

METROPOLITAN AIRPORTS COMMISSION

ORDINANCE NO. 68

An ordinance to promote and conserve public safety, health, peace, convenience, and welfare by regulating the use of the public properties owned by or under the supervision and control of the Metropolitan Airports Commission, including the regulation of electric carts or other carts, and drivers and owners thereof in or about the Charles A. Lindbergh and Hubert H. Humphrey Terminals; and prescribing the penalties for violation thereof.

The 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 Airport. "Airport" means the Minneapolis-St. Paul International Airport Wold-Chamberlain Field, a public airport under the supervision, operation, direction and control of the Metropolitan Airports Commission, and located in the County of Hennepin and State of Minnesota.
- 1.2 Airport Director. "Airport Director" means the administrative officer and, for purposes of the licensing and control of carts and enforcement of this Ordinance, the agent of the Metropolitan Airports Commission, responsible for operation and policing the Airport.
- 1.3 Cart. "Cart" means every vehicle designed and which is or may be used to transport individuals and/or materials within the Lindbergh and Humphrey Terminal Buildings, including, but not limited to, electric carts, except vehicles moved by human power.
- 1.4 Commission. The "Commission" means the Metropolitan Airports Commission, a public corporation organized and operating pursuant to Chapter 500, Laws of Minnesota 1943 and amendments thereto.
- 1.5 Operator. "Operator" means every person who operates or is in actual physical control of a cart under this ordinance.
- 1.6 Hearing Officer. "Hearing Officer" means the Executive Director of the Commission or his designee who shall conduct hearings pursuant to the provisions of this ordinance.
- 1.7 Owner. "Owner" means a person who holds the legal title to a cart. In the event a cart is the subject of an agreement for the conditional sale or lease thereof with the right of purchase upon performance of the conditions stated in the agreement and with an immediate right of possession vested in the conditional vendee or lessee, or in the event a mortgagor of a cart is entitled to possession, then such conditional vendee, lessee or mortgagor shall be deemed the owner for the purpose of this ordinance.
- 1.8 Parking. "Parking" means the standing of a cart in any portion of a terminal building or outside such building, whether accompanied or unaccompanied by the operator thereof.

STATE OF MINNESOTA
DEPARTMENT OF STATE
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- 1.9 Pedestrian. "Pedestrian" means any person afoot.
- 1.10 Person. The designation of "person" may extend and be applied to bodies politic and corporate and to partnerships and other unincorporated associations.
- 1.11 Solicit and Solicitation. "Solicit" and "Solicitation" means the act of requesting, offering and urging by any means the business of carrying passengers in a cart whether or not by the owner or operator of such cart. Solicitation includes but is not limited to any effort by use of voice, movement of body or by mechanical contrivance of whatever sort to call attention to the availability of a cart to carry a passenger, passengers or baggage.
- 1.12 Terminals. "Terminals" means the Charles A. Lindbergh and Hubert H. Humphrey Terminals.

SECTION 2. OPERATORS

2.1 Permits.

(a) Except as provided in subsection (b) hereof, no person shall operate a cart and no person, firm, partnership, or corporation shall permit an employee to operate a cart within the terminals unless the employee shall have first obtained therefor an operator's permit under the provisions of this Ordinance and has said permit in possession at all times while operating in terminal areas.

(b) A cart operator's permit shall be issued by the Airport Director for each qualified operator for whom application is made, upon satisfactory fulfillment of the requirements of this Ordinance, and upon payment of the permit fee prescribed in Section 2.3, subject to the provisions of subsection 2.6(d).

2.2 Requirements for Operator's Permit. Each applicant for an operator's permit must comply with the following conditions of this section.

(a) The applicant must have obtained and have in good standing a valid state driver's license.

(b) The applicant must be of the age of 18 years or over.

(c) The applicant must be able to read and speak the English language.

(d) The applicant must be clean in dress and person and not use or be under the influence of intoxicating liquors or drugs on Airport property.

(e) The applicant must be uniformed if the applicant will operate a cart for public conveyance.

(f) The applicant must be an employee of an Airport tenant or contractor authorized to conduct business at the Airport.

(g) The applicant for a permit must fill out upon a blank form to be provided by the Commission a statement giving: full name, residence, height, color of eyes, and date of birth, whether the applicant has ever been convicted of a felony or misdemeanor, or whether there is a prosecution pending for a felony, and any other pertinent data which may be required by the Airport Director, which statement shall be signed and sworn to by the applicant and filed with the Commission as a permanent record.

(h) All applications for permit under the provisions of this section may be investigated under the direction of the Airport Director, and the investigator shall endorse a recommendation thereupon and forward the same to the Airport Director; PROVIDED, however, that a temporary permit may be issued pending such investigation not to exceed thirty (30) days.

(i) Any applicant for a permit under the provisions of this section who has been convicted of a felony within two (2) years of the date upon which application is filed may be granted a permit by the Commission after consideration and upon recommendation of the Airport Director based upon the facts and circumstances relative to such conviction, and upon the report and recommendation of an investigator designated by the Airport Director as to the character and conduct of such applicant subsequent to such conviction if the applicant shall furnish substantial evidence to the Airport Director and to the designated investigator indicating substantial improvement in his character and conduct subsequent to such conviction, and PROVIDED that in the event that an applicant has a prosecution pending on a felony charge, the Airport Director may grant a temporary permit during the pendency of such charge if the applicant shall furnish substantial evidence to the Airport Director indicating that such application will not constitute a danger to the persons or property of his passengers or the general public using Airport property and facilities during the pendency of such charge.

(j) The applicant must complete a cart operator's training program that has been approved by the Airport Director, and provide documentation to the Airport Director of satisfactory completion of such program.

(k) Every applicant for an operator's permit and every permitted operator of a cart who has filed with the Commission the form required above shall in every instance where the residence address is changed after the filing of such form, and as often as the residence address is changed, give notice in writing to the Airport Director or other designated official of such change in address within three (3) days of making such change. Also, an operator, when changing cart companies, must give written notice to the Airport Director or designee. The operator's permit shall be void if such written notice is not given within three (3) days. Notice required to be given to an operator pursuant to this Ordinance is sufficient if mailed to the last address filed with the Airport Director or designee.

(1) The Airport Director may require photographs and fingerprints of each applicant. The required photographs of each applicant shall be furnished by the Commission without any other charges than herein provided. The fingerprint record shall be as required by the Airport Director. Each permittee shall exhibit his license for inspection upon demand by a Commission employee or passenger.

(m) If the Airport Director determines that a false application has been made the Airport Director shall deny such applicant a cart driver's permit; PROVIDED that such applicant may reapply at any time at least six (6) months after the false application has been made.

2.3 Operator's Permit Fee. Cart operators' permits shall be issued effective from date of issuance until suspended or revoked as hereinafter provided. The permit fee for a cart operator shall be \$5.00. Any fee due shall be paid at the time of filing of an application. There shall be an additional \$5.00 fee for all duplicate permits.

2.4 Suspensions and Revocations - Conduct. The Commission shall keep a complete record of each permit issued to an operator and all renewals, suspensions and revocations thereof.

(a) Cart operators' permits shall be suspended for any one of the following reasons:

- (1) Violation of this Ordinance by the operator.
- (2) Violation by the operator of any Ordinance of the Commission for which a criminal penalty may be imposed.
- (3) Violation by the operator while on Airport property of any law of the State of Minnesota or the United States for which a criminal penalty may be imposed.
- (4) Failure to meet the requirements of Section 2.2 of this Ordinance at any time after the permit is issued.
- (5) Actions by the operator which interfere with or threaten the safety, comfort, or convenience of passengers or otherwise constitutes just cause for suspension.
- (6) Operation, by a operator, of a cart that is not in compliance with this Ordinance.

(b) Cart operators' permits shall be revoked for any one of the following reasons:

- (1) A cart operator's permit may be revoked upon the commission of any act by the operator which seriously endangers property or persons or otherwise constitutes just cause for termination.

(2) After one suspension, the second violation of subsection (a) above within one year shall result in the revocation of the cart operator's permit.

(3) Any operator who defaces, removes, alters, or obliterates or who causes or permits to be defaced, removed, altered, or obliterated any official entry made upon the operator's permit or associated decals shall, in addition to other punishment imposed by this Ordinance, have the permit revoked by the Commission.

2.5 Suspension and Revocation - Procedure. The procedure for suspensions shall be as follows:

(a) When an official designated by the Airport Director, whether of the official's own knowledge or otherwise, has cause to believe that one or more grounds for suspension or revocation exist, the official shall report to the Airport Director, in writing, giving any such relevant facts available concerning the grounds for suspension or revocation.

(b) The Airport Director shall review the report of the official and shall determine whether or not it sets forth facts sufficient to warrant a permit suspension or revocation under Section 2.4 above. If the Airport Director finds that the report sets forth such facts as constitute grounds for a permit suspension or revocation under Section 2.4 above, the Airport Director shall notify the operator of the facts constituting the grounds for suspension or revocation, the length of the suspension or revocation, and the starting date of the suspension or revocation.

(c) If the operator believes that the facts set forth by the Airport Director are not true or that there are defenses to such facts, the operator may, within fifteen (15) days after the Airport Director has mailed the notice specified in subsection (b) above, demand a hearing before a Hearing Officer, such demand to be made to the Airport Director in writing.

(d) If the operator demands a hearing, the Airport Director shall so advise the Hearing Officer of the Commission and the Hearing Officer shall set a time for such hearing, not more than fifteen (15) days after notification of the Airport Director by the operator of the demand for a hearing. The Hearing Officer shall notify the operator of the time and place of the hearing not less than five (5) days before the time set for the hearing.

(e) The hearing shall be conducted by the Hearing Officer, shall be recorded by electrical or mechanical recorder or by a qualified reporter, and shall proceed as follows:

(1) The Airport Director and/or a designated official may present evidence which tends to substantiate the facts constituting grounds for the proposed suspension or revocation.

(2) The operator may appear in person, may be represented by counsel, may cross-examine Commission witnesses who are present, and may present any relevant evidence relating to the facts constituting grounds for the proposed suspension or revocation.

(3) All testimony shall be taken under oath but both the Commission and the operator may introduce testimony under oath in the form of sworn affidavits if witnesses are unavailable or refuse to appear in person.

(4) The Hearing Officer shall record the proceedings, shall hear the evidence and shall determine whether, by a preponderance of evidence, it has been established that cause exists so as to require suspension or revocation of the permit under Section 2.4 of this Ordinance.

(5) The Hearing Officer shall advise the operator and the Airport Director of his decision, either orally, on the record at the conclusion of the hearing or in writing mailed not later than the next business day following the hearing.

2.6 Suspension and Revocation - Time; Notice; Decision; Penalties.

(a) Suspension or revocation of any cart operator's permit shall begin fifteen (15) days after the Airport Director sends notice of the proposed suspension or revocation to the operator, PROVIDED that if the operator demands a hearing, such suspension or revocation shall not be effective until after the Hearing Officer has determined that cause exists to require suspension or revocation of the permit under Section 2.4 of this Ordinance. In the event the Hearing Officer so determines, the Hearing Officer shall stay the suspension or revocation at the request of the operator for an additional period of fifteen (15) days, for purposes of allowing the operator to seek such further redress as the operator deems appropriate.

(b) The decision of the Hearing Officer constitutes the final administrative action of the Commission hereunder.

(c) Suspensions of the cart operator's permit of any person pursuant to this Ordinance shall be for a period of thirty (30) days.

(d) After a permit has been revoked, the cart operator shall not be eligible to apply for another Airport cart operator's permit for a period of two (2) years.

SECTION 3. CARTS

3.1 Licensure.

(a) No person shall operate a cart or shall permit any cart to be operated within the terminals without having first obtained therefor a cart license under the provisions of this Ordinance.

(b) A license shall be issued for each qualified cart for which application is made upon satisfactory fulfillment of the requirements of this Ordinance, upon payment of the license fee prescribed in Section 3.2, and upon furnishing to and filing with the Commission satisfactory proof by way of fulfillment of the insurance requirements of this Ordinance, except as noted below in Section 3.1(f).

(c) The cart license shall be in such form as the Airport Director shall prescribe and shall contain the name of the owner, vehicle make, passenger carrying capacity, year, model, and serial number. Each cart license shall be signed on behalf of the Commission by the Airport Director and shall have stamped upon it a number to be selected by said Airport Director by which said license shall be designated and known, and there will be issued to the owner two decals bearing such license number. Such license shall permit the cart licensed thereunder to engage in service within the terminal buildings and to such other areas as are from time to time authorized by the Airport Director.

(d) The license decals issued pursuant hereto, in such form as prescribed by the Airport Director, shall at all times be affixed to the front and rear of such cart so that the license number can clearly be read.

(e) The Airport Director or the Director's designee shall keep a register of the name of each person owning a cart licensed under this Ordinance together with the license number and the description, make and other descriptive data as to such cart. Such records shall be open to inspection by the public at all reasonable times.

(f) The Airport Director may limit the number of cart licenses to be issued. In doing so, the Airport Director shall consider the needs of the elderly, handicapped, unaccompanied minors, and others in accessing the terminal areas.

3.2 License Fee; Renewal and Reinstatement.

(a) The annual license fee for a cart shall be \$5.00 to be paid for each cart licensed. This fee may be waived for carts owned by the Commission. Any cart license, regardless of the date such license initially was issued, shall remain in effect until the following April 1, provided that all requirements of this Ordinance are met at all times. Cart licenses are renewable from year to year thereafter by April 1 of each year as hereinafter provided. The annual license fee for a cart to be licensed

as of April 1, 1988 and each succeeding year thereafter shall be \$5.00, or such other amount as is established from time to time by the Commission to recover the costs to the Commission of the administration of cart licensing.

(b) Application for cart licenses shall be made annually upon payment by the applicant of the annual fee as provided in this Ordinance and upon furnishing to the Airport Director satisfactory evidence that the facts as set forth in the initial application of the applicant still have application thereto, that it has been examined and inspected pursuant to Section 3.3(a) and that the insurance as required by this Ordinance is in full force and effect.

(c) Where a cart license has been revoked as provided in this Ordinance a new cart license will only be granted upon application to the Airport Director for such license and upon furnishing substantial evidence to the Airport Director of correction of the default or deficiency as a result of which the license has been revoked.

(d) A cart license issued pursuant to this Ordinance may be transferred to another person and/or cart only upon a showing that the person and/or cart to which the license is to be transferred meets all requirements of this Ordinance by completion of an application for transfer, and upon payment to the Commission of a fee of \$5.00. Any such proposed transfer must be reported to the Airport Director or the Director's designee before the transfer shall be effective. In the event a cart license issued by the Commission is used by a person and/or cart other than the person and/or cart to whom the cart license was issued, such license automatically and immediately shall be suspended, and shall remain suspended until all requirements of this subsection and this Ordinance are met.

3.3 Cart Inspection.

(a) All carts, upon application for license or renewal of license, shall be examined and inspected by an Inspector duly designated by the Airport Director for such purpose which inspection shall insure compliance with cart requirements as set forth in Sections 3.5(b) through 3.5(j).

(b) (1) The Airport Director may require every cart licensed by the Commission to be inspected from time to time and certified to be in a safe operating condition, in accordance with standards set forth in section 3.5.

(2) Whenever the Inspector has reasonable grounds to believe that a cart licensed by the Commission is not in compliance with the above standards, the Inspector may require the owner of such cart to submit such cart for inspection and certification.

3.4 Insurance and Idemnity.

(a) The owner shall at all times keep in full force and effect liability insurance in amounts and as required by this section and shall immediately notify the Airport Director whenever such insurance is cancelled, superseded or terminated in whole or in part.

(b) Liability insurance required as to each owner's cart licensed pursuant to this Ordinance shall at a minimum insure each owner's cart in an amount of \$1,000,000 combined single limit liability for bodily injury and property damage per occurrence and as an annual aggregate, and every policy shall be written by a company authorized to write such insurance in the State of Minnesota, shall contain a clause that the liability of the insurer shall not be affected by the insolvency or bankruptcy of the assured, and further obligating the insurer to give ten (10) days written notice to the Commission before any cancellation, addition or deletion of carts insured, or termination thereof earlier than its expiration date. Such insurance shall not include any limitation, condition or clause releasing the insurer or insurers thereof from liability, or excluding from coverage the carts mentioned, described or included therein when such carts are operated, used, or maintained while the operator or occupants thereof are intoxicated or engaged in the illicit transportation of liquor.

(c) Each cart owner shall further provide for indemnity and security to the Commission as follows: Owner shall protect, defend, and hold the Commission completely harmless from and against any and all liabilities, losses, suits, claims, judgements, fines or demands arising by reason of injury or death of any person or damage to any property, including all reasonable costs for investigation and defense thereof (including, but not limited to, attorney fees, court costs, and expert fees), of any nature whatsoever arising out of or incident to the use of carts at the Airport or the acts or omissions of owner's officers, agents, owners, contractors, subcontractors, operators, or invitees, regardless of where the injury, death, or damage may occur, unless such injury, death, or damage is caused by the sole negligence of the Commission. The Commission shall give to owner reasonable notice of any such claims or actions. The owner shall use counsel reasonably acceptable to Commission in carrying out its obligations hereunder. The provisions of this section shall survive the expiration or early termination of any license agreement. If Commission is required or in its sole discretion believes it to be in its best interest to defend or participate in the defense or payment of any such action, claim, etc., owner shall reimburse Commission for all sums including reasonable attorney's fees actually paid or required to be paid in connection with said action, claim, etc.

3.5 Cart Requirements. The Airport Director may waive or modify the following requirements of this section for individual carts when necessary upon written request.

(a) No cart, whether or not licensed under this Ordinance, shall be operated on or about and within the limits of the Airport unless it is found to comply with the provisions of this section.

(b) Every cart shall be licensed under this Ordinance, shall display the license on the front and back of the cart, and shall display the passenger carrying capacity on the cart.

(c) Every cart shall be clean, of good appearance and well-painted.

(d) No cart shall exceed the size of 44 inches by 108 inches.

(e) No cart shall have beepers, horns, bells, buzzers, lights or other types of devices designed to attract attention, except for reverse beepers.

(f) Every cart shall be equipped with brakes and a steering system, both in good working condition. In addition, all carts shall have a containment device or catch tray to prevent any leakage of battery acid, or fluids of any type.

(g) Every cart shall be in a thoroughly safe condition for the transportation of passengers and baggage, and shall provide adequate seating for passengers.

(h) All carts shall be electrically powered. Gasoline powered carts are not allowed in the Terminals.

(i) No cart shall be connected to any type of trailer or other towing device.

(j) All carts shall be equipped with a device such as a governor that limits the speed of a cart to 5 mph.

3.6 Vehicle Deficiency.

(a) When any Airport Police Officer has reasonable grounds to believe that a cart licensed under this Ordinance is not in compliance with Section 3.5, the Officer may issue a repair ticket for such cart. The repair ticket will be in such form as designated by the Airport Director. After a repair ticket is issued, the cart may continue to operate on Airport premises for a period of three (3) days except when the deficiency for which the ticket is issued is one or more of the following:

1. Unsafe tire(s).
2. Unsafe brakes(s).
3. Unsafe steering mechanism.
4. Any other condition which could cause harm or be injurious to the public.

(b) In the event that the deficiency is one or more of those listed above, the cart shall not be operated on Airport premises until the deficiency for which a repair ticket is issued has been corrected. The owner shall present the cart for inspection to any official designated by the Airport Director to inspect carts.

(c) Failure to comply with the provisions of Sections 3.5 and 3.6 of this Ordinance shall be cause for revocation of a license issued pursuant to this Ordinance. The procedure for revocation of a cart license for violation of this section shall be the same as that in Sections 2.5 and 2.6 above except that revocation shall be for a period until the deficiency is corrected.

3.7 Revocation of License.

(a) In addition to penalties hereunder for Ordinance violations, cart licenses may be revoked by the Airport Director at any time for cause subject to the owner's right to a hearing using the same hearing procedures as those contained in Sections 2.5 and 2.6 above, except that the revocation shall take effect immediately upon notification by the Airport Director to the owner of the facts and circumstances constituting the grounds for the revocation if the grounds involve inadequate insurance coverage, failure to maintain the proper evidence of the required insurance coverage, unsafe cart or any other grounds for revocation which constitute an immediate threat to the safety, comfort and convenience of the traveling public. If the grounds for revocation do not require such immediate action, the proposed revocation shall be stayed as in Section 2.6(a) above.

(b) In the event that any or all of the licenses of an owner are revoked, the owner shall be eligible to apply for a new cart license or licenses at any time, but such new license may not be granted until previous causes for revocation have been corrected.

(c) Without intending limitation as to cause, the following shall be cause for revocation as hereinafter stated in this section:

- (1) Cart licenses shall be revoked upon it appearing that any owner of a cart shall have failed to pay for damage to person or property resulting from the negligent operation, use or defective condition of such cart within ninety (90) days after time to appeal has expired from any judgment against said owner and there being no appeal taken from such judgment; and in case an appeal is taken if the owner shall, within ninety (90) days after the termination of such appeal, fail to pay any such judgment, a license will not be reinstated or a new license issued to the judgment debtor while any such judgment remains unsatisfied.
- (2) Where the owner fails at all times to maintain on file with the Commission evidence of maintenance of policies of liabi-

lity insurance required by this Ordinance, such failure shall constitute cause for revocation and the Airport Director shall revoke all cart licenses issued to the owner pursuant to this Ordinance.

- (3) Where the owner of a cart licensed in accordance with this Ordinance allows or permits anyone other than an operator who is properly permitted in accordance with this Ordinance to operate the owner's cart, such conduct shall constitute cause for revocation of the owner's cart license. A person whose cart operator's permit is suspended or revoked is not properly permitted for purposes of this subsection.

SECTION 4 - TRAFFIC AND PARKING PROVISIONS

- 4.1 No person shall operate a cart in a terminal building at a speed greater than is reasonable and prudent under the conditions and having regard to the actual and potential hazards then existing. In every event speed shall be so restricted as may be necessary to avoid colliding with any person, vehicle, or other conveyance.
- 4.2 All operators of carts shall yield the right-of-way to pedestrians.
- 4.3 No cart shall be operated at a speed in excess of the speed of the surrounding pedestrian traffic, or, if there is no surrounding pedestrian traffic, no cart shall be operated in excess of five (5) miles per hour in any terminal building, unless a different speed limit has been designated by the Airport Director.
- 4.4 No person operating or in charge of a cart shall permit it to stand unattended on a grade.
- 4.5 No person shall at any time leave a cart standing or parked upon property owned by or under the supervision and control of the Commission with the wheels chained, blocked or fastened in such a manner that such cart cannot be easily moved in case of emergency. Only locking of a vehicle so as to permit the vehicle to be moved by hand shall be allowed.
- 4.6 (a) No person shall leave a cart unattended on any properties owned by or under the supervision and control of the Commission, without first stopping the engine, locking the ignition, removing the key and taking it with him/her. "Unattended" means that the vehicle is not in the actual physical presence of its owner or operator.
- (b) Violation of any part of this subsection shall not mitigate the offenses of stealing a cart, nor shall such violation be used to affect a recovery in any civil action for theft of a cart, or the insurance thereon, or have any other bearing in any civil action.
- (c) Whenever any cart is found standing in violation of this ordinance, an officer of the Commission is authorized and directed to remove the

cart's keys and to deliver them to the Watch Commander at the Commission's Police Department.

- 4.7 No person shall willfully fail or refuse to comply with any lawful order or direction to control or regulate traffic.
- 4.8 It shall be unlawful for any person to operate, stop or park a cart in a terminal building as to needlessly, unnecessarily and unwarrantedly block, obstruct or interfere with the orderly flow of traffic in said terminal building. Proof that such traffic was blocked, obstructed, or interfered with shall be prima facie evidence that such blocking, obstructing and interference was needless, unnecessary and unwarranted.
- 4.9 The Airport Director may designate allowable space within the terminal building in which cart operators and owners must park their carts, when carts are left unattended.

SECTION 5 - OPERATION OF CARTS

- 5.1 The operation of carts on or about or within the limits of the Airport shall be subject to the provisions of this section.
- 5.2 No person shall solicit the business of carrying passengers in any cart. No cart shall be operated within the limits of the Airport for the purpose of soliciting the carrying of passengers. No person shall lay hands upon the person or baggage of any person without the express consent of such person or obstruct the movement of any person or follow any person for the purpose of soliciting patronage.
- 5.3 It shall be unlawful for any operator of a cart to scuffle or crowd about or interfere with any other operator with whom any person is inquiring about the transportation of persons or baggage.
- 5.4 No operator of a cart while on duty at the Airport shall use or be under the influence of an alcoholic beverage or narcotic drug.
- 5.5 It shall be unlawful for any operator of a cart knowingly and willfully to use such cart or permit the same to be used for the purpose of transporting non-intoxicating or intoxicating liquor without the owner of such liquor or his agent, other than the operator of the cart, occupying such cart and having charge of such liquor; and it shall be unlawful for any operator of a cart to knowingly and willfully use such cart or permit the same to be used for the transportation of narcotics in violation of law.
- 5.6 Every owner and every operator of a cart shall observe and obey all pertinent rules, regulations and ordinances of the Commission controlling the activities of persons on or about lands and properties owned by or under the supervision and control of the Commission.

- 5.7 No operator of a cart for public conveyance shall refuse or neglect to convey any orderly person or persons and their reasonable baggage upon request to their destination without charge. No fee for service shall be requested, solicited or exacted from persons conveyed by any operator of a cart. Tips may be accepted.

SECTION 6 - MISCELLANEOUS PROVISIONS

- 6.1 Carts for public conveyance are intended for use primarily by elderly, handicapped persons and unaccompanied minors. Restrictions on the use of carts for such persons may be instituted if these needs are not adequately served.
- 6.2 This ordinance shall have no application to authorized emergency carts responding to emergency calls.
- 6.3 The Airport Director in administrative control of properties owned by or under the supervision and control of the Commission or an authorized representative is hereby empowered to cause to be removed and towed away and to be stored any unattended cart standing or parked in violation of the terms of this ordinance. Where such cart is towed away and stored in other areas on the airport, such cart will not be returned to the owner thereof except upon satisfactory proof of ownership and upon payment of the reasonable cost for towage and storage of such cart.

SECTION 7 - PENALTY PROVISION

Any person violating any of the provisions of this Ordinance shall upon conviction be punished by sentence within the parameters of the maximum penalty for misdemeanors set forth in Minn. Stat. §609.03 or as the same may from time to time be amended.

SECTION 8 - SAVING CLAUSE

If any part of parts of this Ordinance shall be held to be unconstitutional, such unconstitutionality shall not affect the validity of the remaining parts of this Ordinance. The Commission hereby declares it would have passed the remaining parts of this Ordinance if it had known that such part of parts thereof would be declared unconstitutional.

SECTION 9 - EFFECTIVE DATE

This Ordinance shall be in force and effect upon the filing of the same with proof of publication thereof with the Secretary of State of Minnesota.

STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED

MAR 7 - 1988

Joan Anderson Howe
Secretary of State

NOTICE OF ADOPTION
METROPOLITAN AIRPORTS COMMISSION
ORDINANCE NO. 68

Please take notice that on the 19th of January, 1988 at a regularly scheduled meeting, the Metropolitan Airports Commission adopted Ordinance No. 68:

An Ordinance to promote and conserve public safety, health, peace, convenience and welfare by regulating the use of public properties owned by or under the supervision and control of the Metropolitan Airports Commission including the regulation of electric carts or other carts and drivers and owners thereof in or about the Charles H. Lindbergh and Hubert H. Humphrey terminals and prescribing the penalties for violation thereof.

Copies of Ordinance No. 68 as adopted will be on file with the Secretary of State and may be obtained at the Metropolitan Airports Commission offices.

MR. JEFFREY W. HAMIEL

Executive Director

METROPOLITAN AIRPORTS COMMISSION

6040 - 28th Ave. S.

Minneapolis, MN 55450

(Jan. 23)

ST. PAUL LEGAL LEDGER

DUPLICATE
AFFIDAVIT OF PUBLICATION

State of Minnesota
County of Ramsey

Samuel E. Lewis, Jr., being duly sworn, on oath says that he is the publisher of the newspaper known as the Saint Paul Legal Ledger and has full knowledge of the facts which are stated below:

(A) The newspaper has complied with all of the requirements constituting qualification as a qualified newspaper, as provided by Minnesota Statute 331A.02, 331A.07, and other applicable laws, as amended.

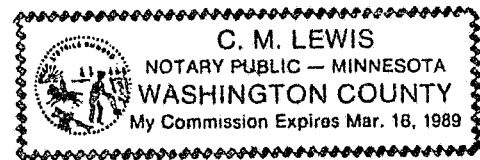
(B) The printed Notice of Adoption Ordinance No. 68 which is attached was cut from the columns of said newspaper and was printed and published once; it was published on Saturday, the 23rd day of January, 1988; and printed below is a copy of the lower case alphabet from A to Z, both inclusive, which is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice:

abcdefghijklmnopqrstuvwxyz

Samuel E. Lewis, Jr.

Subscribed and sworn to before me this 23rd day of January, 1988

C. M. Lewis



Rate Information

- (1) Lowest classified rate paid by commercial users for comparable space is \$_____.
- (2) Maximum rate allowed by law for the above publication is \$_____.
- (3) Rate actually charged for the above publication is \$_____.

AFFIDAVIT OF PUBLICATION

STATE OF MINNESOTA)
) (SS.
COUNTY OF HENNEPIN)

CLINTON G. ANDRUS, 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

NOTICE OF ADOPTION
METROPOLITAN AIRPORTS
COMMISSION
ORDINANCE NO. 68

Please take notice that on the 19th of January, 1988 at a regularly scheduled meeting, the Metropolitan Airports Commission adopted Ordinance No. 68:

An Ordinance to promote and conserve public safety, health, peace, convenience and welfare by regulating the use of public properties owned by or under the supervision and control of the Metropolitan Airports Commission including the regulation of electric carts or other carts and drivers and owners thereof in or about the Charles H. Lindbergh and Hubert H. Humphrey terminals and prescribing the penalties for violation thereof.

Copies of Ordinance No. 68 as adopted will be on file with the Secretary of State and may be obtained at the Metropolitan Airports Commission offices.

Mr. Jeffrey W. Hamiel
Executive Director
METROPOLITAN AIRPORTS
COMMISSION
6040 - 28th Avenue South
Minneapolis, MN 55450
(Published in Finance and Commerce
January 23, 1988)
78204

and has the 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 1,200 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) In at least half of its issues each year, said newspaper has no more than 75 percent of its printed space comprised of advertising material and paid legal notices; and in all of its issues each year, has 25 percent of its news columns devoted to news of local interest to the community which it purports to serve, but not more than 25 percent of its total nonadvertising column inches in any issue may wholly duplicate any other publication unless the duplicated material is from recognized general news services. (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 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 has its known office of issue in the City of Minneapolis in said county, established and opened 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 is available at single or subscription prices to any person, corporation, partnership or other unincorporated association requesting the newspaper and making applicable payment. (8) Said newspaper has complied with all the foregoing conditions for at least two years preceding the date or dates of publication mentioned below. (9) Said newspaper has annually published and submitted to the Secretary of State of Minnesota a sworn United States Post Office second-class statement of ownership and circulation.

He further states on oath that the printed

NOTICE OF ADOPTION FOR ORDINANCE NO. 68

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

Saturday the 23rd day of January, 1988

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 same and kind of type used in the composition and publication of said notice, to wit:

... abcdefghijklmnopqrstuvwxyz

X abcdefghijklmnopqrstuvwxyz

37992
STATE OF MINNESOTA
DEPARTMENT OF STATE
FILED
MAR 7 - 1988
James Andrew Howe
Secretary of State

Clinton G. Andrus
Subscribed and
sworn to before me this 25th day of January, 1988.

(Notarial Seal) Notary Public, Hennepin County, Minnesota

COROTHY V. WOLF
NOTARY PUBLIC - MINNESOTA
HENNEPIN COUNTY
My Commission Expires Sept. 23, 1990