

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

*Jan 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 South, Minneapolis, Minnesota.

You, and each of you, are hereby

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**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 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:

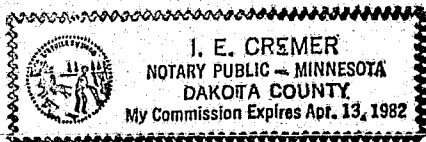
abcdefghijklmnopqrstuvwxyz

*John L. Cremer, Jr.*  
JOHN L. CREMER, JR.

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

*I. E. Cremer*  
I. E. CREMER

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



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**STATE OF MINNESOTA**

**County of Ramsey**

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**IN THE MATTER OF**

Metropolitan Airports  
Commission

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**AFFIDAVIT OF PUBLICATION OF**

Ordinance No. 53

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Oppenheimer Law Firm

**Attorney**

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**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

Thomas W. Anderson  
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  
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DAVID C. DONNELLY  
RICHARD G. LAREAU  
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LEON R. GOODRICH  
ELMER B. TROUSDALE  
LEHAN J. RYAN  
STEVEN J. OLSON  
JAMES L. WALSH (1977)  
LEO J. HARRIS  
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HARRIS RAVINE  
ROBERT L. BULLARD  
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JOHN P. SCHMIDTKE  
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TELEPHONE (612) 332-6451  
TELEX 29-0138

29 SQUARE de MEEUS  
1040 BRUSSELS, BELGIUM  
TELEPHONE: 511-19-92  
TELEX: 62236

September 25, 1978

RICHARD J. MOEN  
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RICHARD A. HOEL  
SAMUEL E. WETTERLIN  
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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