

APPENDIX A

BILL NO. 110, 2003

ORDINANCE NO. 21,310, 2003

Introduced by Councilman Quinn

AN ORDINANCE

AMENDING CHAPTER 724, TITLE VII SLCRO 1974,
AS AMENDED, "SPIRIT OF ST. LOUIS AIRPORT," BY
ENACTING AND ADDING THERETO TWENTY-
EIGHT NEW SECTIONS REGULATING USE OF
SPIRIT OF ST. LOUIS AIRPORT.

BE IT ORDAINED BY THE COUNTY COUNCIL OF ST. LOUIS COUNTY,
MISSOURI, AS FOLLOWS:

SECTION 1. Chapter 724, Title VII SLCRO 1974 as amended, "Spirit of St. Louis Airport," is hereby amended by enacting and adding twenty-eight new sections as follows:

724.030 Definitions. The following words and phrases as used in this chapter shall have, for the purposes of this chapter, the meanings respectively ascribed to them:

- (1) Aircraft: Any contrivance now known or hereafter designed, invented or used for flight.
- (2) Airport: The property designated as Spirit of St. Louis Airport on a map maintained in the office of the Director of Aviation.
- (3) Airport Employee: The authorized personnel of all organizations, activities, and governmental agencies located at the Airport.
- (4) Airport Identification Badge: A badge or card issued by the Director of Aviation for identification of authorized Persons into Restricted Areas.
- (5) Airport Movement Area: The portion of the Airport Operations Area that is used for taxiing, takeoff and landing of Aircraft.
- (6) Airport Operations Area (AOA): All runways, taxiways, roadways, ramps, paved surface or sod, active, or inactive, and terrain within, which support the movement or parking of Aircraft.
- (7) Airport Security Program: The program/plan that describes existing facilities and the detailed security measures in effect for them.

- (8) **Authorized Vehicles:** Vehicles that have been authorized by the Director of Aviation to operate within the Airport Movement Area and vehicles operated as ambulances or operated by the Missouri Highway Patrol, or any police or fire department.
- (9) **Commercial Aeronautical Activity:** Any business activity that involves, makes possible, or is required for the operation of Aircraft, or which contributes to or is required for the safety of such operations. The following activities, commonly conducted on airports, are aeronautical activities within this definition: pilot training; Aircraft rental; charter operations; sightseeing; aerial photography; crop dusting; aerial advertising or surveying; scheduled and non-scheduled air carrier operations; Aircraft sales; sale of aviation petroleum products (whether or not conducted in conjunction with other included activities); service repair or maintenance of Aircraft; sale of Aircraft parts; radio instrument repair; flying clubs; and any other activity which, because of its direct relationship to the operation of Aircraft, can appropriately be regarded as an aeronautical activity.
- (10) **Director of Aviation:** The Director of Aviation of St. Louis County or his duly authorized representative.
- (11) **Firearm:** A weapon that is designed or adapted to expel a projectile by action of an explosive.
- (12) **Person:** Any natural person, corporation or other legal entity.
- (13) **Ramp, Apron or Tie Down Area:** A defined area on the Airport intended to accommodate Aircraft for the purposes of loading or unloading passengers or cargo, refueling, parking, or maintenance. The terms “Ramp, Apron and Tie Down Area” are used interchangeably.
- (14) **Restricted Area:** That part of the Airport marked as restricted areas, including but not limited to the Airport Movement Area, Airport Operations Area, and Security Identification Display Area.
- (15) **Security Identification Display Area (SIDA):** All ramp areas, taxiways or runways (with the exception of the area immediately adjacent to the T-Hangars).

724.040 Airport Identification Badge. 1. It shall be unlawful for any Person to enter any Restricted Area without openly displaying upon his Person an Airport Identification Badge or being escorted by an approved Airport escort as described in section VI of the Airport Security Program.

2. No Person shall use or display the Airport Identification Badge of another or an Airport Identification Badge that has not been authorized by the Director of Aviation for use by the Person using or displaying said Badge.

3. A Person's authorization to use and display an Airport Identification Badge may be suspended by the Director of Aviation or the Coordinator of the Airport Security Plan for any violation of this code involving motor vehicle operation on the Airport Operations Area. First offenses shall result in suspension for a period up to six (6) months. Subsequent offenses shall result in suspension for a period up to one (1) year. In the event that the Director of Aviation or the Coordinator of the Airport Security Plan suspends a Person's authorization to use and display an Airport Identification Badge, the Director of Aviation or the Coordinator of the Airport Security Plan shall provide the affected Person with a notice of suspension by certified mail or hand delivery and state the reason for the action and the length of the suspension. If the affected Person files a written request with the Director of Aviation for a hearing within ten (10) days from receipt of the notice, the hearing date shall be set within ten (10) business days of such request and the suspension shall be stayed pending the hearing. The affected Person shall have the right to present evidence and cross-examine any witnesses. The hearing shall be informal and the rules of evidence shall not apply. Within five (5) business days after the hearing, the Director of Aviation shall render a written decision stating whether the suspension shall be affirmed or reversed or modified and the reasons therefor which shall be sent by certified mail or hand delivered to the affected Person. Any decision of the Director of Aviation which affirms or modifies the suspension shall become effective not later than five (5) days from the date of the decision. An affected Person may appeal a decision by the Director of Aviation according to law. No Person shall display or use an Airport Identification Badge during the period that such authorization has been suspended.

724.050 Light Required on All Vehicles. 1. No Person shall operate a motor vehicle on the Airport Operations Area during the period from sunset to sunrise, or during times of reduced visibility, unless such vehicle shall display a lighted white or yellow lamp or lamps on the front, and unless such vehicle also shall display a lighted red lamp or lamps on the rear.

2. No Person shall operate a motor vehicle on the Airport Operations Area without the front lights focused so as to strike the ground not more than fifty (50) feet ahead of such vehicle, unless the front lights are dimmed by operation of a dimmer switch.

3. No Person shall operate a motor vehicle on the Airport Movement Area during the period from sunset to sunrise or in times of reduced visibility without an overhead beacon or strobe or, for a motor vehicle without a roof or place to mount the beacon, flashing hazard lights.

724.060 Operators To Have Licenses. It is unlawful for any Person to operate a motor vehicle on the Airport unless such Person possesses a valid chauffeur's or operator's license under the provisions of the laws of Missouri.

724.070 Taxiway Limitation. It is unlawful to drive a motor vehicle onto or upon any Airport taxiway or runway without a functioning two-way radio tuned to ground control frequency, or being escorted by a motor vehicle having such a functioning radio.

724.075 Places Where Smoking Is Prohibited. --It shall be unlawful for any Person to smoke or carry any lighted cigarettes, cigars, pipes or other tobacco or vegetable products outdoors within 100 feet of any Aircraft, fuel truck or fuel farm.

724.080 Speed Limit. --No Person shall operate or drive a motor vehicle on a Ramp at a rate of speed in excess of fifteen (15) miles per hour. When within 25 feet of an Aircraft or Person, the maximum speed shall be five (5) miles per hour.

724.090 Careless and Imprudent Driving. Every Person operating a motor vehicle on the Airport shall drive the vehicle in a careful and prudent manner and at a rate of speed so as not to endanger the property of another or the life or limb of any Person, and shall exercise the highest degree of care.

724.100 Unattended Vehicles. It shall be unlawful for a Person operating a motor vehicle on the Airport Operations Area to leave said vehicle unattended with the motor running, without first setting the parking brake.

724.110 Parking on Airport Operations Area. No Person shall stop, stand or park a motor vehicle on the Airport Operations Area in such manner as to obstruct or block driveways, doors, or Aircraft parking areas, except when necessary to avoid conflict with other traffic or in compliance with the directions of a law enforcement officer or a representative of the Director of Aviation.

724.120 Authorized Vehicles. No Person shall operate a motor vehicle on the Airport Movement Area unless it is an Authorized Vehicle or escorted by an approved Airport escort as described in section VI of the Airport Security Program.

724.130 Yield. 1. The driver of any vehicle approaching an Aircraft with its engines running, a moving Aircraft, or an Aircraft under tow shall yield the right-of-way to the Aircraft.

2. Upon the immediate approach of an authorized emergency vehicle the driver of every other vehicle shall yield the right-of-way.

724.140 Public Disturbance of the Peace in the Airport. --1. It shall be unlawful to unreasonably and knowingly disturb or alarm any Person in the Airport by: threatening or offensive language addressed in a face-to-face manner to that Person and uttered under circumstances which are likely to produce an immediate violent response from a reasonable recipient or by physically threatening or challenging or fighting that Person.

2. It shall be unlawful to play any radio, music player such as a "boom box," tape cassette, disc player, television, audio system or musical instrument in a manner or at a volume that disturbs the peace of any other reasonable Person in the Airport; except that nothing herein shall be construed to prohibit an otherwise lawful public concert or public performance in the Airport.

3. It shall be unlawful to speak, shout, sing or create any noise at a volume that disturbs the peace of any other reasonable Person in the Airport, except that nothing herein shall be construed to prohibit the summoning of assistance in an emergency in the Airport.

4. For the purpose of prosecution under this section it shall be presumed that any speech, song or noise, or the playing of any radio, music player such as a "boom box," tape cassette, disc player, television, audio system or musical instrument in the Airport, is disturbing the peace of another reasonable Person in the Airport if the volume is such that it is plainly audible to Persons more than fifty (50) feet away from the source of the noise.

5. A Person shall not permit any conduct of the kind referred to in this section in or upon any premises under his management or control, so that others in the vicinity are likely to be disturbed thereby.

724.150 Assault in the Airport. --No Person shall commit an act of assault in the Airport. A Person commits an act of assault if:

- a. the Person attempts to cause physical injury to another Person; or
- b. the Person purposely causes physical injury to another Person; or
- c. the Person recklessly engages in conduct which creates a risk of physical injury to another Person; or
- d. the Person recklessly engages in conduct which causes physical injury to another Person; or
- e. the Person purposely places another Person in fear of immediate physical injury; or
- f. the Person purposely causes physical contact with another Person knowing that the other Person would regard it as offensive or provocative.

724.160 Drugs in Airport Prohibited. --1. A Person in the Airport shall not have in his possession, custody, or control any narcotic drug or marijuana as the laws of the State of Missouri define each.

2. A Person in the Airport shall not sell, offer for sale, prescribe, administer, dispense, distribute, give, or offer to give to any Person a narcotic drug or marijuana as defined by the laws of the State of Missouri.

3. This section shall not apply to any Person who may be specifically authorized by law to possess, sell, prescribe, administer, dispense, distribute or give away a narcotic drug or marijuana.

724.170 Operation of Motor Vehicles Upon Unpaved Areas. --No Person shall operate a motor vehicle upon any unpaved area within the Airport unless the area is specifically designated and posted to permit the operation of such vehicles in that area.

724.180 Alcoholic Beverages in the Airport. --1. Concessionaires, operating concession stands in the Airport, under contract with St. Louis County, are hereby authorized to dispense alcoholic beverages by the drink, under the terms and conditions herein stated.

2. Concessionaires operating concession stands, as stated in subsection 1 herein, shall, prior to dispensing alcoholic beverages as stated therein, and with the prior approval of the Director of Aviation, obtain a proper license to dispense alcoholic beverages. Said concessionaire may dispense such alcoholic beverage by the drink only at the times and places and under the conditions approved by the Director of Aviation.

3. No Person shall possess any alcoholic beverage in the Airport nor carry, transport, or otherwise bring any alcoholic beverage into the Airport except when expressly authorized by the Director of Aviation, or when served or disbursed by a licensed concessionaire. The Director of Aviation may revoke authorization of alcoholic beverages at any time.

4. For purposes of prosecution for possession of alcoholic beverages under this chapter, a manufacturer-sealed container describing that there is intoxicating liquor therein need not be opened or the contents therein tested to verify that there is intoxicating liquor in such container. The alleged violator may allege that there was not intoxicating liquor in such container, but the burden of proof of such allegation is on such Person, as it shall be presumed that such a sealed container describing that there is intoxicating liquor therein contains intoxicating liquor.

724.190 Parking in the Airport. --No Person shall park a motor vehicle upon any area within the Airport unless the area is specifically designated for such use. Any vehicle parking in spaces designated for parking by marked lines on the pavement shall be parked so that no portion of the vehicle extends across such a marked line. No vehicle shall be stopped or parked in such a manner as to obstruct the flow of traffic within the Airport. No vehicle shall be parked in a space designated for physically disabled parking unless the vehicle bears a distinguishing license plate or placard issued pursuant to Section 301.142 or 301.071 RSMO.

724.200 Disposal of Waste in the Airport. -- No Person shall deposit waste paper, garbage, or other debris in the Airport except in the receptacles provided for that purpose. No Person shall dump any refuse, oil waste, or hazardous waste in any storm sewer, drainage ditch, or natural drain within or adjacent to the Airport. No Person shall keep uncovered trashcans in any outside area of the Airport. Dumping on any portion of the Airport is strictly prohibited.

724.210 Solicitation in the Airport. --No Person shall solicit any business or service in the Airport except when expressly authorized by the Director of Aviation. The use of any Airport facility, building, road or other property for commercial purposes is prohibited

except upon written authorization of the Director of Aviation. No Person shall post, distribute or display any commercial signs, placards, advertisements, handbills, circulars, pamphlets, or printed or written materials on the Airport without written permission from the Director of Aviation. A Person shall not permit any conduct prohibited in this section in or upon any premises under his management or control.

724.220 Vandalism in the Airport. --No Person shall willfully destroy, damage or injure any public or private property of any kind whatsoever in the Airport that does not belong to the said Person.

724.230 Weapons in the Airport. --1. A Person in the Airport shall not wear under his clothes or conceal about his person any Firearm, billy, sling shot, cross knuckles or knuckles of lead, brass or other metal, bowie knife, razor, springback knife, dirk, dagger or any knife resembling a bowie knife or any other dangerous or deadly weapon.

2. A Person in the Airport shall not carry a Firearm or any other weapon readily capable of lethal use without first having obtained written permission from the Director of Aviation or the owner, lessee or Person in charge of the premises. Firearms that are completely encased and unloaded may be carried to and from Aircraft for transportation.

3. A Person shall not discharge a Firearm within 100 yards of any Aircraft or occupied building at the Airport.

4. Nothing in this section shall be so construed to prevent any United States, State, County or City officer, or any member of the government of St. Louis County, Missouri, from carrying or wearing such weapons as may be necessary in the proper discharge of his or her duties.

724.240 Larceny in the Airport. --A Person shall not steal, take or carry away any article of value in the Airport that is the property of another Person.

724.250 Trespassing in the Airport. --1. No Person without lawful authority or without the expressed or implied consent of the Person lawfully in possession of the premises or the Director of Aviation or his agent, shall enter any building or real property in Airport; or being upon the Airport shall fail or refuse to leave the same when requested so to do by the Director of Aviation or his agent or the Person lawfully in possession of the premises, his agent or representative.

2. No Person may engage in Commercial Aeronautical Activity without meeting the criteria listed in the Airport Minimum Standards for Commercial Aviation Operators or without the express written consent of the Director of Aviation. Upon probable cause to believe that a Person has engaged in Commercial Aeronautical Activity without meeting such criteria, the Director of Aviation shall provide the affected Person with notice of denial of access to Airport by certified mail or hand delivery and state the reason therefore and the length of such denial of access. First offenses shall result in denial of access for a period up to six (6) months. Subsequent offenses shall result in denial of access for a period up to one (1) year. If the affected Person files a written request with

the Director of Aviation for a hearing within ten (10) days from receipt of the notice, the hearing date shall be set within ten (10) business days of such request and the denial of access shall be stayed pending the hearing. The affected Person shall have the right to present evidence and cross-examine any witnesses. The hearing shall be informal and the rules of evidence shall not apply. Within five (5) business days after the hearing, the Director of Aviation shall render a written decision stating whether the denial of access shall be affirmed or reversed or modified and the reasons therefor which shall be sent by certified mail or hand delivered to the affected Person. Any decision of the Director of Aviation which affirms or modifies the denial of access shall become effective not later than five (5) days from the date of the decision. An affected Person may appeal a decision by the Director of Aviation according to law. Any Person who enters upon the Airport in violation of a notice or decision denying access is trespassing.

724.260 Stalking in the Airport. --1. As used in this section, the following terms shall mean:

- (1) "Course of conduct," a pattern of conduct composed of a series of acts over a period of time, however short, evidencing a continuity of purpose. Constitutionally protected activity is not included within the meaning of "course of conduct." Such constitutionally protected activity includes picketing or other organized protests;
- (2) "Credible threat," a threat made with the intent to cause the Person who is the target of the threat to reasonably fear for his or her safety. The threat must be against the life of, or a threat to cause physical injury to, a Person;
- (3) "Harass," to engage in a course of conduct directed at a specific Person that serves no legitimate purpose, that would cause a reasonable Person to suffer substantial emotional distress, and that actually causes substantial emotional distress to that Person.

2. Any Person who purposely and repeatedly harasses or follows with the intent of harassing another Person in the Airport or harasses another Person in the Airport, and makes a credible threat with the intent to place that Person in reasonable fear of death or serious physical injury, commits the violation of stalking which is hereby prohibited.

724.270 Harassment in the Airport. --1. No Person shall, for the purpose of frightening or disturbing another Person in the Airport:

1. Communicate in writing or by telephone a threat to commit any felony or act of violence; or
2. Make a telephone call or communicate in writing and use coarse language offensive to one of average sensibility; or
3. Make a telephone call anonymously; or

4. Make repeated telephone calls to the same Person or telephone number.

724.280 Tampering with Aircraft. —No Person shall interfere or tamper with any Aircraft in the Airport, or put in motion the engine of such Aircraft, or use any Aircraft, Aircraft parts, instruments, or tools, without permission of the owner.

724.290 Penalties. Every Person who shall be convicted of a violation of this chapter shall be punished by imprisonment in the County Jail not exceeding one (1) year, or by a fine not exceeding one thousand dollars (\$1,000.00), or by both such fine and imprisonment.

ADOPTED: MARCH 18, 2003

GREGORY F. QUINN

CHAIRMAN, COUNTY COUNCIL

APPROVED: MARCH 19, 2003

BUZZ WESTFALL

COUNTY EXECUTIVE

ATTEST: JEANETTE O. HOOK

DEPUTY ADMINISTRATIVE DIRECTOR

02-239
