Airports Commission has determined that the transportation of radioactive packages via air transportation causes all air passenger flight crews and air freight ground personnel to be exposed to the radiation generated by these packages; and

WHEREAS, The Department of Transportation of the United States in promulgating regulations restricting the level of radiation which may be generated by radioactive cargos, has recognized the dangers to the public safety of cumulative radiation overexposure, and by the enactment of said regulations has sought to prevent such overexposure; and

WHEREAS, The number of radioactive packages being transported by air carriers is increasing significantly each year, thereby creating an increased level of radiation exposure to those either handling or proximate to these packages; and

WHEREAS, There is no current system or program to closely monitor the actual cumulative radiation levels in either the physical areas used for the transportation of radioactive packages or as absorbed by individuals whose employment necessitates the frequent and recurring handling of radioactive packages; and

WHEREAS, To ensure the present and future health and well-being of air passengers, and employees in the air commerce industry, there is an immediate and pressing need for a system to monitor the levels of cumulative radiation created by the shipment of radioactive packages;

The Minneapolis-Saint Paul Metropolitan Airports Commission hereby ordains:

I. DEFINITIONS

- (a) Airport means each public airport operating under the jurisdiction of the Commission.
- (b) Commission means the Minneapolis-Saint Paul Metropolitan Airports Commission.
- (c) Director means the Commission's Director of Noise Abatement and Environment Control, or his office, or such subordinates as he may from time to time designate.
- (d) Radioactive White I, Yellow II and Yellow III shall carry the meaning ascribed to them by 49 C.F.R. §173.399(a).

- (e) Monitoring Equipment shall mean any and/or all of the following:
 - (1) Fixed radiation devices which measure either the present radiation levels or cumulative radiation doses in a physical space or area.
 - (2) Geiger-Muller Counters, or other similar devices.
 - (3) Film badges or other indicators which measure cumulative radiation doses and are suitable to be worn on the person of those agents handling radioactive materials.

II PACKAGE REGISTRATION

- (a) Before acceptance for shipment, each outgoing Radioactive White I, Yellow II or Yellow III package shall be registered at the freight-receiving desk of the carrier or Freight Forwarder receiving the package. Each incoming Radioactive White I, Yellow II or Yellow III package shall, when off-loaded from the airplane, be brought immediately by the freight handling personnel to the freight-receiving desk of the carrier on which the package arrived and registered.
- (b) Registration shall consist of:
 - (1) A Geiger-Muller Counter examination for Radioactive Yellow II or Yellow III packages by a person trained to conduct such examination. Such examination shall be conducted at the package surface for all Radioactive Yellow II and Yellow III packages and also at three (3) feet from the package surface for all Radioactive Yellow III packages. For all purposes of this requirement the Director shall train at least one cargo agent for each shift during which cargo is accepted for shipment. The Director shall be responsible for providing a training program in Geiger Counter operation in conjunction with the State Board of Health for those individuals designated to conduct Geiger Counter examinations.
 - (2) A wipe test to determine external package contamination. Such test may be performed by the Director at such frequency as he in his discretion may determine. If such test is performed and the result indicates surface contamination, a second wipe test shall be performed. If such second test also indicates surface contamination the package shall be detained and dealt with according to Section II (d) hereunder.
 - (3) The completion of a registration form, containing the following information, by the agent conducting the Geiger-Muller Counter examination:
 - (A) The name and address of the Company, organization or individual shipping and receiving a Radioactive White I, Yellow II or Yellow III package.
 - (B) The Transport Index as listed on the package label.

- (C) The surface radiation level of the package as measured during the examination of the package with the Geiger Counter.
 - (D) The radiation level at three feet from the package surface if such examination was conducted.
 - (E) The results of the wipe test for external package contamination if conducted.
- (c) No Radioactive White I, Yellow II or Yellow III packages shall be accepted for shipment or released to the addressee until all of the above information is recorded on the registration form.
- (d) Upon being examined by a Geiger-Muller Counter, any Radioactive Yellow II or Yellow III package exceeding the measured level of millirem per hour permitted by 49 C.F.R. §173.399(2), or as the same may be from time to time amended or, after undergoing tests pursuant to Section II(b) (2) hereunder which indicate surface contamination shall, in the case of outgoing packages, be refused shipment or, in the case of incoming packages, be detained. In either case, the person performing the tests shall immediately notify the Director and the State Board of Health. The Director shall permit the State Board of Health to conduct whatever examinations or tests of the package that the State Board of Health shall deem advisable. In the event the State Board of Health determines that the package is not in violation the Director shall release the package from detainment. In the event the State Board of Health determines that the package is in violation, the Director shall release the package to the State Board of Health and shall notify the appropriate administration of the Department of Transportation. In the event the State Board of Health makes no determination within a reasonable period of time or refuses to accept packages in apparent violation, the Director shall notify the Federal Aviation Administration and shall release the package from detainment to the Federal Aviation Administration. In the event neither the State Board or Health nor the Federal Aviation Administration accepts a package in apparent violation the Director shall, in the case of incoming packages, release it to the addressee, informing him of the apparent violation, and in the case of an outgoing package, return it to the sender informing him of the apparent violation.
- (e) Unless the shipper or addressee has been granted a waiver or an exemption or the shipment is made under the supervision of the United States Atomic Energy Commission or the Department of Defense, any Radioactive Yellow II or Yellow III package with a label exceeding the Transport Index permitted by 49 C.F.R. §173.399(a), or as it may be from time to time amended, shall, in the case of outgoing packages, be refused for shipment and, in the case of incoming packages, be detained. In either case, the Director shall be immediately notified, whereupon the Director shall verify the accuracy of the mislabeling violation. Outgoing packages detained under this Section shall be returned to the shipper for relabeling and the Federal Aviation Administrator shall be notified of the full particulars of this action. Incoming packages detained under this Section shall be released to the addressee with the consent and concurrence of the Federal Aviation Administration.

- (f) All Geiger Counter or other radioactivity measurements on which a package detainment is based shall be corrected to account for the possibility of error inherent in the particular machine or other monitoring device used to perform the measurement.

III. MONITORING

- (a) The placement and reading of monitoring equipment shall be the responsibility of the Director. The Director shall determine appropriate detection devices for monitoring cumulative radiation levels.
- (b) Each freight worker whose employment causes him to handle radioactive packages shall wear a film badge or other indicator during all on-duty hours. It shall be the responsibility of the Director to provide film badges or other indicator for each employee required by this Ordinance to wear such monitoring equipment.
- (c) The Director shall determine appropriate time intervals for reading all monitoring equipment.
- (d) The Director shall be responsible for obtaining accurate readings of all monitoring equipment and his office shall keep a cumulative record of all such readings of all monitoring equipment at each airport. To accomplish this purpose the Director is authorized to obtain the service of appropriate persons possessing the radiological equipment and technical qualifications necessary for the accurate reading of the monitoring devices. All such records of readings shall be made available for public inspection at the office of the Director during regular office hours.

IV. SYSTEM COSTS

Cost for this system shall be recovered in the following manner:

- (a) The Director shall determine the total cost of the monitoring system, including all administrative costs, after installation of the system is completed.
- (b) The Director shall determine and assess to local shippers and receivers a standard, per package fee sufficient to recover the total costs of the monitoring system.
- (c) The Director shall bill the local shippers and receivers at such frequency and in such manner as he shall determine.
- (d) Fees charged by the Director pursuant to this ordinance shall be paid by the person, company or organization so charged within a reasonable time.

V. PENALTIES

Violation of any of the provisions of this ordinance is a misdemeanor and is punishable by a fine of up to \$300.00 and/or imprisonment of not more than 90 days.

Adopted by the Minneapolis-Saint Paul Metropolitan Airports Commission on the 20th day of May, 1974.

Published in the Saint Paul Legal Ledger, a legal newspaper of the City of Saint Paul, on the 29th day of May, 1974.

Published in Finance and Commerce, a legal newspaper of the City of Minneapolis, on the 30th day of May, 1974.

Filed with proof of publication in the office of the Secretary of State on the 7th day of June, 1974.

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

ORDINANCE NO. 45

An ordinance to promote and conserve public safety, health, peace, convenience and welfare relating to the supervision, control, and disposition of personal property lost, misplaced, or abandoned on properties owned or operated under the supervision and control of the Minneapolis-Saint Paul Metropolitan Airports Commission.

The Minneapolis-Saint Paul Metropolitan Airports Commission does ordain:

Section I - Definitions

AIRPORT DIRECTOR – Means the director of the airport on which the lost, misplaced, or abandoned property is found or his designated representative.

COMMISSION - Means the Minneapolis-Saint Paul Metropolitan Airports Commission.

Section II - Custody of Found Property, Excepting Animals and Motor Vehicles.

The Airport Director shall have custody of all lost, misplaced, abandoned property located on airport property over which such Airport Director has administrative responsibility.

Section III - Care of Found Property

A receipt shall be issued to any person finding lost, misplaced, or abandoned property or money and delivering the same to the custody of the Airport Director. Such property shall be stored in a safe place and such money deposited with the Director of Finance for the Commission for a period of three months unless claimed by the true owner. Upon expiration of the three month period, said property or money shall be subject to disposal under this ordinance as unclaimed property or money.

Section IV - Claims by Owner

During such three month period the Airport Director shall deliver such property or order such money paid to the true owner thereof upon proof of ownership satisfactory to the Airport Director, after ten days notice by mail to all other persons who have asserted a claim of ownership. In the event ownership cannot be determined to the satisfaction of the Airport Director, he may refuse to deliver such property or order the payment of such money to anyone until ordered to do so by the court. In such cases, he shall hold such money or property during the pendency of any legal actions to determine true ownership of the same, provided, however, that he may charge a reasonable storage fee for storage of such property during the pendency of the action.

Section V - Claim by finder

If the true owner does not claim the property or money during the three month period the Airport Director may release such unclaimed property or order such unclaimed money to be paid to the person who found it, if at the time of delivery to the Airport Director, such finder indicated in writing that he wished to assert a claim to the property or money as a finder.

Section VI - Transfer of Unclaimed Monies to the General Fund

If any lost, misplaced or abandoned money is not claimed by the true owner or delivered to the finder, the Airport Director shall transfer such money to the general fund of the Commission.

Section VII – Public Sale of Unclaimed Property

Upon the expiration of the three month period, unclaimed property remaining in the possession of the Airport Director shall be disposed of as follows:

- a. In the event that the property appears to the Airport Director to have a value of less than \$100, the Airport Director, in his discretion, may appropriate it for use by the Commission or, may sell such item and deliver the proceeds to the general fund of the Commission.
- b. In the event such item appears to have a value of more than \$100, the Airport Director shall notify the Commission which may, in its discretion, appropriate the same to its own use, or order the Airport Director to hold a public sale and deliver the proceeds from such sale from the general fund of the Commission. In the event that the Commission orders a public sale, the Airport Director shall cause notice of such sale to be published at least one week prior to such public sale in legal newspapers of Minneapolis and Saint Paul, describing therein the articles to be sold and the date, time and place of the sale. Any unclaimed property offered for public sale but not sold, and not suitable for appropriation for Commission use, shall be deemed to be of no value and shall be disposed of in such manner as the Airport Director orders.

Section VIII – Claim by Former Owner After Public Sale

The former owner of property sold according to the provisions of Section VII above shall upon application to the Airport Director within six months of the date of public sale and upon furnishing satisfactory proof of former ownership, be paid the respective sale proceeds from the general fund of the Commission.

Section IX – Summary Disposal

The Airport Director may, without notice and in such manner as he determines to be in the public interest, dispose summarily of any property coming into his possession which he determines to be dangerous or perishable. He shall make a record of the pertinent facts of the receipt and disposal of such property. All property and money that comes into the possession of the Airport Police Department during the normal course of their duties, whether or not it was abandoned, seized with or without a warrant, lost or misplaced, shall be handled according to the rules governing the chain of evidence and placed into the Police Department property room for safe keeping. The property that is being held as evidence for trial may upon the completion of trial be disposed of by the Chief of Police pursuant to Section No. 626.04 of the Minnesota Statutes. Any property not being retained as evidence shall be disposed of according to Section I through VIII above, except that no unclaimed property or money shall be given to any member of the Airport Police Department as a finder.

Adopted at a rescheduled regular Commission meeting 10 March, 1975 by vote of all Commissioners present and voting, there being a quorum present and voting thereon.

Notice of adoption of ordinance published in the Minneapolis Star and Tribune Monday, 24 March, 1975.

Filed with the Secretary of State 1 May, 1975 with Affidavit of Publication from the Minneapolis Star and Tribune.

MINNEAPOLIS-SAINT PAUL METROPOLITAN AIRPORTS COMMISSION

ORDINANCE NO. 57

An Ordinance relating to Intoxicating Liquor; hours for Sunday sale as required by Minn. Law.

The Metropolitan Airports Commission sometimes known as the Minneapolis-Saint Paul Metropolitan Airports Commission, does ordain:

Section 1. Any person, partnership or corporation licensed by the Metropolitan Airports Commission to sell intoxicating liquor on Sundays may do so between hours of 10:00 o'clock a.m. and 12:00 o'clock midnight on Sundays in conjunction with the serving of food, provided that the licensee establishment is in conformance with the Minnesota Clean Indoor Air Act.

Section 2. This Ordinance shall be in full force and effect as of August 1, 1981.