

CHAPTER 4. AIRPORTS.

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Article I. Repealed.

Secs. 4-1 to 4-11. Repealed by Ordinance No. 8157, 6-30-1975, § 1.

Article II. Rules and Regulations for Duluth Airports.

Sec. 4-12. Applicability of article.

The provisions of this Article shall govern all ~~persons operating airplanes~~[operations](#) upon, on or over property used [or designated](#) for airport purposes [by either the city or Duluth Airport Authority.](#) ~~which is owned or controlled by the Duluth airport authority or the city and shall govern all other persons present on or about such property, except where any individual Section thereof is, by its own terms, limited in application.~~ (Ord. No. 6979, 10-27-1954, § 1; Ord. No. 8484, 10-15-1979, § 1.)

Sec. 4-13. Repealed by Ordinance No. 8157, 6-30-1975, § 1.

Sec. 4-14. Operation of aircraft while under influence, etc., of alcohol or drugs.

(a) No person shall operate or have ~~actual~~ physical control of any aircraft while under the influence of ~~an alcoholic beverage, narcotic drug~~ or controlled substance;

(b) No person shall ~~have in his possession~~ while in the cockpit of any aircraft any bottle or receptacle containing any alcoholic beverage which has been opened, or the seal broken, or the contents of which have been partially removed. (Ord. No. 6979, 10-27-1954, § 4; Ord. No. 8157, 6-30-1975, § 2; Ord. No. 8484, 10-15-1979, § 2.)

Sec. 4-15. Repealed by Ordinance No. 8157, 6-30-1975, § 1.

Sec. 4-16. Aircraft engines not to be started unless competent operator at controls.

No person owning, controlling or operating any aircraft shall start such aircraft's engine, operate said engine, or allow said engine to run, or allow the same to be started, operated, or run unless a competent operator is in the aircraft attending the aircraft's controls. (Ord. No. 6979, 10-27-1954, § 6; Ord. No. 8157, 6-30-1975, § 3.)

Sec. 4-17. Wheels of aircraft to be blocked or braked when engines started.

No person shall start the engine of any aircraft unless the wheels of said aircraft are then blocked or unless adequate brakes thereon have been actuated. (Ord. No. 6979, 10-27-1954, § 7; Ord. No. 8157, 6-30-1975, § 4.)

Sec. 4-18. Persons using airport to guard against fire, etc.

All persons using the airport area in any way or the facilities of the airport shall exercise the utmost care to guard against fire or injury to persons or property. (Ord. No. 6979, 10-27-1954, § 8.)

Sec. 4-19. Smoking ~~in hangar or on apron~~ on airport premises prohibited.

No person shall smoke, including use of electronic cigarettes, inside any airport facilities. No person shall smoke, including the use of electronic cigarettes, outside on any airport property except if approved by airport rules and standards. ~~in the hangar or on the apron in front of the hangar.~~ (Ord. No. 6979, 10-27-1954, § 9.)

Sec. 4-20. Vehicles and pedestrians on runways, apron and hangar.

Vehicles or pedestrians shall not be allowed on the runways, hangar or apron at any time, without the authorization of the Duluth Airport Authority executive director or their designee. ~~airport manager.~~ (Ord. No. 6979, 10-27-1954, § 10.)

Sec. 4-20.1. Authority to designate restricted areas; posting of signs; entry.

(a) The Duluth Airport Authority executive director ~~of the airport is~~ and their designee are hereby authorized to designate any portion of the airport property and any building or other appurtenances thereon as a restricted area;

(b) The executive director shall cause signages to be posted reasonably calculated to inform the public of the existence and location of such restricted areas and to warn unauthorized persons not to enter such area;

(c) No person shall enter a restricted area in violation of posted signs without the express permission of the executive director or their designee. (Ord. No. 8157, 6-30-1975, § 5.)

Sec. 4-21. Repealed by Ordinance No. 8157, 6-30-1975, § 1.

Sec. 4-22. Liability of city and Duluth Airport Authority.

The permission granted by the city and Duluth Airport Authority to use the airport and its facilities or to fly to, from or over the same shall be at all times conditioned upon the assumption of full responsibility therefor by every person exercising or taking advantage of such permission. It shall be a further condition thereof that each person, as a consideration for the use of such airport and its facilities, shall at all times release, hold harmless and indemnify the city and Duluth Airport Authority and ~~its-their~~ agents and employees from any and all responsibility, liability, loss or damage resulting to any such person or caused by or on ~~his-their~~ behalf and incident to the manner in which the airport is operated, constructed, maintained or served from within or used from without. The use of such airport by any person for any purpose or the paying of any fees therefor or the taking-off or landing of aircraft thereupon shall be itself an acknowledgment that such person accepts such privileges on the conditions set forth in this Article. (Ord. No. 6979, 10-27-1954, § 12.)

Sec. 4-23. Discharge of firearms and weapons; hunting.

~~Except with respect to members of the Armed Forces of the United States or to any law enforcement officer or airport employee while actually engaged in the performance of duty, no~~ No person shall discharge or attempt to discharge any firearm or other weapon; nor, shall any person hunt for game or birds, whether with firearms or ~~otherwise~~ any other type of weapon, without the express consent of the city and the Duluth Airport Authority executive director, or their designee. (Ord. No. 6979, 10-27-1954, § 13; Ord. No. 8157, 6-30-1975, § 6; Ord. No. 8484, 10-15-1979, § 3.)

Sec. 4-24. Radios on aircraft required.

No person shall operate any aircraft on the Duluth International Airport or Duluth Sky Harbor Airport, in such airport's' landing area or within such airport's' traffic pattern unless it is equipped with an operable radio transmitter and receiver. ~~which is in contact with the airport control tower; except that in the event of inadvertent radio failure, standard light signals shall be observed.~~ (Ord. No. 6979, 10-27-1954, § 14; Ord. No. 8157, 6-30-1975, § 7; Ord. No. 8484, 10-15-1979, § 4.)

Sec. 4-25. Airport special police.

The city chief of police is hereby authorized to appoint Duluth Airport Authority employees or agents as airport special police who shall ~~serve at no expense to the city. Such airport special police shall~~ have the same powers of arrest as ~~regular~~ Duluth police officers during the times at which they are performing law enforcement duties at one or both of the Duluth airports, providing security protection at the airport, but shall have no special police power at any other time. (Ord. No. 8210, 3-11-1976, § 1.)

Secs. 4-26 to 4-27. Repealed by Ordinance No. 8157, 6-30-1975, § 1.

Sec. 4-28. Operators of motor vehicles receiving passengers or property for hire.

No person shall operate a motor vehicle upon the premises of either the Duluth International Airport or Duluth Sky Harbor Airport for the purpose of receiving passengers or property for hire at that location without first receiving the express permission of the Duluth Airport Authority executive director, or their designee. ~~or the airport manager.~~

The term "motor vehicle" in the context of this Section shall include, but not be limited to taxis, limousines, hotel or other shuttle vans, ~~and~~ buses, rental cars, and ride sharing vehicles. (Ord. No. 7957, 11-20-1972, § 2.)

Secs. 4-29 to 4-39. Reserved.

Article III. Repealed.

Secs. 4-40. to 4-69. Repealed by Ordinance No. 7957, 11-20-1972.

Article IV. Parking and Parking Meter Regulations at Duluth International Airport and Duluth Sky Harbor Airport.

Sec. 4-70. Applicability of article.

This Article shall apply to ~~that city~~ property designated by either the city or Duluth Airport

Authority at the Duluth International Airport used for ~~public~~-airport purposes. (Ord. No. 7402, 6-22-1964, § 1; Ord. No. 8157, 6-30-1975, § 8.)

Sec. 4-71. Definitions--generally.

For the purposes of this Article the following words and phrases shall have the meanings respectively ascribed to them. (Ord. No. 7402, 6-22-1964, § 1.)

Sec. 4-71.1. ~~Same~~--Operator.

Operator shall mean every individual who shall operate a vehicle as the owner thereof, as the agent, employee, or permittee of the owner, or who is in actual physical control of a vehicle. (Ord. No. 7402, 6-22-1964, § 1; Ord. No. 8157, 6-30-1975, § 9.)

Sec. 4-71.2. ~~Same~~--Park or parking.

Park or parking shall mean the standing of a vehicle, whether occupied or not, ~~otherwise than temporarily, for the~~ any purpose ~~of and while actually engaged in receiving or discharging passengers, or loading or unloading merchandise, or in obedience to traffic regulations, signs or signals, or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle~~ upon designated airport property. (Ord. No. 7402, 6-22-1964, § 1; Ord. No. 8157, 6-30-1975, § 10.)

Secs. 4-71.3 to 4-71.5. Repealed by Ordinance No. 8157, 6-30-1975, § 1.

Sec. 4-71.6. ~~Same~~--Street.

Street shall mean any ~~public~~-street, avenue, road, alley, highway, lane, path, parking lot, or other ~~public~~ place located over, under, or through designated airport property in the area to which this Article applies and established for the use of vehicles. (Ord. No. 7402, 6-22-1964, § 1; Ord. No. 8157, 6-30-1975, § 11.)

Sec. 4-71.7. ~~Same~~--Vehicle.

Vehicle shall mean any device in, upon, or by which any person or property is or may be transported upon a highway or roadway, ~~except a device which is operated upon rails.~~ (Ord. No. 7402, 6-22-1964, § 1; Ord. No. 8157, 6-30-1975, § 12.)

Secs. 4-72 to 4-77. Repealed by Ordinance No. 8157, 6-30-1975, § 1.

Sec. 4-78. Prohibited acts.

It shall be unlawful for any person:

(a) To cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked in violation of parking regulations ~~as are provided for in Section 4-83~~ established by either the city or the Duluth Airport Authority;

(b) To fail to comply with any of the provisions of this Chapter.

(c) To fail to comply with the Duluth International Airport minimum standards, rules and standards, and other policies, as may be amended by the Duluth Airport Authority from time

to time;

(d) To fail to comply with any written or verbal directive of city or Duluth Airport Authority employees or agents; and

(b)(e) To fail to pay any fee, charge, or assessment due to the Duluth Airport Authority.
(Ord. No. 7402, 6-22-1964, § 1; Ord. No. 8157, 6-30-1975, § 13; Ord. No. 8484, 10-15-1979, § 5.)

Sec. 4-79. Repealed by Ordinance No. 8157, 6-30-1975, § 1.

Sec. 4-80. Violations of article ~~summons to appear in court or before traffic violations bureau.~~

~~(a) In lieu of taking the person into custody for a violation of the provisions of this Article, a police officer or other authorized person may serve a written notice, hereinafter referred to as a summons, upon such person to appear before the county court of St. Louis County or the traffic violations bureau established by such court at a time and place fixed in the summons; provided, however, that no person upon whom a summons has been served in the manner provided for in this Section, for a violation of the provisions of this Article, shall fail to appear at the time and place fixed in the summons;~~

~~(b) The summons as provided for in this Section shall be made out on a form in triplicate, which shall indicate in addition to information otherwise required, the time, date, nature of violation, and the motor vehicle license number;~~

~~(c) (1) The police officer or other authorized person serving the summons provided for in this Section shall deliver one copy of such summons to the person violating any of the provisions of this Article or affix the copy in a prominent place on or within the vehicle. The other two copies of the summons shall be delivered by the police officer or other authorized person to the traffic violations bureau for processing before the county court;~~

~~(2) The triplicate summons form hereinbefore referred to shall be identified by a separate serial number for each summons, and shall be furnished to the police officer or other authorized person by the director of the traffic violations bureau. The city auditor shall audit all files, records and accounts of the traffic violations bureau and the clerk of the county court at stated periods, relating to such summonses, cash statements, and disposition of cases of violations of this Article;~~

~~(d) It shall be unlawful for any person to remove a summons from one vehicle and place such summons in or upon another vehicle; nor shall any person willfully alter, deface or destroy any such summons. The provisions hereof shall not forbid the proper city officers, when duly authorized, to dispose of any summons, after processing, when authorized;~~

~~(e)(a)~~ Any employee or agent of the Duluth airport authority upon designation by the executive director of the Duluth Airport Authority, is hereby authorized to enforce this Chapter by any legal means, including but not limited to, issue-issuing traffic-summons and/or administrative citations pursuant to Article 12, towing, removing, and/or impounding vehicles, aircraft, machinery, and/or equipment, or detaining, restraining, removing, and/or trespassing persons for any violation of the provisions of this Article. Such employee or agent while make reasonable attempts while performing such work to verbally identify themselves as a Duluth Airport Authority representatives and shall wear some piece of clothing or bear some device or marking as will identify ~~him-them~~ clearly as an airport ~~employee~~representative. (Ord. No. 7402, 6-22-1964, § 1; Ord. No. 8157, 6-30-1975, § 14.)

Sec. 4-81. Repealed by Ordinance No. 9611, 7-28-2003, § 62.

Sec. 4-82. Interpretation of ~~article~~chapter.

Nothing in this ~~Article~~Chapter shall be construed so as to prohibit the city from establishing any other type of regulation, relating to the parking, use, or movement of vehicles at Duluth International Airport or Duluth Sky Harbor Airport. (Ord. No. 7402, 6-22-1964, § 1.)

Sec. 4-83. Regulation of parking ~~in unmetered areas~~.

The executive director or their designee is hereby authorized to restrict, limit and prohibit vehicular parking, under penalty of this Article, on airport property and to make and enforce such rules and regulations with respect thereto so as to permit the orderly regulation of traffic and parking on airport property, and shall be further authorized to place signs for the purpose of enforcing such rules and regulations. (Ord. No. 7422, 11-9-1964, § 2; Ord. No. 8157, 6-30-1975, § 16.)

Article V. Ownership of airport property ~~Repealed~~.

Secs. 4-84 to 4-93. Repealed by Ordinance No. 8157, 6-30-1975, § 1.

4-94. Ownership of airport property.

All right, title and interest in certain property located in the city known as Duluth International Airport and Duluth Sky Harbor Airport shall vest in the Duluth Airport Authority and shall be under the administration and control of the Duluth Airport Authority for the uses and purposes set forth in this Chapter

4-95. Authority to acquire property; public purpose.

To the extent necessary for purposes of incorporation, the Duluth Airport Authority may take and hold any interest in real estate for an airport, landing field or other uses that promote financially self-sustaining operations, or for the expansion of an airport or landing field and may acquire air rights and easements over private property adjoining such airports and landing fields in order to provide unobstructed air space and safe approaches for the landing and taking off of aircraft using those airports and landing fields, to place and maintain suitable marks and lights for the safe operation of those airports and landing fields and to prevent any use of adjoining land that would hinder the proper development or use of those airports and landing fields. The Duluth Airport Authority may alter, extend or discontinue any such use of real estate.

4-96. Purchase or lease.

The Duluth Airport Authority may take and hold an interest in real estate by gift, purchase, lease or other means.

4-97. Eminent domain.

As a matter of public exigency, with the approval of the City Council, the Duluth Airport Authority may exercise the right of eminent domain to acquire any interest in real estate.