

MINNEAPOLIS-ST. PAUL METROPOLITAN AIRPORTS COMMISSION

ORDINANCE NO. 53

An Ordinance of the Minneapolis-St. Paul Metropolitan Airports Commission relating to the management and operation of the Minneapolis-St. Paul Metropolitan Airports Commission secondary airports; adopted in the public interest to promote the public health, safety and welfare; relating to the security of aircraft based at secondary airports; and prescribing the penalties for violation thereof.

The Minneapolis-St. 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 in this section.

- 1.1 Secondary Reliever Airports - any airport owned by and under the supervision, operation, direction and control of the Minneapolis-St. Paul Metropolitan Airports Commission, other than the Minneapolis St. Paul International Airport - Wold Chamberlain Field.
- 1.2 Unattended or unattended aircraft - any aircraft which is not in the physical presence of its owner, operator or bailee or which is not under the actual control or observation of said owner, operator or bailee.

Section 2. It shall be the responsibility of the aircraft owner, operator or bailee to adequately secure all aircraft left unattended at any secondary reliever airport.

Section 3. No owner, operator or bailee of any aircraft shall leave any aircraft unattended at any secondary reliever airport, except as provided below.

- 3.1 Any aircraft left unattended shall be locked and the key shall be removed from the aircraft ignition.
- 3.2 An unattended aircraft may be stored in a hangar, provided said hangar is securely locked.
- 3.3 An unattended aircraft may be secured to a tie-down, provided it is locked to said tie-down.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT 2 - 1978
John Anderson Howe
Secretary of State

#31732
O.D.

- 3.4 An unattended aircraft may be stored in a shelter hangar without doors, provided said aircraft is securely locked to said shelter hangar.
- 3.5 An unattended itinerate aircraft which does not require tie-down may be left free-standing, provided it is locked and the key is removed from the aircraft ignition.

Section 4. Any person violating the provisions of this Ordinance is guilty of a misdemeanor and shall upon conviction be punished in the manner as set forth in Minn. Stat. §609.031, as the same may from time to time be amended.

Section 5. Commission Right to Action. Prosecution and conviction under this Ordinance shall be without prejudice to and the Commission shall have such civil rights at law or equity as airport owner and operator and as persist under agreements now or hereafter in effect between it and persons having legal authority over and control of the operation of any aircraft to, at or from the airport.

Section 6. Saving Clause. If any part, provision or provisions of this Ordinance shall be held to be unconstitutional or otherwise illegal, such unconstitutionality or illegality shall not affect the validity of remaining parts of the Ordinance; and the Commission hereby declares that it would have passed the remaining parts of this Ordinance in any event, had it known that such part, provision or provisions might be unenforceable because unconstitutional or illegal.

Section 7. Effective Date. This Ordinance, upon its adoption and upon filing of the same with proof of publication with the Secretary of State of the State of Minnesota, shall thereupon be of full force and effect.

METROPOLITAN AIRPORTS COMMISSION

NOTICE IS HEREBY GIVEN that the Metropolitan Airports Commission, sometimes referred as the Minneapolis-Saint Paul Metropolitan Airports Commission, did on the 18th day of September, 1978, at a regular Commission meeting adopt, by affirmative vote of a majority of its commissioners constituting a quorum of the Commission and voting thereon,

ORDINANCE NO. 53

An Ordinance relating to the management and operation of the Minneapolis-Saint Paul Metropolitan Airports Commission secondary airports; adopted in the public interest to promote the public health, safety and welfare; relating to the security of aircraft based at secondary airports; and prescribing the penalties for violation thereof.

The Ordinance, so adopted, is on file with the Secretary of State and is available for inspection at the offices of the Commission at 6040 28th Avenue

Summons upon you, expires of the Complaint which is on file in the office of the Secretary of State.

You, and each of you, are hereby notified that the State of Minnesota

THE STATE OF MINNESOTA

PRINTER'S AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA, ss. COUNTY OF RAMSEY,

John L. Cremer, Jr., being duly sworn, on oath says he is and during all the times herein stated has been the business manager of the newspaper known as The Saint Paul Legal Ledger and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches; (2) Said newspaper is a daily and is distributed daily except Sunday, Monday and Holidays; (3) Said newspaper has 25% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements; (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office; (5) Said newspaper purports to serve the City of St. Paul in the County of Ramsey and it has its known office of issue in the City of St. Paul in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in its employ and subject to his direction and control during all such regular business hours and at which said newspaper is printed; (6) Said newspaper files a copy of each issue immediately with the State Historical Society; (7) Said newspaper has complied with all the foregoing conditions for at least two years preceding the day or dates of publication mentioned below; (8) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the managing officer of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

He further states on oath that the printed notice hereto attached as a part hereof was cut from the columns of said newspaper and was printed and published therein in the English language, once; that it was so published on Thursday the 21st day of September, 1978, and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:

abcdefghijklmnopqrstuvwxyz

JOHN L. CREMER, JR. (Signature)

Subscribed and sworn to before me this 21st day of September, 1978

STATE OF MINNESOTA DEPARTMENT OF STATE FILED OCT 2 - 1978 Joan Anderson Howe Secretary of State

I. E. CREMER NOTARY PUBLIC - MINNESOTA DAKOTA COUNTY My Commission Expires Apr. 13, 1982

I. E. CREMER (Signature)

STATE OF MINNESOTA

County of Ramsey

IN THE MATTER OF

Metropolitan Airports
Commission

AFFIDAVIT OF PUBLICATION OF

Ordinance No. 53

Oppenheimer Law Firm

Attorney

The Saint Paul Legal Ledger, St. Paul, Minn.

STATE OF MINNESOTA)
(SS.
COUNTY OF HENNEPIN)

AFFIDAVIT OF PUBLICATION

Warren E. Maul, being duly sworn on oath says he is and

during all the times herein stated has been the publisher
~~and printer~~ of the newspaper known as

FINANCE AND COMMERCE

and has full knowledge of the facts herein stated as follows: (1) Said newspaper is printed in the English language in newspaper format and in column and sheet form equivalent in printed space to at least 900 square inches. (2) Said newspaper is a daily and is distributed at least five (5) days each week, or four (4) days in a week in which a legal holiday is included. (3) Said newspaper has 25 percent of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements. (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75 percent of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Minneapolis in the County of Hennepin, and it has its known office of issue in the City of Minneapolis in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer of said newspaper or persons in its employ and subject to his direction and control during all such regular business hours and at which said newspaper is printed. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper has complied with all the foregoing conditions for at least two years preceding the day or dates of publication mentioned below. (8) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the managing officer of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

He further states on oath that the printed

ORDINANCE NO. 53

hereto attached as a part hereof was cut from the columns of said newspaper, and was printed and published therein in the English language, for one day; that it was so published on

Friday the 22nd day of September, 1978

and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to wit:

... abcdefghijklmnopqrstuvwxyz

X... abcdefghijklmnopqrstuvwxyz

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
OCT 2 - 1978

John Anderson Howe
Secretary of State

Subscribed and sworn to before me this 22nd day of September, 1978

(Notarial Seal)

Notary Public, Hennepin County, Minnesota

DOROTHY V. WOLF
NOTARY PUBLIC-MINNESOTA
HENNEPIN COUNTY
My Commission Expires Sep. 22, 1984.

METROPOLITAN AIRPORTS COMMISSION
NOTICE IS HEREBY GIVEN that the Metropolitan Airports Commission, sometimes referred as the Minneapolis-Saint Paul Metropolitan Airports Commission, did on the 18th day of September, 1978, at a regular Commission meeting adopt, by affirmative vote of a majority of its commissioners constituting a quorum of the Commission and voting thereon,
ORDINANCE NO. 53
An Ordinance relating to the management and operation of the Minneapolis-Saint Paul Metropolitan Airports Commission secondary airports; adopted in the public interest to promote the public health, safety and welfare; relating to the security of aircraft based at secondary airports; and prescribing the penalties for violation thereof.
The Ordinance, so adopted, is on file with the Secretary of State and is available for inspection at the offices of the Commission at 6040 28th Avenue South, Minneapolis, Minnesota. Publication of this notice of adoption of ordinance is made pursuant to the legal authority and corresponding responsibility of the Commission pursuant to Minnesota Statutes Section 473.608, subdivision 17.
OPPENHEIMER, WOLFF,
FOSTER, SHEPARD
AND DONNELLY,
By Thomas W. Anderson,
Commission Attorneys,
1700 First National Bank Building,
Saint Paul, Minnesota 55101
(Published in Finance and Commerce,
September 22, 1978) 93579

OPPENHEIMER, WOLFF, FOSTER, SHEPARD AND DONNELLY
ATTORNEYS AT LAW

WILLIAM H. OPPENHEIMER (1975)
BENNO F. WOLFF
WOOD R. FOSTER
GORDON SHEPARD
JAMES R. OPPENHEIMER
DAVID C. DONNELLY
RICHARD G. LAREAU
SHERMAN WINTHROP
JOHN D. HEALY, JR.
LEON R. GOODRICH
ELMER B. TROUSDALE
LEHAN J. RYAN
STEVEN J. OLSON
JAMES L. WALSH (1977)
LEO J. HARRIS
WILLIAM F. ARCHERD
HARRIS RAVINE
ROBERT L. BULLARD
MICHAEL BERENS
JOHN H. WOLF
THOMAS P. KANE
CRAIG W. GAGNON
DAVID F. McELROY, JR.
JACK W. HANSON
RONALD C. MICKELBERG
ROBERT R. WEINSTINE
JAMES D. LANO
ERIC R. MILLER
THOMAS J. SEXTON
JEAN RUSSOTTO*
RICHARD M. BISANZ
WAYNE G. FARIS
JOHN P. SCHMIDTKE
WILLIAM P. STUDER
CHARLES M. LEVENBERG
STEVEN C. NELSON
EDWARD J. HAYWARD*
DANIEL R. PENNIE
KIMBALL J. DEVOY

1700 FIRST NATIONAL BANK BUILDING
SAINT PAUL, MINNESOTA 55101
TELEPHONE: (612) 227-7271
TELEX- 29-7015

4824 IDS CENTER
MINNEAPOLIS MINNESOTA 55402
TELEPHONE (612) 332-6451
TELEX 29-0138

29 SQUARE de MEEUS
1040 BRUSSELS, BELGIUM
TELEPHONE: 511-19-92
TELEX: 82236

September 25, 1978

RICHARD J. MOEN
ROBERT R. REINHART, JR.
PAUL R. HANNAH
THEODORE J. MEYER
RICHARD A. HOEL
SAMUEL E. WETTERLIN
DOUGLAS L. HEMER
KEITH E. GOODWIN
STEVEN E. HETTIG
BRADLEY G. CLARY
THOMAS W. ANDERSON
JAMES F. PEDERSEN
ROGER D. GORDON
STEVEN C. TOUREK
BRUNO M. de VUYST*
MARK P. WINE
MARK C. PETERSON
KRISTEEN L. HULSEBUS
RITA A. BURNS
DENNIS P. WHELPLEY
GARY M. NELSON
MARK S. OLSON
T. MITCHELL WILLEY
EDWARD M. LAINE
MARK H. STROMWALL
ANTON J. CLAESSENS*
MICHAEL J. BLECK
DOUGLAS G. SCRIVNER
CHARLES H. MEYER
DONALD W. SELZER, JR.
PAULA D. OSBORN
MARK D. ANDERSON
JANICE MILEO

STAN D. DONNELLY
OF COUNSEL

*NOT A MEMBER OF
THE MINNESOTA BAR

Ms. Joan Growe
Secretary of State
State of Minnesota
State Office Building
St. Paul, Minnesota 55155

Dear Ms. Growe:

Pursuant to the provisions of Minn. Stat. §473.608 subd. 17, we are enclosing for filing with the Secretary of State a copy of Minneapolis-St. Paul Metropolitan Airports Commission Ordinance No. 53, together with affidavits of publication in the appropriate legal newspapers.

Very truly yours,

OPPENHEIMER, WOLFF, FOSTER, SHEPARD AND DONNELLY

By -


Thomas W. Anderson

TWA/mb
enclosures