## Chapter 25 AVIATION DEPARTMENT RULES AND REGULATIONS [[1]](#BK_EB27A082C09BCBB745BE77154A665DF9)

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Sec. 25-1. General.

25-1.1 *Definitions.* Note: Words not specifically defined by subsection 25-1.1 herein, which relate to aeronautical practices, processes and equipment, shall be construed according to their general usage in the aviation industry.

(1) "Abandon" shall mean to forsake, desert, give up and surrender one's claim or right.

(2) "Aircraft" shall mean any contrivance now known or hereafter designed, invented or used for navigation or flight in the air or space, except a parachute or other contrivance used primarily as safety equipment.

(3) "Air Operations Area" or "AOA" shall mean any area of the Airport identified by the Department and used or intended to be used for landing, taking-off or surface maneuvering of aircraft, excluding those leasehold areas within or having direct access to the AOA which are subject to security requirements imposed on the lessee or tenant under appropriate federal regulations, or agreement incorporated in a signed lease, unless such security requirements are assumed by the Department through the issuance of an Operational Directive or by lease agreement.

(4) "Airport" shall mean any Airport now or hereafter owned or operated by Dade County, Florida.

(5) "Apron" or "ramp" shall mean that area of the Airport within the AOA designated by Operational Directive or other document of the Department for the loading, unloading, servicing or parking of aircraft.

(6) "Authorized" shall mean acting under or pursuant to a written contract, permit, authorization or other evidence of right issued by the Board, the County Manager or Department Director or their authorized designee(s).

(7) "Board" shall mean the Board of County Commissioners of Dade County, Florida.

(8) "Bus" shall mean a passenger motor vehicle which operates on or to and from the Airport on a fixed route or a predetermined schedule or in a designated service area on or off the Airport and which holds a valid license from the Florida Public Service Commission or which is operated under a permit issued by the Department.

(9) "Code" shall mean the Code of Metropolitan Dade County, Florida, as may be amended from time to time.

(10) "Commercial activity" shall mean (a) the exchange, trading, buying, hiring or selling of commodities, goods, services or property of any kind on the Airport, (b) engaging in any conduct on the Airport for revenue-producing purposes, whether or not revenues ultimately are exchanged, obtained, or transferred on the Airport, or (c) the offering or exchange of any service on the Airport as a part of, or condition to, other revenue-producing activities or services on or off the Airport.

(11) "Control tower" shall mean a Federal Aviation Administration Air Traffic Control Tower located at an Airport, or one which may be operated by or on behalf of the Department.

(12) "County" shall mean the County of Dade in the State of Florida.

(13) "County Manager" shall mean the County Manager of Dade County, Florida, appointed by the Board pursuant to the Home Rule Charter.

(14) "Courtesy vehicle" shall mean any vehicle used in commercial activity as herein defined, other than a taxicab, to transport persons, baggage or goods, or any combination thereof, of a business establishment owning or operating such vehicle, to or from the Airport, whether or not revenues in payment for such service ultimately are exchanged, obtained or transferred.

(15) "Cruising" shall mean the driving of a commercial vehicle on the upper or lower motor vehicle roadways in front of the Terminal Building of an Airport without passengers or cargo or without a pre-arrangement to pick up passengers or cargo for the purpose of advertising the availability of the commercial service.

(16) "Curbside" shall mean the curb and those other areas designated by the Department to be used for loading and unloading of passengers and baggage adjacent to the upper and lower motor vehicle roadways within the Terminal Building area at an Airport, as may be designated by the Department for such specific use by appropriate signs or Operational Directive.

(17) "Department" shall mean the Dade County Aviation Department, Dade County, Florida.

(18) Reserved.

(19) "Directive"—See "Operational Directive."

(20) "Director" shall mean that person appointed by the County Manager of Dade County, Florida, carrying the title of Aviation Director or his duly authorized representatives.

(21) "Domestic animal" shall mean any animal of a species usually domesticated in the United States and customarily found in the home.

(22) "Equipment" shall mean mobile units or vehicles, other than those commonly classified as motor vehicles, which are utilized in conjunction with the operation of aircraft or an Airport facility.

(23) "Explosives" shall mean any chemical compound or mixture that has the property of yielding readily to combustion or oxidation upon application of heat, flame or shock, or any device, the primary purpose of which is to function by explosion. The term "explosives" includes, but is not limited to, dynamite, nitroglycerine, trinitrotoluene, ammonium nitrate when combined with other ingredients to form an explosive mixture, or other high explosives, detonators, safety fuses, squibbs, detonating cords, igniter cords and igniters. Explosives shall not include shotgun shells, cartridges or ammunition for firearms.

(24) "Flammable liquids" shall mean any liquid which emits flammable vapor as set forth in National Fire Protection Association standards, including but not limited to combustible liquids currently used as aircraft or vehicle fuel.

(25) "Law enforcement officer" shall mean any person vested with the power of arrest on an Airport under federal, State, or County authority.

(26) "Limousine" or "limo" shall mean a for hire motor vehicle not equipped with a taxi meter, and providing seating accommodations for not more than eight (8) persons, not including the driver, operating to and from the Airport for hire in accordance with a valid permit or license from a proper governmental authority, but shall not include vehicles designated as "taxicabs," "vans" or "buses."

(27) "Motor vehicle" shall mean a device in, upon or by which a person or property may be propelled, moved, or drawn upon land or water, except a device moved by human or animal power and except aircraft or devices moved exclusively upon stationary rails or tracks.

(28) "Non-operating aircraft" shall mean any aircraft located on an Airport, whether on a tenant leasehold or a public area, which does not possess a current certificate of air worthiness, issued by the Federal Aviation Administration, and is not actively being repaired, i.e., no substantial repair work has been performed on such aircraft for a period in excess of sixty (60) days.

(29) "Officer" shall mean a law enforcement officer.

(30) "Operational Directive" shall mean a written order issued by the Director bearing the designation "Operational Directive" and requiring specific operational procedures or prohibiting specific operations or types of operations, onto or from an Airport; or establishing designated and restricted uses of various areas of an Airport, and enforceable under Section 25-1.2(c).

(31) "Operator" shall mean any person who is in actual physical control of an aircraft or motor vehicle.

(32) "Owner" shall mean a person in whose name the legal title of an aircraft or a motor vehicle is held or vested. If any aircraft or motor vehicle is the subject of a conditional sale or lease with the right of purchase upon performance of the conditions stated in the agreement, and with the immediate right of possession vested in the conditional vendee or lessee or anyone in possession of an aircraft or motor vehicle on an Airport, or in the event a mortgagor of an aircraft or motor vehicle is entitled to the possession, then the conditional vendee, lessee or mortgagor shall be deemed the owner for the purpose of these rules and regulations.

(33) "Park" shall mean to put, leave or let a motor vehicle or aircraft stand or stop in any location whether the operator thereof leaves or remains in such vehicle or aircraft, when such standing or stopping is not required by traffic controls or conditions beyond the control of the operator.

(34) "Person" shall mean any individual, firm, partnership, corporation, company, association, joint stock association, or body politic; and includes any trustee, receiver, committee, assignee or other representative or employee thereof.

(35) "Ramp"—See "Apron".

(36) "Restricted area" shall mean any area of an Airport, locked or posted either to prohibit entry or to limit entry or access to specific authorized persons.

(37) "Rules and regulations" shall mean the Dade County Aviation Department Rules and Regulations, as codified in [Chapter 25](../level2/PTIIICOOR_CH25AVDERURE.docx#PTIIICOOR_CH25AVDERURE), Code of Metropolitan Dade County, Florida, including Operational Directives issued thereunder.

(38) "Runway(s)" shall mean those portions of an Airport used for the takeoff and landing of aircraft.

(39) "Security Identification Display Area(s)" or "SIDA" shall mean those areas of the Airport designated by the Department, in accordance with Federal Aviation Regulations, in which each individual in the area is required to display on their person the identification badge issued by the Department or such other form of identification as approved by the Department.

(40) "Security program" shall mean that program developed by the Department relative to the protection and safety of aircraft operations and users of the Airport.

(41) "Solicit" or "solicitation" shall mean to directly or indirectly, actively or passively, openly or subtly, ask or endeavor to obtain by asking, request, implore, plead for, importune, seek, or try to obtain.

(42) "State" shall mean the State of Florida.

(43) "Sunset" or "sunrise" shall mean the time of sunset and sunrise as published by the United States National Weather Service, for the local area.

(44) "Taxi lane" shall mean any portion of an Airport authorized or designated by the Department for the surface maneuvering of aircraft, which are used in common, which may or may not be located within leasehold areas and which are not under control of the Control Tower when the Airports have such tower facilities available.

(45) "Taxicab", "taxi" or "cab" shall mean any automobile that carries persons for a fare, determined by a meter, and that is appropriately licensed as a taxicab by the proper governmental authority.

(46) "Taxiway(s)" shall mean any portion of an Airport authorized or designated by the Department for the surface maneuvering of aircraft, which are used in common, are not located within leasehold areas and which are under control of the Control Tower when the Airports have such tower facilities available.

(47) "Terminal Apron" shall mean that area of the Airport within the AOA designated by Operational Directive or other document of the Department, by posted sign, or by lease agreement for loading and unloading of aircraft passengers and/or cargo.

(48) "Terminal", or "Terminal Building", or "Terminal Area" shall mean any passenger or cargo terminal facility or Airport facilities available to and accessed by the public as designated from time to time by the Department, including all roadways, vehicular circulation areas and parking facilities associated therewith.

(49) "Traffic" shall mean pedestrians and vehicles, either singly or together, while using any Airport area.

(50) "Vehicle" shall mean a device in, upon or by which a person or property, or both may be propelled, moved or drawn upon land or water, including a device moved by human or animal power, except aircraft or devices moved exclusively upon stationary rails or tracks. The term "vehicle" shall include, but not be limited to, taxis, cars, buses, vans, trucks, buses, limousines and courtesy vehicles of any type or kind.

(51) "Commercial vehicle" shall mean any vehicle used in commercial activity as defined herein, on the Airport.

(52) "Weapon" shall mean a gun, knife, blackjack, slingshot, metal knuckles, or any explosive device, or any other like instrument capable of being utilized to coerce, intimidate or injure an individual.

(53) "Wild animal" shall mean any animal of a species not usually domesticated in the United States nor customarily found in the home.

(54) "Zone taxicab" or "Zone taxi" shall mean a chauffeur-driven for-hire motor vehicle which is a sedan or station wagon operating solely within a zone fare system as provided by County ordinance. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 88-37, § 1, 5-3-88; Ord. No. 95-41, §§ 1—35, 3-7-95)

25-1.2 *Applicability of rules and regulations; Operational Directives.*

(a) Any permission granted a person by the Board, Department or Director, directly or indirectly, expressly or by implication, to enter upon or use an Airport, or any part thereof, is conditioned upon compliance with these rules and regulations and Operational Directives and the payment of any fees or charges established or authorized by the Board, or, if authorized, by the Director, and payable to the County for the use of an Airport or any facility located thereon including any such fees or charges established by the Director and payable to a lessee, management contractor, concessionaire, permittee or franchise holder of the County, or an approved an authorized subcontract thereof, for services rendered to such person; and entry upon or into an Airport by any person shall be deemed to constitute an agreement by such person to comply with such rules and regulations and to pay any such fees and charges.

(b) It shall be unlawful for any person to do or commit any act forbidden by or to fail to perform any act required by these rules and regulations or to fail to pay any fees established and payable pursuant to subsection 25-1.2 hereof.

(c) The Department, through its Director, may from time to time cause to be issued Operational Directives applicable to any Airport. If any such Operational Directive contains a requirement that fees or charges be paid for any operation on or use of an Airport as defined in the Operational Directive, such fees and charges shall be established in accordance with the provisions of subsection 25-1.2(a) hereof (Ord. No. 88-37, § 2, 5-3-88; Ord. No. 95-41, §§ 36, 37, 3-7-95)

25-1.3 *Airport liability.* The County assumes no responsibility or liability for loss, injury or damage to persons or property on the Airport or using Airport facilities not caused by negligence of the County or its employees. (Ord. No. 75-113, § 2, 12-2-75)

25-1.4 *Emergencies.* The Director is empowered to take such action as the Director deems necessary when an emergency exists at an Airport which, in the Director's judgment, presents an immediate threat to public health, security, safety or welfare, or to the operation of an Airport; provided, however, that in the exercise of such power the Director shall promptly notify the governmental agency(ies) or County department(s) having been assigned by the Board or County Manager primary responsibility for the handling and resolution of such emergency, and provided further that the Director's power herein granted shall cease upon the assumption of jurisdiction over such emergency by the governmental agency(ies) or County department(s) and such assumption of responsibility shall not be inconsistent with the requirements of any emergency procedure or program for an Airport adopted and approved by the Board. No action shall knowingly be taken by the Director hereunder or by any County department(s) contrary to any regulation or order of the Federal Aviation Administration or of any other Federal, State or County agency having appropriate jurisdiction. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 38, 3-7-95)

25-1.5 *Trespassing.* Whoever, without being fully authorized, licensed or invited, willfully enters or remains at an Airport, or portion thereof, or having been authorized, licensed, or invited to an Airport, or portion thereof, is warned or ordered by authorized Department personnel or a law enforcement officer to depart, and refuses to do so, commits the offense of trespass. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 39, 3-7-95)

25-1.6 *Other laws.* All applicable provisions of the laws of the State of Florida and ordinances of Dade County, Florida, now in existence or hereafter enacted, are hereby adopted by reference as part of these rules and regulations. (Ord. No. 75-113, § 2, 12-2-75)

25-1.7 *Penalties.* Unless otherwise specifically provided herein, any person violating any of the provisions of these rules and regulations shall be subject to punishment by a fine not to exceed five hundred dollars ($500.00) or by imprisonment in the Dade County Jail for a period not to exceed sixty (60) days, or both such fine and imprisonment, in the discretion of the Dade County Court. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 40, 3-7-95)

25-1.8 *Jurisdiction.* The violation of any provision hereof shall be triable in the Dade County Court. (Ord. No. 75-113, § 2, 12-2-75)

25-1.9 *Captions.* The captions or heading of sections and subsections in these rules and regulations are inserted for convenience only, and shall not be considered in construing the provisions hereof. (Ord. No. 75-113, § 2, 12-2-75)

25-1.10 *Separability.* If any provision of these rules and regulations or the application thereof to any person or circumstances is held invalid, the remainder of these rules and regulations and the application of such provision to other persons or circumstances shall not be affected thereby. (Ord. No. 75-113, § 2, 12-2-75)

Sec. 25-2. Personal conduct.

25-2.1 *Handbills.*

(a) No person shall distribute, exhibit or post any commercial handbills, circulars, leaflets or similar material on the Airport.

(b) No person shall throw any handbills, circulars, leaflets or similar material onto the Airport, Airport roads, rights-of-way, streets or sidewalks.

(c) Except as may be permitted pursuant to subsection 25-2.2 hereof, distribution of noncommercial handbills, circulars, leaflets or similar material may be conducted only upon Airport public roads, rights-of-way, streets or sidewalks, in accordance with reasonable procedures established by the Department. (Ord. No. 75-113, § 2, 12-2-75)

25-2.2 *Solicitation of contributions and distribution of materials.*

(a) No person shall solicit alms or contributions of money or other articles of value, for religious, charitable or any other purpose, and receive money or other articles of value, whether in the form of cash, checks, credit or debit vouchers or any other form of negotiable instrument, in the public areas of the Terminal. No person shall conduct or participate in any speechmaking, distributing of pamphlets, books or other written or graphic materials upon the Airport or within its facilities without having delivered a written notice to the Department of his, her or its intent to do so at least five (5) working days prior thereto so that the Department may be fully informed of the activity proposed and take adequate precautions to protect the public health, safety and order, and to assure the efficient and orderly use of Airport property for its primary purpose and function, and to assure equal opportunity for the freedom of expression of others.

(b) The written notice required herein shall state:

(1) The full name, address (and mailing address if different), telephone number of the person furnishing the notice, and, if an organization, the name, address and telephone number of a responsible local officer thereof and the title of such officer.

(2) The purpose or subject of the proposed activity and a description of the means and methods intended to be used in conducting the same.

(3) The date, hours and Airport location desired for the proposed activity and the maximum number of persons proposing to participate therein at any one time or period of time, together with a form of identification card, authenticated copies of which shall be displayed on the outer clothing of each individual participating in the particular activity proposed. Such identification cards shall contain the name of the organization furnishing the notice, the legal name of the individual bearing the card, the signature and title of the official of such organization and the date issued.

(c) The Director shall have the authority to prescribe from time to time restrictions applicable to First Amendment activities at the Airport. Such restrictions shall be subject to the requirements of subsection (d) and may include, but not be limited to, identifying specific locations of First Amendment zones in the Terminal Building and other Airport facilities, limiting the number of persons permitted in such zones, and providing a method for resolving conflicting requests for use of First Amendment zones.

(d) All restrictions prescribed by the Director shall be reasonable and appropriate, and made only after a finding by the Director that the restrictions are necessary to avoid injury, or the likelihood of injury, to persons or property, or to assure the safe and orderly use of the Airport facilities by the public.

(e) Persons having given such written notice to the Director as provided in Section 25-2.2(a) shall be permitted to conduct their activities in or upon the public Airport areas, subject only to the restrictions identified by the Director in a written response sent to the applicant. Such response shall be sent within five (5) working days of the Director's receipt of the applicant's notice.

(f) If the Director notifies the applicant that his application is denied, the County Attorney's office shall within five (5) days of such denial file an appropriate action in a court of competent jurisdiction and venue for a judicial determination as to whether the proposed activity described in the complaint may be prohibited, naming the applicant as a party defendant. Dade County shall exert every reasonable effort to have the issue heard on its merits without delay and as quickly as legally possible. The burden of showing that the proposed solicitation may be prohibited shall rest with the County.

(g) If the issue for judicial determination is not heard and decided on the merits by the court within ten (10) days from the date the complaint is filed, then the applicant shall be entitled to engage in the activities described in the application, subject only to those restrictions imposed on all other applicants as to time, place and manner of activities, so as to avoid injury to persons or property and to assure the safe and orderly use of the Airport facilities by the public. The applicant may continue to engage in such activities for so long as it may take to reach a final, nonappealed judicial determination. All parties shall thereupon abide by the ruling of such determination.

(h) No person, while engaging in the activities provided for herein, shall seek to delay a person from whom a donation or contribution is sought, or to obstruct, or unreasonably interfere with access to or egress from any airline, concession or washroom facilities or premises, including, but not limited to, passenger concourses, escalators and elevators, nor shall such person in any manner assail, coerce, threaten or physically disturb any member of the public, County, airline or concession employee or any other person for any reason. The activities provided for herein shall not intrude upon or take place in any location or area reserved or zoned for a particular use, including, but not limited to, washrooms, offices, seating areas, baggage claim areas, ticketing areas, restaurants, lounges, concessions, areas devoted to business enterprises and passenger concourses and gate holding areas. No person shall engage in the activity hereunder without first identifying the organization he or she represents in connection with such prospective donation.

(i) No person, while engaging in the activities provided for herein, shall affix any matter, written or graphic, to any Airport structure or facility, nor shall any such matter be left unattended at any location at the Airport except in baggage lockers for a period not exceeding twenty-four (24) hours upon payment of the prevailing fee.

(j) The Director is empowered to wholly or partially restrict the activities provided for herein in the event of emergencies, including but not limited to, strikes affecting the operation of the Airport, aircraft or traffic accidents, riots or civil commotion, power failures, hurricanes, or other conditions tending to disrupt the normal operation of the Airport.

(k) All persons engaged in activities permitted under Section 25-2.2 of the Code shall wear and display identification, approved by the Department, identifying such person and the organization such person represents. In no case shall any person in any activity under this section attempt to identify himself or herself as a representative of the County of the Department. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 90-1, § 1, 1-16-90; Ord. No. 95-41, §§ 41, 42, 3-7-95)

25-2.3 *Preservation of property.* No person shall:

(a) Destroy, injure, deface, disturb, or tamper with any building, sign, equipment, fixture, marker, or any other structure or property on the Airport;

(b) Injure, deface, remove, destroy, or disturb the trees, flowers, shrubs, or other vegetation on the Airport;

(c) Walk, drive or park on a posted lawn or seeded area of the Airport; or

(d) Willfully abandon any personal property on the Airport.

Any person who causes damage to Airport property shall be held liable for such damage. (Ord. No. 75-113, § 2, 12-2-75)

25-2.4 *Entry to the AOA, SIDA or restricted areas.* No person shall enter the AOA, a SIDA area or a restricted area of any County Airport except:

(a) Persons who enter in accordance with security clearance pursuant to the security program established or authorized by the Department, for the particular Airport involved or;

(b) Persons assigned duties on the AOA, a SIDA area or other restricted area of any County Airport bearing proper identification as approved and required herein, or;

(c) Persons who are employees or authorized representatives of the Department or other federal, State or local governmental department or agency, having proper business thereon and bearing proper identification as approved and required herein. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, §§ 43, 44, 3-7-95)

25-2.5 *Driving on AOA.* No person shall drive upon the AOA at Miami International Airport, unless in accordance with subsections 25-2.4, 25-9.6 and 25-9.7 herein, and unless escorted at all times or be in possession of an AOA driver's permit issued by the Department, or at other County Airports in accordance with Operational Directives for such Airports. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 45, 3-7-95)

25-2.6 *Coin-and currency-operated machines.* No person shall use or attempt to use a coin- or currency-operated machine without first depositing the coins or currency required by the instructions on the machine. (Ord. No. 75-113, § 2, 12-2-75)

25-2.7 *Use and enjoyment of Airport premises.*

(a) No person(s) singly or in association with others shall by his or their conduct or by congregating with others seek to obstruct, delay or unreasonably interfere with any other person or persons from the use and enjoyment of the Airport and its facilities or any part thereof, or seek to obstruct, delay, or unreasonably interfere with other person or persons from passage from place to place, or through entrances, exits or passageways on the Airport.

(b) No person shall use, ride or drive a unicycle, a go-cart, roller skates, roller blades, or a skateboard on or at the Airport, and no person shall walk, drive a motor vehicle or ride a bicycle upon any area of an Airport made available to the public other than on roads, walks, or rights-of-way provided for such purpose.

(c) No person, unless otherwise authorized by lease or Operational Directive, shall use, operate, drive or ride a boat, jet-skis, water scooters or like water vehicles on any waterway or body of water on an Airport nor shall Airport property be used for access of such water vehicle to a waterway or body of water on or adjacent to an Airport. Excluded from this restriction are water vehicles being used by a governmental agency for cleaning or policing such waterway or body of water.

(d) No person, singly or in association with others, shall play any electronic or musical instrument, machine or other device in any public area of Terminal Building or on the Terminal Curbside in such a manner or so loudly as to prevent the quiet enjoyment of others or to cause others not to be able to reasonably hear private conversations and public address announcements, except as part of a musical performance authorized in writing by the Department. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 90-1, § 2, 1-16-90; Ord. No. 95-41, §§ 46, 47, 3-7-95)

25-2.8 *Picketing.*

(a) Lawful picketing, marching or demonstrations on the Airport may be conducted only upon Airport public roads, rights-of-way, streets or sidewalks, in accordance with reasonable procedures established by the Department.

(b) It shall be unlawful to picket, march or demonstrate within the Terminal Building structure at Miami International Airport. (Ord. No. 75-113, § 2, 12-2-75)

25-2.9 *Prohibited conduct.* It shall be unlawful for any person to remain in or on any area, place or facility at an Airport, unless such person has a bona fide purpose for being in such area, place or facility, directly related to the normal and regular usage of such area, place or facility, in such a manner as to hinder or impede the orderly passage in or through or the normal or customary use of such area, place or facility by persons or vehicles entitled to such passage or use. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 48, 3-7-95)

25-2.10 *Sanitation.*

(a) No person shall dispose of garbage, papers, refuse or other forms of trash, including cigarettes, cigars and matches, except in receptacles provided for such purpose.

(b) No person shall dump or dispose of any fill, building material or any other material on any Airport, or in any canal or drainage ditch serving an Airport, except with prior approval of the Department and in such areas and under such conditions as are specifically designated.

(c) No person shall use a comfort station or rest room, toilet or lavatory facility other than in a clean and sanitary manner.

(d) No person shall deposit, blow, or spread any bodily discharge on the ground or pavement anywhere on the Airport or on any floor, wall, partition, furniture, or any other part of a public comfort station, Terminal Building, hangar, or other building on the Airport, other than directly into a fixture provided for that purpose.

(e) No person shall place any foreign object in any plumbing fixture of a comfort station, Terminal Building, hangar, or other building on the Airport. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 49, 3-7-95)

25-2.11 *Intoxication.*

(a) No person shall drink any intoxicating liquors upon any portion of the Airport open to the public, except in airline special service lounges or club rooms or in other places as shall be properly designated by the Director or by lease for on-premises liquor consumption.

(b) No person under the influence of intoxicating liquors or drugs shall operate any motor vehicle or aircraft on the Airport. (Ord. No. 75-113, § 2, 12-2-75)

25-2.12 *Drugs.* No person, other than a duly qualified physician, a certified emergency medical technician (under the direction of a duly qualified physician or as provided by law), a registered nurse, or a duly qualified pharmacist shall, while on an Airport, prescribe, dispense, give away, or administer any controlled substance as defined from time to time by state or federal law to another or have such a drug in his possession, with intent to prescribe, dispense, sell, give away, or administer it to another. Such persons shall not be authorized to offer to sell or to sell such drugs except pursuant to a permit, license or agreement issued by the County. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 50, 3-7-95)

25-2.13 *Model aircraft.* No person shall operate or release any model aircraft, rocket, kite, balloon, parachute (other than in an emergency), or other similar contrivance at or upon the Airport without the prior written approval of the Director. (Ord. No. 75-113, § 2, 12-2-75)

25-2.14 *Animals.*

(a) No person, other than a person who is blind, visually impaired or otherwise disabled, with a seeing eye or other specially trained dog, or a trained dog used for law enforcement purposes, under the control of an authorized law enforcement officer, shall enter the Terminal Building with a domestic animal, unless such animal is to be or has been transported by air and is kept restrained by a leash or otherwise confined so as to be completely under control.

(b) No person shall enter any part of an Airport, with a domestic animal, unless such animal is kept restrained by a leash or is so confined as to be completely under control, whether or not such animal is to be or has been transported by air travel. No person shall bring, carry or deliver any wild animal under his control or custody into the Terminal Buildings of an Airport, without having first obtained a permit from the Department.

(c) Except for animals that are to be or have been transported by air and are properly confined for air travel, no person shall permit any wild animal under his control or custody to enter the Airport.

(d) No person other than in the conduct of an official act shall hunt, pursue, trap, catch, injure, or kill any animal on the Airport; provided, however, that fishing shall be permitted in designated areas.

(e) No person shall ride horseback on the Airport without prior authorization of the Department.

(f) No person shall permit, either willfully or through failure to exercise due care or control, any animal to urinate or defecate upon the sidewalks of the Airport or upon the floor of the Terminal Building or any other building used in common by the public.

(g) No person shall feed or do any other act to encourage the congregation of birds or other animals on or in the vicinity of the Airport. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 51, 3-7-95)

25-2.15 *Weapons.*

(a) No person, other than federal, State or local law enforcement officers on duty or unless otherwise duly authorized by law and the Department, shall carry or transport any weapon on the Airport in a manner contrary to governing law.

(b) No person shall discharge any gun on the Airport, except in the performance of official duties requiring the discharge thereof or in the lawful defense of life or property.

(c) No person shall furnish, give, sell or trade any weapon or simulated weapon on the Airport unless authorized under appropriate lease with or permit issued by the County or as authorized by law. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 52, 3-7-95; Ord. No. 10-24, § 2, 4-6-10)

**Note—**Florida Statutes § 790.33, as amended, preempts and declares null and void all local ordinances, administrative regulations and rules in the field of firearms and ammunition, with limited exceptions set forth in § 790.33, as amended.

25-2.16 *Lost articles.* Any person finding lost articles at any Airport shall immediately deposit them with an authorized representative of the Department. Articles unclaimed by their proper owner within thirty (30) days thereafter shall, upon request, be turned over to the finder or otherwise be lawfully disposed of, in accordance with applicable law or Operational Directive. Nothing in this paragraph shall be construed to deny the right of scheduled air carriers or other Airport tenants to maintain "lost and found" services for property of their passengers, invitees or employees as permitted by law. Articles to which the owner or finder is not entitled to lawful possession shall be forfeited to the Department for disposal in accordance with the provisions of applicable law or County administrative order. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 53, 3-7-95; Ord. No. 13-81, § 1, 9-4-13)

25-2.17 *Endangering aircraft or vehicle operations.* No person shall throw, shoot or propel any object in such manner as to interfere with or endanger the safe operation of any aircraft landing at, taking off from or operating on the Airport or any vehicle operating on the Airport. (Ord. No. 75-113, § 2, 12-2-75)

**Note—**Florida Statutes § 790.33, as amended, preempts and declares null and void all local ordinances, administrative regulations and rules in the field of firearms and ammunition, with limited exceptions set forth in § 790.33, as amended.

25-2.17.1 *Foreign objects on AOA.*

(a) The presence of foreign objects on any portion of the AOA presents a significant safety issue for aircraft and aircraft engines. Foreign objects include natural or manmade items, trash, debris, plastic or metal items or pieces thereof, and the like, any of which can cause damage to aircraft engines or aircraft either by being taken into an engine by reason of wind drafts created by such engine or else being wind-blown into an engine or against an aircraft.

(b) No person shall place, deposit, or cause to be placed or deposited on any area of the AOA, or on any leasehold area in close proximity to or adjoining the AOA, any foreign object defined in subsection 25-2.17.1(a).

(c) Any person who violates subsection (b) above, or who, being on the AOA and being then reasonably able to remove or cause the removal of a foreign object, or to dispose or cause the disposal of a foreign object into a suitable container on or off the AOA, shall be subject to confiscation of that person's identification badge in the manner provided in subsection 25-2.20(h), in addition to the penalty provisions provided for in this [Chapter 25](../level2/PTIIICOOR_CH25AVDERURE.docx#PTIIICOOR_CH25AVDERURE), including Section 25-2.26. (Ord. No. 96-80, § 1, 6-4-96)

25-2.18 *False reports or threats.* No person shall make any threat involving aircraft or any facilities or operations at or on the Airport or false report regarding the conduct of operations at or use of the Airport. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 54, 3-7-95)

25-2.19 *Forgery and counterfeit.* No person shall make, possess, use, offer for sale, sell, barter, exchange, pass, or deliver any forged, counterfeit, or falsely altered pass, permit, identification badge, certificate, placard, sign, or other authorization purporting to be issued by or on behalf of the Department, nor shall any information electronically or magnetically encoded thereon be knowingly altered or erased. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 55, 3-7-95)

25-2.20 *Identification badges.*

(a) Those persons authorized to enter the AOA, any SIDA area or other restricted areas at Miami International Airport in accordance with subsections 25-2.4(b) and (c), or at any other County Airport, as established by Operational Directive, shall at all times possess an official identification badge issued or approved by the Department. Identification badges shall be worn conspicuously on the outer garment of the bearer, in plain view above the waist, unless otherwise authorized by the Department.

(b) In the event an identification badge issued by the Department is damaged, lost, or stolen, the company which employs the person to which such was issued shall comply with procedures established by the Department and give immediate written notice of such occurrence to the Department. A duplicate badge shall not be reissued until such notice is received by the Department and either the employee or the employer has paid to the Department the established fee for the issuance of replacement identification badges.

(c) All persons issued an identification badge by the Department, or the company employing such persons, shall pay the Department the established fee for the issuance of original or duplicate identification badges. The company employing persons issued identification badges by the Department shall be solely responsible for the prompt return of the identification badges of employees who have been terminated or transferred from their employment at the Airport, or whose return has been requested by the Department, and for paying to the Department the established fee for the failure to so return the identification badges of such employees.

(d) No person to whom an approved identification badge has been issued by the Department for the purpose of entering the AOA, a SIDA area or other restricted areas of Miami International Airport or other County Airports shall transfer such badge to any other person or use such badge for personal purposes.

(e) No person shall enter a restricted area at any Airport without possessing the appropriate color zone identification badge authorization for such access, unless otherwise specifically approved by the Department.

(f) No person shall enter a restricted area at any Airport using an identification issued to any other person. In the event a person is discovered wearing the identification badge of another person, unless such other person has previously reported that their identification badge has been lost or stolen, both persons shall be considered to have violated the provisions of this section.

(g) It shall be the responsibility of all persons working in restricted areas at any Airport to ensure that all other persons are properly wearing an appropriate identification badge at all times, in accordance with this section. A failure of a person to challenge another person in a restricted area not visibly wearing an identification badge shall be deemed a violation of this section.

(h) Identification badges issued by the Department shall at all times remain the property of the County. As such, the Department shall at all times have the right to confiscate or demand the return of the identification badge of any person who violates the provisions of this chapter and to demand the return of the identification badges of all persons employed by a company violating this chapter or whose lease, permit or license agreement with the County allowing use of the Airport has expired or been cancelled or is terminated. The Department shall have the right to confiscate or demand the return of Department-issued identification badges for any violations by an individual of the Airport security program required by Federal Aviation Regulations.

(i) Identification badges. In addition to a Code Inspector's right to issue civil violation notices (CVNs) under [Chapter 8CC](../level2/PTIIICOOR_CH8CCCOEN.docx#PTIIICOOR_CH8CCCOEN) of the Code, any Code Inspector of the Department designated by the Director under Section 25-2.26(a) shall have the power to issue Departmental Safety Violation Notices (SVNs) to persons violating [Chapter 25](../level2/PTIIICOOR_CH25AVDERURE.docx#PTIIICOOR_CH25AVDERURE). SVNs shall be on forms established by the Department. Any person to whom an approved identification badge has been issued by the Department who on four occasions within a twelve month period is (a) issued an SVN for a violation of [Chapter 25](../level2/PTIIICOOR_CH25AVDERURE.docx#PTIIICOOR_CH25AVDERURE), or (b) issued a CVN and either pays the CVN, fails to appeal the CVN or is found guilty of the violation by a hearing officer, or (c) determined by a Code Inspector to have violated Section 25-9.3, 25-9.4, or 25-9.10(a) shall be required to surrender his or her badge for a period of time as may be determined by the Director by written policy. A person whose badge has been surrendered for any of the foregoing reasons shall have the right to appeal the decision to the Aviation Director or designee, in accordance with procedures established by the Aviation Department for appeals of decisions requiring the surrender of a badge. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, §§ 56, 57, 3-7-95; Ord. No. 10-24, § 3, 4-6-10)

25-2.21 *Security devices and directives.* No unauthorized person shall in any way tamper or interfere with a lock or closing mechanism of any door or gate at Miami International Airport or any other County Airport leading to the AOA, a SIDA area, a restricted area, a private leasehold or offices; nor shall any person otherwise knowingly breach, disobey or disregard any security directive, plan or program at the Airport. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 58, 3-7-95)

25-2.22 *Elevators, moving stairways and moving walkways.* No person shall use an elevator, moving stairway, moving walkway, fixed guideway vehicle or conveyance system contrary to its intended use or any posted restriction(s). (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 59, 3-7-95)

25-2.23 *Consent to inspection.* Any vehicle or motor vehicle and the contents thereof, entering, departing from, or being in the air operations area (AOA) or other restricted areas, shall be subject to inspection by the Director, designated Department employees, or any law enforcement officer, for the purposes of determining ownership of such vehicle and the contents thereof, and for examining the documentation relating thereto. The operation or use of a vehicle or motor vehicle by any person into, from or within the AOA or a restricted area of the Airport shall constitute the consent of the owner, operator and/or user of such vehicle to the aforesaid inspection. Inspections relating to U.S. Customs bonded cargo and customs seals shall be subject to the rules and regulations of the United States Customs Service. (Ord. No. 88-37, § 3, 5-3-88)

25-2.24 *Inspections.* No person shall enter the AOA or a restricted area of the Airport, except persons who enter pursuant to Section 25-2.4 of this chapter, or employees of federal, State or local government bodies then having proper business thereon and bearing proper identification. No person entering or attempting to enter, being within, or departing from or attempting to depart the AOA or restricted areas of the Airport, shall refuse to produce for inspection at the request of the Director, designated Department employee or any law enforcement officer, a Department identification badge or the contents, or both, of any vehicle, bag, case, parcel, box or container of any kind in his possession. Where the entry into or departure from or attempt thereof is by means of a vehicle or motor vehicle, no person shall refuse to produce for inspection, after such request, a driver's license or Department vehicle permit. No person shall refuse to produce at the request of the Director, designated Department employee or any law enforcement officer any document in his possession relating to the ownership or possession of cargo or freight upon entering, leaving or being within the AOA or any restricted area. (Ord. No. 88-37, § 3, 5-3-88)

25-2.25 *Jostling.*

(a) For the purpose of this section, the term "personal property" shall mean wallets, purses, briefcases, carry-on luggage, parcels and any other materials hand carried by a person in the Terminal Building.

(b) A person shall be guilty of "Jostling" when, in a public place, the person intentionally and unnecessarily:

(1) Places his or her hand in the proximity of a person's personal property; or

(2) Jostles, blocks, crowds or distracts another person(s) at a time when a third person's hand(s) are in proximity of the second person's personal property. (Ord. No. 95-41, § 60, 3-7-95)

25-2.26 *Enforcement.*

(a) All Department employees so designated by the Director shall be responsible for enforcement of all provisions of [Chapter 25](../level2/PTIIICOOR_CH25AVDERURE.docx#PTIIICOOR_CH25AVDERURE) of the Code and shall be deemed Code Inspectors under [Chapter 8CC](../level2/PTIIICOOR_CH8CCCOEN.docx#PTIIICOOR_CH8CCCOEN) of this Code.

(b) In addition to and not in lieu of the penalties provided by Section 25-1.7, any person who violates any provision of [Chapter 25](../level2/PTIIICOOR_CH25AVDERURE.docx#PTIIICOOR_CH25AVDERURE) shall be subject to the civil penalties provided by [Chapter 8CC](../level2/PTIIICOOR_CH8CCCOEN.docx#PTIIICOOR_CH8CCCOEN). In addition to the provisions of [Chapter 8CC](../level2/PTIIICOOR_CH8CCCOEN.docx#PTIIICOOR_CH8CCCOEN) of this Code regarding enforcement of civil penalties, failure of any violator to make timely payment of the civil penalty under [Chapter 8CC](../level2/PTIIICOOR_CH8CCCOEN.docx#PTIIICOOR_CH8CCCOEN), or make a timely appeal thereof, may, if the violator is authorized to enter SIDA areas of the Airports, result in the revocation of the violator's SIDA access or driving privileges. A person whose SIDA access privileges have been revoked shall have the right to appeal the revocation decision to the Aviation Director or designee, in accordance with procedures established by the Aviation Department for appeals of revocation decisions. (Ord. No. 95-41, § 61, 3-7-95; Ord. No. 10-24, § 4, 4-6-10)

Sec. 25-3. Commercial activity.

25-3.1 *Soliciting or carrying on business.*

(a) No person, unless duly authorized in writing by the Board, the County Manager or the Department and unless payment of any fees or charges as established from time to time for such activity, shall be paid by such person, shall, in or upon any area of an Airport:

(1) Engage in any business or commercial activity; or

(2) Sell, or offer for sale, any merchandise, food, beverage or service; or

(3) Solicit any business or trade, including the transportation of persons, baggage, or goods, the shining of shoes, or bootblacking; or

(4) Sing, dance, or play any musical instrument; or

(5) Install or place any coin, currency or debit or credit card operated machine for the sale or provision of any merchandise, food, beverage or service of any type or kind, without the prior written approval of the Department.

(b) No person authorized to perform services on the Airport shall refuse to perform such services when requested by any orderly person to do so, except as authorized by federal or State law or regulations. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 88-37, § 4, 5-3-88; Ord. No. 95-41, § 62, 3-7-95)

25-3.2 *Commercial photography, film and recordings.* No person unless authorized in writing by the Department, or when appropriate by permit issued under [Section 2-11.14](../level3/PTIIICOOR_CH2AD_ARTIINGE.docx#PTIIICOOR_CH2AD_ARTIINGE_S2-11.14FIPRPUNECOPR) of this Code, shall take still, motion, or sound motion pictures or sound records or recordings of voices or otherwise for commercial, training or educational purposes, other than news coverage, in public areas of the terminal or on the public areas of any facility under the administration of the Department. As a condition of authorization, the Department may require reimbursement for its costs of personnel, equipment and/or supplies used in support of such activity, and may impose fair and equitable rental rates for extended use of any space under the administration of the Department. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 76-112, § 4, 12-21-76; Ord. No. 95-41, § 63, 3-7-95)

25-3.3 *Building construction and improvements.* No person without written authorization from the Department, shall construct or cause to be constructed any buildings or structures, including signs, utility connection or any improvements, modifications (excluding maintenance), or additions to any such buildings or structures, or any paving, excavations, removal of soil or fill material or other improvement to land on the Airport, whether on leaseholds or elsewhere. (Ord. No. 75-113, § 2, 12-2-75)

25-3.4 *Advertising.* No person, unless authorized in writing by the Department, shall post or distribute commercial signs, advertisements, literature, circulars, pictures, sketches, drawings, handbills, or any other form of printed or written commercial matter or material at the Airport. (Ord. No. 75-113, § 2, 12-2-75)

25-3.5 *Storage of property.*

(a) Unless otherwise provided in a lease or other written agreement or permit, no person shall use any area of the Airport for storage of cargo, aircraft, vehicles, motor vehicles, mobile equipment or other property without prior written permission of the Department. If such person uses such area for storage without first obtaining permission, the Department shall have such property removed and stored at the risk and expense of the owner or consignee thereof.

(b) No person shall load cargo on or unload cargo from an aircraft, other than in designated areas established by Operational Directive issued by the Department, or in areas totally contained within an established leasehold or restricted area, authorized for such activity. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 64, 3-7-95)

25-3.6 *Signs.* No person, unless authorized by the Department, shall construct or install any sign at any Airport, unless such sign is a traffic-control device within a leasehold area and is in conformity with State and County regulations. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, §§ 65, 66, 3-7-95)

25-3.7 *Protection of property.* No person authorized to operate equipment, including but not limited to baggage carts, handcarts, wheelchairs, and powered transporters in the Terminal Building, shall do so unless such equipment is properly equipped with protective materials or devices to minimize damage to property and injury to persons. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 65, 3-7-95)

25-3.8 *Tipping.* No person authorized to accept tips for services performed at the Airport shall solicit a tip, or a specific amount of tip, nor harass, insult or display any form of rudeness to the person for whom the service is being performed. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 65, 3-7-95)

Sec. 25-4. Ground transportation.

25-4.1 *Commercial vehicles.*

(a) Any taxicab licensed pursuant to [Section 31-82](../level3/PTIIICOOR_CH31VEHI_ARTIILIREFREMOVE.docx#PTIIICOOR_CH31VEHI_ARTIILIREFREMOVE_S31-82FRELI) of the County Code and operating in compliance with the standards and conditions set forth in [Section 31-93](../level3/PTIIICOOR_CH31VEHI_ARTIILIREFREMOVE.docx#PTIIICOOR_CH31VEHI_ARTIILIREFREMOVE_S31-93SPPR)(d) of the County Code shall have the right to transport persons and their baggage from Miami International Airport.

(b) Except for taxicabs as set forth in (a) above, no person shall utilize a vehicle for any commercial activity on the Airport, or transport persons, baggage, or goods or any combination thereof to or from Miami International Airport without a valid permit issued by the Department if the Department has issued an Operational Directive requiring such a permit.

(c) No person shall operate a vehicle used in commercial activity contrary to posted signs, or contrary to the terms of any permit or Operational Directive issued by the Department.

(d) Commercial vehicles operating on any Airport contrary to the terms of Operational Directives issued by the Department, or without permits required for such operation, will be subject to enforcement penalties. Violations shall be enforced by authorized law enforcement officers or authorized uniformed traffic enforcement employees of the Department and appropriate fines shall be levied as established by Operational Directives.

(e) Nothing contained herein shall be construed to authorize the operation of a vehicle for hire or courtesy vehicle in violation of any other provisions of the Code of Metropolitan Dade County, specifically including but not limited to [Chapter 31](../level2/PTIIICOOR_CH31VEHI.docx#PTIIICOOR_CH31VEHI)

(f) (1) Effective as of the date that the proposed consolidated Rental Car Facility located east of LeJeune Road to be designed and constructed by the Florida Department of Transportation as set forth in Resolution No. R-1268-99, is operational for the participating car rental companies having agreed to operate therein, all ground transportation courtesy vehicles by which customers of ground transportation companies are transported to or from Miami International Airport and the companies' places of business, shall be prohibited from operating on the lower and upper vehicular drives of such Airport and from picking up and dropping off their customers at any Airport facility or location other than the Rental Car Facility or the Miami Intermodal Center, as designated by Operational Directives. The term "ground transportation courtesy vehicles shall include cars, vans, buses or other forms of vehicular transportation, but shall not include taxis, demand shuttle vans or buses, or for-hire vehicles subject to [Chapter 31](../level2/PTIIICOOR_CH31VEHI.docx#PTIIICOOR_CH31VEHI) of the Miami-Dade County Code. The term "ground transportation companies" include but are not limited to car rental companies, parking lot operators, and hotels and motels.

(2) Notwithstanding subsection (f)(1), the County Manager may exempt certain ground transportation companies from the prohibition contained in subsection (f)(1) and may permit such companies to pick up and drop off customers at a facility other than the Rental Car Facility or Miami Intermodal Center; provided, however, any such exemption shall be effective only after (a) a public hearing has been held at which all representatives of the ground transportation industry are invited to present their views, (b) the County Manager has determined that the exemption shall not adversely affect traffic congestion, air quality and passenger safety, and (c) such exemption has been set forth in an Administrative Order approved by the Board; provided further that any such exemption shall extend for a period of time and under such conditions as the County Manager determines; and provided further that no exemption from the requirements and restrictions of subsection (f)(1) shall be given under any circumstances to any car rental company.

(3) The Aviation Director shall have the authority to issue an Operational Directive from time to time for the following purposes:

(a) To provide for the use of the Terminal Building facilities and roadways by all ground transportation users during the Interim Period from the effective date of this ordinance to the date on which the Rental Car Facility is operational, and during the period thereafter;

(b) To provide for the date on which the Rental Car Facility is deemed operational for purposes of requiring all ground transportation courtesy vehicles subject to this ordinance and the Operational Directive to access their customers at the Rental Car Facility and not at the Terminal Building or other Airport location;

(c) To provide for all aspects of a temporary common shuttle vehicle operation between the Terminal Building and the Rental Car Facility by which ground transportation companies and their customers made subject to the Operational Directive make use of and pay for the costs of the common shuttle vehicle operation until the Airport's MIC MIA automated People Mover System is operational. The Operational Directive may permit the participating car rental companies to operate such a shuttle vehicle operation in their own name or names or through a company selected by them or may require selection of a company by the County through appropriate bidding procedures;

(d) To provide for the use of and payment for the Rental Car Facility, its roadways, and the MIC-MIA People Mover System after the Rental Car Facility and the People Mover System become operational, such Operational Directive to apply to all users of the Rental Car Facility and People Mover system, including the participating car rental companies operating within the Rental Car Facility and all other car rental companies picking up and dropping off their customers at a location or locations outside of the Rental Car Facility as designated by such Operational Directive; and

(e) To set forth the level of fees required to be paid by those car rental companies choosing to pick up and drop off their customers at the curbside or other designated location of the Rental Car Facility rather than to operate within such facility. Such fees may include a Customer Facility Charge or a percentage of gross revenues, or a combination of both. To the extent such fees are based on a percentage of gross revenues of such companies generated by customers picked up or dropped off at the Rental Car Facility, such fees may be less than but shall not exceed the percentage of gross revenues approved by the Board for car rental companies operating within the said Facility.

(4) The Operational Directive shall require all car rental companies operating within the Rental Car Facility to charge and collect from their customers, commencing on and after the date on which the Rental Car Facility is operational, a Customer Facility Charge in the amount of not more than four dollars and sixty cents ($4.60) per day per car rental contract, and every fifth anniversary after such commencement date to increase such amount by an additional twenty-five cents ($0.25) per day per car rental contract, such Customer Facility Charge amounts to be further adjusted periodically so as to enable the County to meet all debt service payments on any loans for the acquisition of the property for and the design and construction of the Rental Car Facility, as well as operating and maintenance expenses related to the Rental Car Facility and allocated operating and maintenance expenses attributable to the MIC-MIA people mover system connecting the Rental Car Facility with the Airport's Terminal Building; provided, however, that any such periodic adjustments other than the twenty-five cent ($0.25) adjustment every five years shall be presented to the Board of County Commissioners for its review and approval, such adjustments to be approved if they are in accordance with the requirements of the Concession Agreement between the County and the participating car rental companies, the TIFIA Loan Agreement, and the determinations of anticipated debt service payments, operating and maintenance expenses of the RCF, and allocated expenses of the people mover system made thereunder.

(5) The Operational Directive shall require that, (a) commencing no earlier than January 1, 2002, and expiring no later than the effective date of this Ordinance, all car rental companies operating at Miami International Airport that have agreed to serve as participating car rental companies in the Rental Car Facility shall charge and collect from their customers a Customer Facility Charge not to exceed three dollars and twenty-five cents ($3.25) per day per car rental contract, and (b) commencing as of the effective date of this Ordinance and expiring no later than the date the Customer Facility Charge under subsection (4) is effective, all such car rental companies shall charge and collect from their customers a Customer Facility Charge of four dollars ($4.00) per day per car rental contract, with such charges described in (a) and (b) of this subsection to be in addition to all other fees established by contract or Operational Directive, and with such interim Customer Facility Charges to be determined or confirmed by the Aviation Department and set forth in the Operational Directive, for the purpose of defraying ongoing costs applicable to the design and construction of the Rental Car Facility as well as existing costs to the Airport of providing facilities and services to such companies prior to the date on which the Rental Car Facility becomes operational and as additional payment for the companies' privilege of doing business at the Airport. The Operational Directive or contractual provision shall provide that, as to any such fees and to the extent permissible under federal law and any trust indenture applicable to the Airport, such fees shall be held by the Airport in a separate interest-bearing account for the purpose of defraying the costs of the Rental Car Facility.

(6) Except as provided in (4) and (5) above, none of the fees payable for the use of the Rental Car Facility shall be deemed to be fees mandated by the County unless the Operational Directive states that designated fees are so mandated.

(Ord. No. 75-113, § 2, 12-2-75; Ord. No. 79-25, § 15, 3-20-79; Ord. No. 81-85, § 4, 7-21-81; Ord. No. 88-37, §§ 5, 6, 5-3-88; Ord. No. 95-41, §§ 67, 68, 3-7-95; Ord. No. 00-87, § 1, 7-6-00; Ord. No. 04-137, § 1, 7-13-04; Ord. No. 07-109, § 1, 7-24-07)

25-4.2 *Rental cars.* No person shall solicit or engage in the rental car for-hire vehicle business on the Airport without a valid permit issued by the Department. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 79-25, [§ 15](../level2/PTIIICOOR_CH15SOWAMA.docx#PTIIICOOR_CH15SOWAMA), 3-20-79; Ord. No. 81-85, § 4, 7-21-81)

**Cross reference—** Licensing and regulations of for-hire passenger motor vehicles generally, § 31-81 et seq.

Sec. 25-5. Public health.

25-5.1 *Application.* The applicable health laws and regulations of the United States of America, the State of Florida, the County of Dade, and these rules and regulations shall apply to all persons and establishments, whether on or off an Airport, if such persons or establishments are engaged in activities affecting the Airport involving food and beverage service, drinking water service, handling, storage or disposal of water or refuse or any other activity which has a potentially deleterious effect on public health, e.g., food quality, water quality, air quality, or sanitary sewage and industrial waste water or storm water systems.

(Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 69, 3-7-95)

25-5.2 *Food and beverage service.* All matters of public health at the Airport are subject to the applicable United States Public Health Service, Florida State Board of Health and Dade County Department of Health regulations and policies.

(a) Any persons authorized to engage in food and beverage service on the Airport, whether from locations on or off the Airport, to Airport employees, airline passengers or the general public shall secure all required health agency licenses and shall abide by all rules and regulations of such agencies.

(b) All food and beverage establishments, whether on or off the Airport in fixed or mobile operations, engaged in food and beverage service to intrastate, interstate, or international aircraft, shall abide by all rules and regulations of appropriate federal, state, and local agencies.

(c) No person shall remove, from an aircraft, any food, garbage or trash, except as authorized under federal, State and/or local health regulations.

(Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 70, 3-7-95)

25-5.3 *Control of aircraft drinking water.*

(a) The water piping system in aircraft servicing areas shall be under adequate positive pressure at all times with a vacuum break or approved back-flow prevention device installed to prevent siphoning, and there shall be no cross connections between the potable water system and a system of questionable quality. All drinking and culinary water used in connection with the operation of aircraft in interstate, intrastate, or international commerce shall come from sources approved by the United States Public Health Service, the Florida State Board of Health or the Dade County Department of Public Health; and the installation of all aircraft water piping systems shall comply with the requirements established by these agencies.

(b) Potable water supply points on servicing piers or other locations on the Airport labeled "Aircraft Drinking Water Only" or similar wording indicating the same intent, whether the transfer of water is by direct connection from the hose bib to a mounted hose reel or by portable water truck or cart, shall be used for no other purpose, except in an emergency.

(c) Hoses used to deliver potable water to aircraft shall be constructed of such material and stored and handled in such manner as prescribed by the United States Public Health Service regulations, and used for no other purpose. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 71, 3-7-95)

25-5.4 *Handling and disposal of sanitary waste from aircraft.*

(a) When a removable sanitary waste can is removed from an aircraft, the contents of such can shall be securely enclosed or covered while being transported to a facility for emptying and cleaning.

(b) The sanitary waste accumulated in the fixed waste retention tank on an aircraft shall be discharged through a flexible hose, with a watertight connection to a portable water-tight tank, in order to avoid contamination of the area. Flushing of the retention tank must never be accomplished by direct connection to a potable water distribution system.

(c) All aircraft sanitary waste cans and retention tanks shall be serviced in approved servicing areas only.

(d) All ground facilities and operations for the disposal of sanitary waste and for the cleaning of sanitary waste cans and fixed waste-retention tanks, and all sanitary waste trucks or carts, shall be emptied, flushed, cleaned, and the rinse compartments of same filled at approved servicing areas only.

(e) No water hydrant on the Airport shall be used to service a sanitary waste truck or cart.

(f) All connections in an aircraft sanitary waste discharge line or sanitary tank servicing equipment shall be equipped with positive seals to prevent spillage.

(g) When a defect in an aircraft sanitary waste discharge valve or in a waste tank servicing equipment results in sanitary water spillage or when an improper or illegal discharge of sanitary waste has been made into equipment (valve) pits on the AOA, it shall be the responsibility of the aircraft owner or operator to immediately clean and decontaminate the equipment and ground area soiled. The defective components shall be repaired or replaced before the discharge valve or servicing equipment is placed back in service. The Department may clean up as necessary upon failure by the owner or operator to do so and charge the cost thereof, plus an administrative fee of twenty-five (25) percent, to the owner and/or operator.

(h) The owners or operators of sanitary waste tank trucks shall make any alterations to or add any equipment to such trucks as required by the Department, the Department of Public Health or Dade County Department of Environmental Resources Management, for the sanitary operation of the aircraft sanitary waste disposal system. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, §§ 72, 73, 3-7-95)

25-5.5 *Handling of aircraft and Airport refuse.*

(a) Receptacles used for the storage of aircraft galley paper and liquid waste, as well as garbage and refuse accumulating from operations in aircraft servicing areas, shall be stored, in accordance with standards and procedures approved by all appropriate federal, State and local public agencies.

(b) Garbage and refuse containers used in the Terminal Building areas shall be of a type and design approved by the Department, with the design compatible to the use and location, so as to preclude odor, insects, and vermin. Type, design and location shall assure no interference with the safe operation of vehicles and/or aircraft operating in its vicinity, and comply with reasonable standards established by the Department.

(c) Under no conditions shall open drums or containers be used for storage of garbage or refuse on the Airport.

(d) The open storage or placement on the Airport of any receptacle, equipment or material, including rubber tires, that holds water and is conducive to mosquito or rodent harborage or breeding is prohibited.

(e) All aircraft and Airport refuse other than sanitary waste shall be disposed of in accordance with applicable County, State and federal standards and procedures. (Ord. No. 75-113, § 2, 12-2-75)

25-5.6 *Waste removal services.*

(a) All operators of waste removal services on the Airport shall secure a permit from the Director and written approval from the Dade County Department of Public Health as to the suitability of the waste removal vehicle, compactors and/or containers.

(b) No vehicle used for hauling trash, dirt or any other waste materials shall be operated on the Airport unless such vehicle is constructed and equipped so as to prevent the contents thereof from blowing, dropping, sifting, leaking, or otherwise escaping therefrom. Approved waste, trash, and garbage compactors and containers shall be allowed at designated locations only. Such areas shall be kept clean and sanitary at all times by the person in control thereof. (Ord. No. 75-113, § 2, 12-2-75)

25-5.7 *Water pollution.* No person shall introduce, or cause or permit to be introduced, in any water system or any surface or underground water at the Airport, any organic or inorganic matter or deleterious substance in such quantity, proportions, or accumulations which are injurious to human, plant, animal, fish or other aquatic life, or property, or which unreasonably interferes with the enjoyment of life or property, or the conduct of business on the Airport. The types and permissible quantities of discharge shall be governed by the then applicable water discharge standards as promulgated by the United States Environmental Protection Agency under the Federal Water Pollution Control Act of 1972, or under any amendment or successor legislation thereto, or as established by State statute or County ordinance, whichever be the most stringent. (Ord. No. 75-113, § 2, 12-2-75)

25-5.8 *Air pollution.*

(a) No person shall introduce, or cause or permit to be introduced in the outdoor atmosphere or about an Airport any one or more air contaminants or combinations thereof, by burning or otherwise, in such quantities and of such duration as to be injurious to human, plant, or animal life, or property, or which unreasonably interfere with the enjoyment of life or property or the conduct of business on the Airport, or which in any way interferes with the operation of aircraft on the ground or in the air. The types and permissible quantities of discharge into the air shall be governed by the then applicable atmospheric discharge standards as promulgated by the United States Environmental Protection Agency under the Federal Clean Air Act of 1980, or under any amendment or successor legislation thereto, or as established by State statute or County ordinance, whichever be the most stringent.

(b) All motor operated vehicles used on a regular basis or stationed at an Airport shall comply with [Chapter 24](../level2/PTIIICOOR_CH24ENPRBIBAENDEAQPACOARBIBAENENTRFUENENLAPR.docx#PTIIICOOR_CH24ENPRBIBAENDEAQPACOARBIBAENENTRFUENENLAPR) of the Code regarding prohibitions against motor vehicles as sources of air pollution. While on Airport property, it shall be unlawful for the owner of a commercial vehicle to be operated which:

(1) Emits air contaminants as dark as or darker in shade than that designed as number one on the Ringelmann Chart or of such an opacity equal to or greater than twenty (20) percent for longer than ten (10) consecutive seconds; or

(2) Has had any of its emission control devices, as installed at the time of manufacture, removed, disconnected and/or disabled; or

(3) Is powered by any fuel that may defeat the design purpose of the vehicle's emission control devices, including but not limited to leaded gasoline used in a commercial vehicle designed to be powered by unleaded gasoline.

Any vehicle found to be in violation of the above will be subject to fines and penalties and will be immediately prohibited from operating at an Airport until such deficiency has been corrected and the vehicle has been recertified by the Dade County Department of Environmental Resources Management or any other authorized government agency. In addition, the Department may through Operational Directive impose further restrictions to a classified group of vehicles if the Department determines the emissions from any such group constitutes an environmental hazard.

(c) Operators of all motor vehicles at the terminal shall turn off the vehicle's engine when such vehicle is parked or is waiting other than at a traffic-control device, requiring the vehicle to stop temporarily, or to permit safe passage of persons or other vehicles. Emergency (police and fire) vehicles are exempt under this subsection when the operator of the vehicle is in close proximity to the vehicle, or when a person or police canine is in the vehicle.

(d) Operators of aircraft at the Airport shall turn off the aircraft engine or engines when such aircraft is not actively being taxied or checked in conjunction with maintenance procedures, except for onboard aircraft power units (APU). (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, §§ 74—77, 3-7-95)

25-5.9 *Sanitary sewage and industrial waste water system pollution.* No person, whether on or off an Airport premises, shall introduce or cause or permit to be introduced, in any sanitary sewage and industrial waste water or storm water system under the jurisdiction of the Department, any deleterious substance in such quantities, and for such duration as is or may be injurious to human, plant or animal life, or property, or which unreasonably interferes with the maintenance or operation of the Airport or the County sewage system. The types and permissible quantities of discharge shall be governed by the then applicable sewage discharge standards for sanitary sewage and industrial waste water and storm water systems as promulgated by the appropriate Federal, State and County agencies, whichever are the most stringent. Such effluent shall be discharged only into authorized sewage and waste disposal systems as are provided for such purpose and shall be disposed of in a manner approved by the Department and appropriate controlling agencies. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 78, 3-7-95)

25-5.10 *Quarantine.* International passenger quarantine, animal quarantine and disposition of diseased animals or plants shall be conducted in conformity with all applicable federal, State and County laws and regulations. (Ord. No. 75-113, § 2, 12-2-75)

Sec. 25-6. Safety hazards, dangerous articles and fueling operations.

25-6.1 *Cleaning of equipment.* No person shall use flammable liquids in the cleaning of aircraft or aircraft engines, propellers or other appliances, equipment or parts of aircraft, unless such cleaning operations are conducted in accordance with National Fire Protection Agency (NFPA) standards and all applicable Dade County codes. (Ord. No. 75-113, § 2, 12-2-75)

25-6.2 *Open-flame operations.* No person shall conduct any open-flame operations in any area on an Airport unless specifically approved in writing by the Department. Any such activities, if authorized, shall be conducted in strict accordance with NFPA standards, the Department's authorization and applicable Dade County codes. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 79, 3-7-95)

25-6.3 *Powder-activated tools.* No person shall use powder-activated tools or fastening devices any place on the Airport without prior written authorization of the Department. (Ord. No. 75-113, § 2, 12-2-75)

25-6.4 *Storage of material.*

(a) No person shall keep or store material or equipment in such manner as to constitute a fire hazard or be in violation of applicable Dade County codes or Operational Directives of the Department.

(b) All storage of material in buildings shall be arranged in height not to extend above the lower or bottom cord of roof trusses and shall not be closer than eighteen (18) inches below sprinkler heads. Storage areas shall provide aisles adequate for passage of Fire Department personnel and equipment throughout the area and between such storage areas and all outside walls. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 80, 3-7-95)

25-6.5 *Storage of hazardous material.* No person shall keep or store any flammable liquids, gases, explosives, signal flares or other hazardous material on an Airport, except in containers and receptacles, and in structures or areas, specifically approved for such storage, in compliance with the requirements of NFPA standards, Federal Aviation Regulations and applicable Dade County codes and as provided in subsection 25-6.22(a) and (b). (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 81, 3-7-95)

25-6.6 *Lubricating oil.*

(a) No person shall keep or store lubricating oils on the Airport, except in containers and receptacles, designed for such purpose, and in structures or areas specifically approved for such storage in compliance with the requirements of the NFPA standards, Federal Aviation Regulations and applicable Dade County codes.

(b) No person shall transport lubricating oils to points of use except in safety cans or vehicles approved for such purpose by applicable Dade County codes.

(c) No person shall store empty lubricating oil drums or cans except in approved areas.

(d) No hydrocarbon products, oil-water mixtures with concentrations of greater than five (5) parts per million hydrocarbons or other industrial waste water shall be dumped or permitted to drain onto paved or unpaved surface areas of the Airport, directly into Airport drainage ditches, canals, rivers, ponding areas, into Airport storm drains, or directly into the sanitary sewer system. Such matter shall be discharged only into approved industrial waste water collection and treatment systems or disposed of in an alternate manner approved by the Department or the County's Department of Environmental Resources Management. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 82, 3-7-95)

25-6.7 *Waste.* Lessees of hangars, aircraft servicing or maintenance buildings, the Terminal Building, or other Airport areas shall provide suitable metal safety receptacles with operating, self-closing covers for the storage of oily wastes, rags and other rubbish and trash. Unless such requirement is waived in writing by the Department, all exterior waste storage and receptacle areas shall be screened from public view, including from aircraft. All waste within this general classification shall be removed by the lessees from the Airport premises daily, or as required by applicable Dade County codes, whichever shall be the more stringent. (Ord. No. 95-41, § 83, 3-7-95)

25-6.8 *Smoking.* No person shall smoke or carry lighted cigars, cigarettes, pipes, matches or any open flame inside any facility or leasehold designated for bulk fuel storage (a "tank farm") or within fifty (50) feet of any aircraft, or the nearest point of an aircraft being fueled or defueled, or of the site of a flammable liquid spill unless such person is in a building or other enclosed area where smoking is not prohibited. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 84, 3-7-95)

25-6.9 *Cleaning fluids.*

(a) No person shall use flammable substances for cleaning hangars or other buildings on the Airport.

(b) No person shall store flammable cleaning fluids, except in containers with dispensing devices approved by NFPA standards and applicable Dade County codes.

(c) No person shall transport flammable cleaning fluids to points of use except in safety cans approved by NFPA standards and applicable Dade County codes. (Ord. No. 75-113, § 2, 12-2-75)

25-6.10 *Leasehold cleanliness.* All lessees on the Airport shall keep all areas of the premises leased or used by them clean and free of oil, grease and other flammable material. The floors of hangars and other buildings shall be kept clean and continuously kept free of rags, waste material or other trash or rubbish. (Ord. No. 75-113, § 2, 12-2-75)

25-6.11 *Care of aircraft ramp, apron and parking areas.* Any person, including the owners or operators of aircraft and into-plane fuelers, causing overflowing or spilling of oil, grease, fuel, sanitary waste water, any hazardous material or any similar material anywhere on an Airport, shall be responsible for the immediate clean-up of such spillage and notification as required by subsection 25-6.23(e). Upon the default of the responsible person to clean such area, the Department, or other authorized representative of the County, shall provide the necessary cleaning and charge the responsible person for the expense thereof. In the event of a spill which occurred in connection with the fueling or defueling of an aircraft, the responsible party, for purpose of billing for Department incurred clean-up costs, shall be the party named in the "Fuel Spill Incident Report," prepared by the Department. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 85, 3-7-95)

25-6.12 *Doping, spray painting and paint stripping.*

(a) No person shall perform doping processes, spray painting, or paint stripping except in areas or facilities approved for such purposes under NFPA standards and applicable Dade County codes.

(b) No person shall enter or work in a dope room while doping is in process, or in a spray-painting room or area while spray painting is being conducted, unless such person is properly clothed for purposes of safety and self-protection in accordance with NFPA standards and applicable Dade County codes. (Ord. No. 75-113, § 2, 12-2-75)

25-6.13 *Fire extinguishers.* No person shall tamper with fire-extinguishing equipment at the Airport at any time, nor use such equipment for any purpose other than firefighting or emergency fire prevention. All fire-extinguishing equipment shall be maintained in accordance with the adopted recommendations of NFPA, and other applicable Dade County codes. (Ord. No. 75-113, § 2, 12-2-75)

25-6.14 *Use of potentially wind-borne materials.* No person shall use any material, such as oil absorbent or similar material, in such a manner as will create a hazard to persons or property when picked up, swirled or blown about by the blast from an aircraft engine or by a wind. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 86, 3-7-95)

25-6.15 *Operating motor vehicles in hangars.* No person, except in an emergency, shall operate a tractor, tug, or other motor vehicle in any hangar or other building used for aircraft maintenance facility when an aircraft is present, unless the exhaust system of such tractor, tug, or other motor vehicle is protected by screens or baffles to prevent the escape of sparks or the propagation of flame, in accordance with requirements of NFPA standards and applicable Dade County codes. (Ord. No. 75-113, § 2, 12-2-75)

25-6.16 *Grounding of aircraft in hangars.* No person shall park an aircraft in any hangar or other structure on the Airport, unless the aircraft is grounded in accordance with the requirements of the Federal Aviation Regulations, NFPA standards and applicable Dade County codes as specified in Operational Directives. (Ord. No. 75-113, § 2, 12-2-75)

25-6.17 *Motorized ground equipment near aircraft.* No person shall park motorized ground equipment near any aircraft in such manner so as to prevent it or other ground equipment from being readily driven or towed away from the aircraft in case of an emergency. (Ord. No. 75-113, § 2, 12-2-75)

25-6.18 *Repairing of aircraft.* No person shall repair an aircraft or aircraft engine, propeller, or other aircraft apparatus in any area of an Airport other than an area leased for such purpose or areas, if any, specifically designated by posted sign or Operational Directive for such purpose, except that minor adjustments or repairs may be made while the aircraft is at an aircraft parking position, stand or apron being prepared for departure. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 87, 3-7-95)

25-6.19 *Operating aircraft engines in hangars.* The starting or operating of aircraft engines, including on-board auxiliary power units (APU's), inside any hangar, other than the air rotation of jet engines without ignition, is prohibited. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 88, 3-7-95)

25-6.20 *Heating systems in hangars.* Heating in any hangar shall be only by approved systems or devices as listed by the Underwriters Laboratories as suitable for use in aircraft hangars, and shall be installed in the manner prescribed by applicable Dade County codes. (Ord. No. 75-113, § 2, 12-2-75)

25-6.21 *Electrical equipment and lighting systems.*

(a) Explosion-proof or vapor-proof electrical equipment shall be used as required in areas defined as hazardous by NFPA or Dade County codes. No portable lamp assembly shall be used in any maintenance shelter or hangar without a proper protective guard or shield over such lamp assembly to prevent breakage.

(b) All electric power-operated tools and equipment shall be shut off while not in actual use.

(c) Electrical lighting systems in hangars, aircraft maintenance facilities or other areas where explosive fumes are present shall be as required by NFPA standards and Dade County codes. (Ord. No. 75-113, § 2, 12-2-75)

25-6.22 *Explosives, corrosives, poisons, compressed gases, and radiological materials.*

(a) No person shall store, keep, handle, use, dispense or transport at, to or from the Airport any Class A explosive (as defined by the "Hazardous Material Regulation of the Department of Transportation").

(b) No person shall store, keep, handle, use, dispense or transport at, to or from the Airport any Class B or Class C explosive, Class A poison, or red label materials (as defined by the "Hazardous Material Regulation of the Department of Transportation") in a manner other than in conformity with the applicable regulations of the Air Transport Association of America, the International Air Transport Association, the United States Department of Transportation, and the recommendations of the National Fire Protection Association.

(c) Other than for emergency purposes as defined by Federal Aviation Regulations, no person shall carry a compressed air or gas tank aboard a commercial aircraft, unless such tank is reduced to zero pressure, or is an integral component of the aircraft system. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 89, 3-7-95)

25-6.23 *Fueling and defueling.* The following rules shall govern and control the fueling and defueling of aircraft and motor vehicles at the Airport:

(a) No person shall fuel or defuel an aircraft while an operating engine of such aircraft is running; provided, however, that nothing herein shall prohibit fueling or defueling of an aircraft during aircraft APU operations, and provided further in a situation resulting from an inoperative on-board APU, a jet engine mounted at the rear of the aircraft or on the wing on the side opposite the fueling point may be operated to provide aircraft electrical power during fueling, provided:

(1) The operation follows procedures published by the manufacturer of the aircraft and its operator to assure safety of the operation.

(2) Prior approval is obtained from the Department's Airport operations office.

(3) The Fire Department is on standby watch at the aircraft involved.

(b) As specified by NFPA standards, no person shall place into operation any electrical appliance in an aircraft when the aircraft is being fueled or defueled.

(c) No aircraft shall be fueled or defueled unless the aircraft and the fuel dispensing apparatus shall both be electrically grounded or bonded as required by Federal Aviation Regulations, NFPA standards, Dade County ordinances, and applicable Operational Directives.

(d) When a fuel spill over five (5) feet in diameter occurs, the Fire Department shall be notified immediately and valves and dome covers shall be shut down. If the engine of the fueling vehicle is running at the time of the fuel spill, the vehicle shall be removed from the area unless contrary orders are issued by the senior fire officer at the scene. Conversely, if the engine of a fueling vehicle is shut down at the time of the fuel spill, it shall remain shut down unless a fire has already started or until the senior fire officer at the scene orders the vehicle moved. In no event shall fueling or defueling operations resume following a fuel spill until all areas upon which fuel has spilled or flowed over are thoroughly flushed and the senior fire official at the spill site has issued an order permitting the resumption of fueling operations.

(e) No passenger shall be permitted in any aircraft during fueling or defueling, unless a cabin attendant is present at or near the cabin door and unless a passenger boarding ramp or bridge is in place at the cabin door.

(f) No person shall use any material within fifty (50) feet of the nearest point of an aircraft during fueling or defueling of the aircraft which may cause a static spark.

(g) No person shall engage in aircraft fueling and defueling operations without adequate fire extinguishers within ready reach.

(h) No person shall start the engine of any aircraft when there is a flammable liquid on the ground in the vicinity of such aircraft.

(i) No person shall fuel or defuel an aircraft with fueling hoses and other equipment or apparatus which are not in a safe, sound and nonleaking condition in accordance with NFPA standards.

(j) All hoses, funnels, and appurtenances used in fueling and defueling operations shall be equipped with a positive grounding device in good order to prevent ignition of flammable liquids due to static spark.

(k) The fueling and defueling of aircraft shall be conducted at a distance of at least fifty (50) feet from any hangar or other building unless at a Terminal aircraft loading/unloading gate or fifty (50) feet from any combustion or ventilation air intake to any boiler, heater, or incinerator room in accordance with NFPA standards.

(l) Maintenance and testing of aircraft fueling systems shall be conducted under controlled conditions, in strict compliance with NFPA 410(C) or subsequent replacement publications.

(m) Refueling vehicles shall be stored and maintained outdoors in areas authorized by the Department, except for the accomplishment of minor adjustments or repairs necessary to move such units to the storage area when failure occurs elsewhere on the Airport. No fuel trucks, empty or otherwise, shall be brought into, kept or stored within any building at the Airport, unless said building is used exclusively for that purpose, or in those instances under controlled conditions during approved fueling and defueling operations.

(n) No fueling vehicles other than hydrant carts shall be backed within twenty (20) feet of an aircraft, unless a person is present outside the fueling vehicle to assist the operator thereof.

(o) When a fire occurs in or near a fuel delivery device while servicing an aircraft, the Fire Department shall be notified immediately, fueling shall be discontinued immediately, emergency valves and dome covers shall be shut down at once and the fueling vehicles and equipment shall immediately be removed from the vicinity of the aircraft unless deemed unsafe. Any persons on board the aircraft shall be evacuated and other equipment removed from the area. If necessary, the aircraft shall be towed to a position at a safe distance from buildings and other aircraft. Upon his arrival the senior fire officer will be in charge.

(p) The transfer of fuel from one fuel service vehicle to another (commonly referred to as "tankering") is prohibited within the AOA, except for emergency conditions under the standby watch of the Fire Department, and except for the required resupply of a service vehicle in conjunction with the supply of large quantities of fuel; e.g. for wide-bodied aircraft; provided, however, that all equipment and aircraft must be properly grounded.

(q) No airborne radar equipment shall be operated or ground tested in any area on the Airport where the directional beam of high intensity radar is within three hundred (300) feet, or the low intensity beam is within one hundred (100) feet, of an aircraft fueling operation, aircraft fueling truck, or aircraft fuel or flammable liquid storage facility, unless an approved shielding device is provided and used during the radar operation.

(r) Aircraft fueling vehicles shall be equipped with storage tanks which are sectionalized into compartments of not over two thousand (2,000) gallons' capacity or in lieu thereof shall be equipped and operated in accordance with alternate procedures approved, in writing, by the Department. Fueling vehicles, which are not in compliance with the requirement for sectionalization or for which alternate full operational procedures have not been approved, may be authorized for continued use only on a restricted basis and only upon specific individual authorization by the Department, in writing. (Ord. No. 77-88, § 1, 12-6-77)

(s) Motor vehicles shall be fueled on the Airport only from approved locations and dispensing devices.

(t) Yearly safety inspection shall mean inspection of equipment and vehicles operated on the AOA for emission controls and safety items such as lights, brakes, windshields, tires, and the like. All safety items shall be in good working order.

(u) The use of automobile fuel products is prohibited for use in aircraft, unless the aircraft is individually certified for the use of such fuel.

(v) No person shall vend, sell, or offer for sale on an Airport any petroleum fuel or lubricating product without authorization in writing from the Department.

(w) No person shall transport onto an Airport, other than by aircraft for use in such aircraft, any fuel product or lubricating product, unless authorized in writing by the Department. Notwithstanding the above, aircraft owners shall not be denied the right to bring fuel and lubricating products onto an Airport for the purpose of self-fueling, provided the transport of the fuel and lubricating products onto the Airport and the self-fueling activities are otherwise in compliance with this chapter and applicable fire and environmental codes, and are otherwise authorized by the lessee of the premises on which such self-fueling activity occurs.

(x) No person shall transport onto an Airport. other than by aircraft for use in such aircraft, any fuel product or flammable material unless in approved containers or vehicles.

(z) All persons fueling aircraft at any gate parking position that is equipped with an operable fuel hydrant connected to the underground fueling system, shall use such hydrant system for aircraft fueling, unless otherwise specifically authorized by the Department on a case-by-case basis.

The applicable Standards and Recommendations of the National Fire Protection Association, as they are amended from time to time, are incorporated herein by reference. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, §§ 90—94, 3-7-95)

Sec. 25-7. Tenant obligations.

25-7.1 *Structural and decorative changes.* No Airport tenant or lessee shall make or cause to be made any new construction, alterations, additions or improvements of any nature whatsoever, including signs, on or to any leased premises without prior written authorization of the Department. (Ord. No. 75-113, § 2, 12-2-75)

25-7.2 *Damages.* All Airport tenants and lessees shall be fully responsible for the repair of all damages to buildings, equipment, real property, and appurtenances on their leased premises, resulting from its operations or the actions of its employees, agents, licensees or guests. (Ord. No. 75-113, § 2, 12-2-75)

25-7.3 *Use of premises.* No Airport tenant or lessee shall use or permit its leased premises to be used or occupied for any purpose not authorized by its lease or as prohibited by this chapter (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 95, 3-7-95)

25-7.4 *Trailers, trucks; restricted use.* No person shall use or permit the use of any trailed vehicle, truck, bus or van-type vehicle on any Airport for office, storage space, maintenance shop or similar purpose, unless specifically authorized by the Department. (Ord. No. 75-113, § 2, 12-2-75)

25-7.5 *Protection of leased areas.*

(a) No Airport tenant under whose control are any vehicle or personnel gates, doors or any other means of ingress and egress to the AOA or SIDA area at Miami International Airport or at any other County Airport which has a fenced, secured AOA, shall fail to keep the same secured or controlled at all times to prevent the access of unauthorized persons to the AOA. Airport tenants shall be responsible for control and prevention of unauthorized access to the AOA or the leasehold areas of other tenants from the tenant's leased premises.

(b) No Airport tenant under whose control are any vehicle or personnel gates, doors or other means of ingress or egress to or from the AOA or a SIDA area at Miami International Airport shall fail at all times to have in effect a positive access control program. In no event shall tenant-controlled keys, lock combinations, or the like be allowed off the leased premises without such tenant's knowledge and consent.

(c) The internal security of leased areas at the Airport shall remain the sole responsibility of the lessee. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 96, 3-7-95)

25-7.6 *Common use areas.*

(a) No Airport tenant or other authorized Airport user shall utilize a common use area, including an aircraft gate position in a manner which interferes with the use of such area by another or which departs from established and authorized procedures for the use of such area.

(b) No Airport tenant or other authorized Airport user shall utilize a common use area, including an aircraft gate position, unless properly trained and authorized personnel supplied by such tenant or user are present for purposes of control and coordination during all periods of such use.

(c) Upon occupancy of any common use aircraft gate position, the user assumes full responsibility for compliance with Federal and local security requirements and shall be liable for all fines and penalties resulting from failure to perform or abide by same. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, §§ 97, 98, 3-7-95)

25-7.7 *Public service.*

(a) Aircraft owners and operators utilizing the Terminal at Miami International Airport shall provide, directly or under contract with others, a full range of services, including, but not limited to, porter service, wheelchair services, screening and security services as required by Federal Aviation Regulations, required by its passengers in connection with their use of the Airport. Minimum standards may be established by Operational Directive of the Department.

(b) All Terminal employees, including but not limited to counter and gate agents, porters and security screening, whose prime responsibility is direct service to the public, shall, in addition to any Department issued identification badge, display clearly discernible employer issued personal identification such as a nameplate and company identification on his or her outer garments, in plain view above the waist. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 99, 3-7-95)

Sec. 25-8. Control of landside traffic.

25-8.1 *Governing law.* The regulation of all traffic using Airport roadways and parking facilities shall be governed by the applicable provisions (including definitions) of the Florida Statutes, Chapter 30 of the Code of Metropolitan Dade County, Florida, and this chapter. (Ord. No. 75-113, § 2, 12-2-75)

25-8.2 *Traffic-control devices.* No person shall operate a vehicle on the upper or lower vehicle drives of the Terminal at Miami International Airport or on any roadways on an Airport, in violation of official traffic-control devices. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 100, 3-7-95)

25-8.3 *Parking.*

(a) No person shall stop, stand or park a vehicle on the upper or lower vehicular drives at the Terminal Building at Miami International Airport, in violation of any official traffic-control device or an oral directive provided by an authorized law enforcement officer or an authorized uniformed traffic enforcement employee of the Department.

(b) No person operating a commercial vehicle for hire shall load or unload persons at curbside loading zones not designated for such purpose for such classification of service within the Terminal Building area of Miami International Airport. Such loading and unloading zones and any restricted use by authorized commercial vehicles, or other vehicles shall be established by the Department and shall be designated by appropriate traffic-control devices, signs or Operational Directives.

(c) No person shall stop, stand or park a vehicle on any Airport roadway or in a curbside area at the terminal, unless so permitted or required by an official traffic-control device or pursuant to subsection 25-8.3(b) above.

(d) No person shall stop, stand or park any vehicle on the upper or lower vehicular drives at the Terminal Building at Miami International Airport, for the purpose of making deliveries of goods, wares or merchandise to the Terminal Building except during times or in areas designated by the Department, or as otherwise posted.

(e) No person shall park or stop a trailer, semitrailer, cargo trailer or other vehicle at any loading pier or dock at the Airport except for the purpose of the immediate loading or unloading of such vehicle, unless otherwise authorized by the Department.

(f) No person shall park or stop a vehicle at the Airport in such a manner as to block any Airport roadway or otherwise impede the normal flow of vehicular traffic on any Airport roadway, including those roadways to, from or within any Airport facility, without prior notification of and authorization by the Department. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 101, 3-7-95)

25-8.4 *Airport parking facilities.*

(a) No person shall enter or use an Airport motor vehicle parking facility or parking space contrary to its posted or restricted use.

(b) No person shall stop, park or leave a vehicle unattended in any Airport motor vehicle parking facility or parking space or area without having positioned said vehicle in a designated stall or area in such a manner as not to obstruct the proper movement of other vehicles in the parking facility or area or utilization by other vehicles of driveways or adjacent parking spaces.

(c) Public parking facilities.

(1) No person shall park or leave a vehicle unattended in any motor vehicle parking facility, open to the public, without having properly secured a required parking claim check or having paid the required toll, in the case of metered or similarly controlled parking areas.

(2) No person shall remove or attempt to remove any vehicle from an Airport parking facility open to the public without making payment of the parking charge established by the Board, unless authorized by the Department.

(3) No person, unless authorized by the Department, shall remove or attempt to remove a claim check from an Airport parking facility claim check dispensing machine, other than as an operator of a vehicle entering an Airport parking facility, in which case, such person shall remove only one (1) claim check from the dispensing machine.

(4) It shall be unlawful for any person to remove a claim check or checks from, or to otherwise operate, an Airport parking facility claim check dispensing machine, for the purpose of avoiding or enabling another person to avoid payment of the lawful charge of the use of said parking facilities.

(5) No person shall remove or attempt to remove a vehicle from an Airport parking facility by presenting a claim check other than the claim check originally dispensed to the operator of such vehicle at the time that vehicle entered the parking facility.

(6) No person shall present a parking claim check requiring payment of parking fees upon exiting a motor vehicle parking facility which does not indicate an accurate record of the length of time said vehicle was actually within the parking facility for which the time and charges have accrued, inaccuracies of time recording equipment excepted.

(d) Employee parking facilities.

(1) No person shall park or operate a vehicle on any Airport parking facility established or authorized for the use of persons employed at the Airport without complying with all procedures established by the Department for the control of such vehicle and for the use of such parking facility.

(2) No person shall enter such employee parking facilities or use the transportation service provided in support thereof unless possessing and displaying, if requested a valid identification badge issued or approved by the Department.

(3) No person shall allow any other person to use their identification badge, their vehicle and/or vehicle parking decal in order for the other person to use any Airport public or employee parking facility or any employee transportation service. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, §§ 102—104, 3-7-95)

25-8.5 *Removal of vehicles.*

(a) Either law enforcement officers employed by the County's Police Department or specifically designated employees of the Department are authorized to immediately remove or cause the removal of any vehicle, when such vehicle is parked in violation of any provision of these rules and regulations. The operator of any Airport parking facility is authorized to remove or cause the removal of any vehicle from such parking facility to said designated impoundment area when such vehicle is parked in violation of any provision of subsection 25-8.4 of this chapter. Vehicles so removed shall be temporarily impounded on Airport property until the owner has complied with recovery provisions established by the Department or the vehicle is disposed of in accordance with applicable state or local requirements. Without limiting the generality of the foregoing provisions, a vehicle parked in any area or zone designated by signs as a "no parking zone," or "tow away zone," or "parking prohibited" may be removed in accordance with this section.

(b) Whenever any vehicle is moved to the aforementioned temporary impoundment area, a written report of such removal shall promptly be made in accordance with Operational Directives issued by the Department.

(c) The owner of any vehicle so removed to a temporary impoundment area, or his authorized representative, may recover possession of such vehicle within seven (7) days after its removal to the temporary impoundment area (unless such period is extended by the Department), upon acceptable proof of ownership and payment of appropriate parking charges accrued up to the time of removal and further payment of storage and towing charges incident to such removal at the Airport. Charges for towing and storage of removed vehicles shall be those approved or authorized by the Board from time to time and posted at the vehicle recovery area.

(d) In the event any such vehicle is not recovered by its owner or his authorized representative from the temporary impoundment area within the period established in subsection 25-8.5(c) above, such vehicle may be considered as abandoned and removed from the temporary impoundment area in accordance with Airport procedures for abandoned vehicles.

(e) The owner or authorized representative of any vehicle removed from the temporary impoundment area as abandoned may recover possession of such vehicle upon proof of ownership and payment of appropriate charges accrued against such vehicle for parking, towing and storage on the Airport in addition to the charges provided in the Code of Metropolitan Dade County, unless state law provides otherwise.

(f) Relocation of vehicles. Either law enforcement officers employed by the County's Police Department, designated employees of the County, or authorized persons under contract to the County shall have the right to relocate properly parked private vehicles, when such is necessary to protect such vehicle or when such vehicle is so parked as to interfere with construction or other like activities on the Airport. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 88-37, § 7, 5-3-88; Ord. No. 95-41, §§ 105, 106, 3-7-95)

25-8.6 *Abandoned vehicles and equipment removal.*

(a) No person shall abandon any vehicle or equipment on the Airport. Either law enforcement officers employed by the County's Police Department or designated Department personnel are authorized to remove or cause the removal, in accordance with applicable state or County regulations, of any abandoned vehicles or equipment to the area of the Airport designated for the impoundment of such by the Department. For the purposes of this section, any vehicle or equipment, except one properly parked in an Airport parking facility, in a parking facility under the control of an Airport tenant of the County, or other area authorized by the Department, which shall have been left unattended upon the Airport for a period of forty-eight (48) hours or more shall be presumed to have been abandoned and may be considered and treated as abandoned.

(b) No person shall park or store a vehicle or equipment in an Airport parking facility, in a parking facility under the control of an Airport tenant of the County, or other area authorized for parking by the Department, which shall have been left unattended or inoperable upon the Airport for a period of sixty (60) days or more without a written permit from the Department or its authorized agent. Vehicles so left unattended shall be presumed to have been abandoned and may be considered and treated as such, in accordance with provisions of subsections 25-8.5 and 25-8.6(a) of this chapter; however, the Department may approve the removal of an abandoned vehicle to a location off the Airport and not require the interim storage of such vehicle in the Airport impoundment area.

(c) Upon the removal of such abandoned vehicle or equipment to the Airport impoundment area the provisions of subsection 25-8.5(b), (c), (d) and (e) of this chapter shall be observed to the extent applicable. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 107, 3-7-95)

25-8.7 *Certain vehicular traffic prohibited.*

(a) No person shall operate any truck, trailer, semitrailer, truck tractor, special mobile equipment, house trailer, dump truck, truck-mounted shovel, crane, transit mixer, or any other vehicle designated for the transportation of property to which machinery has been attached, on any Airport roadway for the purpose of utilizing such roadway as a short-cut thoroughfare between any points outside the boundaries of the Airport, unless otherwise directed by a Police Officer, or pursuant to a written permit issued by the Department.

(b) No person shall operate any vehicle on the Airport contrary to posted load or height limits.

(c) Separate crane clearance authorization is required for all vehicles with a height of fifteen (15) feet or higher operating at any Airport. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 108, 3-7-95)

25-8.8 *Pedestrians.*

(a) No pedestrian shall cross the upper or lower vehicular drives at the Terminal Building, Miami International Airport, except at marked crosswalks.

(b) No pedestrian shall cross any Airport roadway having marked intersection crosswalks, except at such crosswalks.

(c) No pedestrian shall cross or walk upon any other Airport roadway except in conformance with the applicable provisions of [Section 30-221](../level3/PTIIICOOR_CH30TRMOVE_ARTIINGE.docx#PTIIICOOR_CH30TRMOVE_ARTIINGE_S30-221PEOBTRCODETRRE) of the Code of Metropolitan Dade County, Florida, as it may be amended from time to time.

(d) Every person operating a vehicle on the Airport roadway shall yield the right-of-way to any pedestrian in a marked pedestrian crosswalk. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 109, 3-7-95)

Annotation—AO of 9-1-81.

Sec. 25-9. Control of vehicular traffic on the air operations area.

25-9.1 *Governing law.* The control of all vehicular traffic on the AOA shall be governed by applicable laws of the state and County, and the rules and regulations prescribed herein as enforced by any designated Department representative or law enforcement officer. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 110, 3-7-95)

25-9.2 *Authority to operate on the air operations area.*

(a) No person shall operate or cause to be operated any motor vehicle on the AOA, unless such operation is required on the AOA and is directly related to an aviation activity on the Airport, the business of the Department, or the business of a tenant, an authorized subtenant or other authorized user of the Airport.

(b) No person shall enter upon the AOA at Miami International Airport other than pursuant to subsection 25-2.20 herein, nor shall any person drive a motor vehicle on the AOA without a motor vehicle identification permit as prescribed by subsection 25-9.7 herein, a valid driver's license as prescribed by subsection 25-9.8 herein, and, unless accompanied by a Departmental escort, or else be in possession of a certificate of completion of the AOA driver training course administered or approved by the Department.

(c) Insurance against personal injury and property damage shall be provided in the amounts required by the Department from time to time for individual Airports. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 111, 3-7-95)

25-9.3 *Yielding to aircraft.* All motor vehicles on the AOA shall yield the right-of-way to aircraft in motion, under all conditions. This requirement shall include vehicles within designated roadways on the AOA. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 112, 3-7-95)

25-9.4 *Crossing runways and taxiways.*

(a) No person at an Airport with an operating control tower shall operate a motor vehicle beyond the hold bars of an active runway, or (i) closer than one hundred fifty (150) feet from the edge of an active runway, or (ii) closer to an active taxiway than as may be provided in the specific Operational Directives for the Airport, or as may subsequently be required by regulations, without first having received clearance to proceed from the control tower.

(b) During periods when a control tower is shut down or at Airports without an operations control tower, no person shall operate a motor vehicle beyond the hold bars of an active runway, or closer to an active taxiway stated in the specific Operational Directives for the Airport, or as may subsequently be required by regulations, without first determining that no aircraft are approaching and transmitting his or her intentions on the appropriate common traffic advisory frequency (C.T.A.F.). Movement across said runway or taxiway shall then be made expeditiously. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 113, 3-7-95)

25-9.5 *Operations near aircraft.* No person, other than the operator of an aircraft servicing vehicle for that aircraft, shall operate a motor vehicle on the AOA at Miami International Airport so as to pass within twenty (20) feet of a parked aircraft, unless traveling on a marked interior service road, or contrary to published vehicle operating procedures, including but not limited to specific routes or zones marked on pavement or regulatory signs. In the case of an aircraft being loaded or unloaded at ground level, on the Terminal Apron no vehicle shall be operated between said aircraft and the Terminal concourses while passengers are enplaning or deplaning. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 114, 3-7-95)

25-9.6 *Two-way radio requirements.* The operator of a motor vehicle requiring clearance to operate on or across an active taxiway or runway at an Airport with an operating control towner shall maintain direct two-way radio contact with the control tower, or in the event a two-way radio is inoperable or unavailable, shall operate said vehicle only under the escort of an authorized motor vehicle equipped with a two-way radio in contact with the control tower. This requirement shall not apply, however, to operators of vehicles authorized by the Department to receive preestablished visual signals from the control tower, or to operators of vehicles following preestablished special procedures of the Department which have been approved by the Federal Aviation Administration. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 115, 3-7-95)

25-9.7 *Motor vehicle identification permits.*

(a) No person shall operate a motor vehicle on the AOA at Miami International Airport without an official motor vehicle identification permit issued pursuant to an Operational Directive of the Department, as defined in subsections 25-9.7(b), (c), and (d), and without company identification conspicuously displayed thereon.

(b) An AOA regular vehicle permit may be issued for each motor vehicle authorized by the Department to operate on the AOA at Miami International Airport on a regular, continuing basis and may be renewed annually or for such longer period as may be determined by the Department. Such permit shall be permanently affixed to the upper center of the windshield, or where there is no windshield, to the driver's side of the vehicle or to such other place on the vehicle as designated by the Department. The driver of a vehicle for which an AOA regular vehicle permit has been issued shall at all times comply with the terms of the permit as established by the Department, which terms shall include the requirement that an AOA driver's certificate be obtained from the Department as a condition of entry on the AOA by such driver, in accordance with Section 25-9.2(b) of this chapter.

(c) An AOA temporary vehicle permit may be issued for temporary, or limited access for each motor vehicle used on the AOA at Miami International Airport for prime contractors and others engaged in construction or other activities for or approved by the Department. This permit shall be conspicuously displayed on the motor vehicle to which it is issued. Unless operating within a designated construction area, any motor vehicle bearing such permit shall, at all times while on the AOA, be under escort by an authorized escort vehicle, unless otherwise authorized by the Department.

(d) An AOA temporary vehicle permit may be issued for a limited area and time for motor vehicles which require occasional or "one-time" access to a specific location on the AOA at Miami International Airport to make authorized pick-ups or deliveries. This permit shall be issued at the discretion of the Department and shall be obtained only at Department-controlled AOA gates to AOA upon clearance by an Airport tenant or by other authorized personnel, and is valid only for the length of time indicated thereon. It shall be returned to an access gate at or prior to the expiration of the allotted time. This permit shall be conspicuously displayed on the motor vehicle to which it is issued. Any motor vehicle bearing such permit shall, at all times while on the AOA, be under escort, unless otherwise authorized by the Director.

(e) All motor vehicle identification permits shall remain the property of the Department, and are not transferable. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 116, 3-7-95)

25-9.8 *Driver's license.* No person shall drive a motor vehicle on the AOA, unless such individual carries on his person at all times a currently valid operator's license for the type vehicle being operated, issued in accordance with federal law or statutes of the State of Florida; provided however, that the Department may require by Operational Directive that operators of specific types and classes of equipment operated on the AOA must obtain operator's licenses for the type of vehicle involved, even though operator's licenses may not then be required for such type of vehicle by state or federal laws. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 117, 3-7-95)

25-9.9 *Designated vehicular routes.* No person shall operate a motor vehicle on the air operations area, except operators of emergency vehicles proceeding in response to an alarm or Department vehicles in the performance of individual duties, unless such person operates on established vehicular routes only. (Ord. No. 75-113, § 2, 12-2-75)

25-9.10 *Speed limits and traffic control.*

(a) No person shall operate any motor vehicle, other than an emergency vehicle proceeding in response to an alarm, on the air operations area at a speed in excess of twenty (20) miles per hour, except as otherwise posted.

(b) No person shall operate any motor vehicle on the air operations area (including the service drives within the Terminal Building at Miami International Airport) in violation of any traffic-control device. (Ord. No. 75-113, § 2, 12-2-75)

25-9.11 *Reckless driving.* No person shall operate a motor vehicle on the air operations area in a reckless manner, so as to indicate a willful or wanton disregard for the safety of persons or property. (Ord. No. 75-113, § 2, 12-2-75)

25-9.12 *Careless driving.* No person shall operate a motor vehicle on the air operations area in a careless manner, which is other than in a careful and prudent manner, having regard for the width, grade, curves, corners, traffic and use of roadways, weather conditions and all other attendant circumstances, so as not to endanger the life, limb or property of any person. (Ord. No. 75-113, § 2, 12-2-75)

25-9.13 *Vehicle and equipment condition and safety requirements.* No person shall operate a motor vehicle or equipment on the AOA unless such vehicle or equipment is in good operating condition and repair for a unit of its type and is equipped with at least the following safety equipment in fully operable condition:

(a) Motor vehicle lights:

(1) All motor vehicles operated on the AOA, except motor vehicles designed for only one (1) headlight and except tow tugs and other specialized ramp equipment designed with only taillights, shall be equipped with two (2) headlights and one or more red taillights and brake lights.

(2) All headlights and taillights shall be kept lighted between the hours of sunset and sunrise and at all times when passing through unlighted or poorly lighted areas.

(3) Any motor vehicle, other than emergency vehicles, operating on runways or taxiways of the AOA shall display an amber overhead flashing or rotating light at all times while so operating; provided, however that between the hours of sunrise and sunset a motor vehicle not so equipped may so operate if such vehicle displays a checkered flag approved by the Department. The use of red or blue flashing or rotating lights shall be limited to emergency vehicles only.

(4) All motor vehicle lights shall be of sufficient brilliance to assure their capability of being seen, but not so as to temporarily blind others.

(5) All baggage and cargo carts shall be equipped with reflectors or fluorescent tape material, two (2) each on the front, the rear and both sides of the cart. The reflectors shall be standard truck types. If fluorescent tape is used, each piece shall have a reflective surface of not less than fourteen (14) square inches. Reflectors or tape on the front and front sides shall be amber and on the rear and rear sides shall be red.

(b) Motor vehicle brakes:

(1) All motor vehicles operating on the AOA shall be equipped with a properly functioning braking system, suitable for the specific type of equipment being operated.

(2) The operator of a motor vehicle on the AOA shall test the brakes of such vehicle upon approaching an aircraft within such distance as necessary to avoid a collision with such aircraft in the event of brake failure.

(c) Motor vehicle windows and mirrors:

(1) Every motor vehicle operating on the AOA shall be equipped with at least one mirror, so adjusted that the operator of such vehicle shall have a clear view of the road behind for a distance of at least two hundred (200) feet. Exceptions to this requirement are to be requested through the Director, and if justified, authorization will be granted on an individual basis.

(2) The windshields and other windows of a motor vehicle operating on the AOA shall be free of cracks, blisters, discoloration or any other defect causing distortion or obstruction of the vision of the operator thereof.

(3) The use or placing of posters, stickers, signs or other objects on the windshield or other windows of a motor vehicle operating on the AOA, other than those required by the Department or by law, is prohibited.

(4) The vision of the operator of a motor vehicle on the AOA shall not be obstructed by an extended superstructure or load. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, §§ 118—120, 3-7-95)

25-9.14 *Emergency vehicles.* Upon the approach of a Police, ambulance, Fire Department, or other emergency vehicle giving an audible or visual signal, each person operating another motor vehicle on the AOA shall immediately yield the right-of-way to such vehicle, until the emergency vehicle has stopped or passed, unless otherwise directed by an Airport law enforcement officer. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 121, 3-7-95)

25-9.15 *Occupants of motor vehicles.* No person shall, while on the Airport, ride on the running board of a moving motor vehicle, stand up in the body of a moving motor vehicle, ride on the outside of the body of a moving motor vehicle, or ride on such a vehicle with his arms or legs protruding from the body of the vehicle, unless required to do so in the performance of his duties. (Ord. No. 75-113, § 2, 12-2-75)

25-9.16 *Tugs and trailers.*

(a) No person shall operate a tug, trailer, or other motor vehicle, on the AOA, towing a train of baggage or cargo carts in excess of five (5) carts or sixty (60) feet long, unless specifically authorized in writing by the Department.

(b) No person shall operate a baggage cart, container dolly, semi-trailer or any other type of trailer on the AOA unless it is equipped with proper brakes so that when disengaged from a towing vehicle, propeller slipstreams, jet blasts, or wind will not cause it to come free-rolling.

(c) No person shall tow any equipment unless such equipment has engaged positive locking couplings.

(d) No person shall store any tugs, cargo and baggage carts on the AOA, when not in use, except in storage areas designated by the Department. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 122, 3-7-95)

25-9.17 *Traffic control.* Any person operating a motor vehicle on the AOA shall obey all posted regulatory signs, special signs, pavement markings and traffic signals, and all instructions by the control tower, a designated Department employee, or a law enforcement officer. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 123, 3-7-95)

25-9.18 *Parking.*

(a) No person shall park any motor vehicle or motorized or other equipment on the AOA in areas other than those designated or authorized by the Department, nor in any manner contrary to any posted regulatory signs, traffic-control devices or pavement markings.

(b) No person shall park a motor vehicle or motorized or other equipment on the AOA as to interfere with the use of a facility by others or prevent the passage or movement of aircraft, emergency vehicles or other motor vehicles.

(c) No person shall park a motor vehicle or motorized or other equipment on the AOA in such a manner as to interfere with or prevent an aircraft fueling vehicle from being readily driven away from such aircraft in the event of an emergency. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 124, 3-7-95)

25-9.19 *Motor vehicle accidents.*

(a) Any person operating a motor vehicle on the AOA which is involved in an accident resulting in injury to any person or damage to any property, shall

(1) Immediately stop such vehicle at the scene of such accident or as close thereto as possible,

(2) Notify the Metro-Dade Police Department and an authorized representative of the Department, and

(3) Then return to and remain at the scene of the accident until he has fulfilled the requirements of subsection 25-9.19(b). The vehicle shall be stopped and parked during these events so as to minimize any obstructions to aircraft and other vehicles.

(b) Any person operating a motor vehicle on the AOA which is involved in an accident, as defined in subsection 25-9.19(a) and the owner of such vehicle, if other than the operator thereof, shall make a full report of such accident to the Metro Dade Police Department, and to an authorized representative of the Department as soon after the accident as possible, including the names and addresses of the individuals involved, the registration and license number of the vehicle or vehicles involved, and such other information relevant to the accident on request of any law enforcement officer investigating the same; and the operator of any such motor vehicle involved in such accident shall, upon request, exhibit such licenses, registration or other documents relevant to such accident or the persons or property involved to any law enforcement officer investigating the same.

(c) In the event a law enforcement officer investigating an accident pursuant to subsection 25-9.19(b) has reason to believe that a mechanical failure in a vehicle or equipment involved in accident was or may have contributed to the cause of such accident, said law enforcement officer may impound such vehicle or equipment until such time that a mechanical failure can be ruled out as causing or contributing to the cause of the accident. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, §§ 125, 126, 3-7-95)

25-9.20 *Service and repair of motor vehicles.*

(a) No person shall service, clean, repair, maintain, or overhaul any motor vehicle or motorized or other equipment on the AOA except for immediate minimum repairs required to remove said vehicle from AOA because of a breakdown, or as otherwise approved or authorized by lease or Operational Directive of the Department.

(b) No person shall fuel a motor vehicle or motorized equipment on the AOA in any areas other than those established by the Department, or contrary to any procedures which are established by the Department. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 127, 3-7-95)

25-9.21 *Tampering with motor vehicles.* No person shall move, interfere with, or tamper with any motor vehicle, or put into operation the engine of any motor vehicle, or take or use any motor vehicle part, instrument or tool, without the authorization of the owner. (Ord. No. 75-113, § 2, 12-2-75)

25-9.22 *Contractor's access and operations on the air operations area.*

(a) Access to and egress from the site of construction located on the AOA by motor vehicles, cranes and other equipment belonging to or under the supervision of an Airport contractor shall be gained only via routes, through gates, and at such times as may be established or approved by the Department. Request for access to such sites shall be made to the Department a minimum of twenty-four (24) hours in advance.

(b) Construction equipment shall be operated and stored within the AOA, in accordance with procedures established or approved by the Department. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 128, 3-7-95)

Sec. 25-10. Aircraft and Aircraft Operations [[2]](#BK_8E530BA89061B9521E280BD8C2F67F57).

25-10.1 *Negligent operations prohibited.* No person shall operate aircraft at the Airport:

(a) In a careless or negligent manner,

(b) In disregard of the rights and safety of others,

(c) Without due caution and circumspection, or

(d) At a speed or in a manner which endangers, or is likely to endanger, persons or property, or if such aircraft is so constructed, equipped or loaded, so as to endanger, or be likely to endanger, persons or property. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 129, 3-7-95)

25-10.2 *Compliance with orders.* All aeronautical activities at the Airport shall be conducted in conformity with the current applicable provisions of the Federal Aviation Regulations and Orders, these rules and regulations, Operational Directives issued by the Department and directions of the air traffic control tower. (Ord. No. 75-113, § 2, 12-2-75)

25-10.3 *Denial of departure.*

(a) The Director may prohibit an aircraft from taking-off from the Airport at any time, under any known circumstances which in the judgment of the Director may result in danger to persons or property on or off the Airport, or for any other justifiable reason. Such justifiable reason may include, but is not limited to, the failure to obtain such departure authorization from the Federal Aviation Administration (FAA), as may be required.

(b) No person shall fuel an aircraft when a specific order has been issued by the Department prohibiting the fueling of such aircraft.

(c) The Department may, at any time, prohibit an aircraft from taking off from an Airport for failure of the aircraft owner or operator to report or pay all required aviation fees, or if the Department has placed a lien on the aircraft in accordance with state statutes, said lien has not been satisfied or satisfactorily resolved. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 130, 3-7-95)

25-10.4 *Payment of fees.* Unless otherwise approved by the Department, no aircraft shall take-off from an Airport unless payment or arrangements for payment of fees and charges, if any, for use of Airport facilities, parking or other services rendered by the Department shall have been made. All aircraft operators, except operators of scheduled air carriers operating under special lease contracts or those whose operations are paid for in advance or who have established a credit account with the Department, upon landing and prior to take-off shall register such landing or take-off with the Department in accordance with Operational Directives issued by the Department. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 131, 3-7-95)

25-10.5 *Denial of use of Airport.* The Director may deny the use of the Airport to any aircraft owner, operator or pilot who violates these rules and regulations and Operational Directives issued by the Department. (Ord. No. 75-113, § 2, 12-2-75)

25-10.6 *Aircraft accidents.*

(a) Any person operating an aircraft involved in an accident on the Airport resulting in injury to any person or damage to any property, shall immediately stop such aircraft at the scene of such accident, or as close thereto as possible so as to minimize the obstruction of other aircraft operations or motor vehicle traffic. The person operating said aircraft shall then comply with Federal Aviation Administration Notification Procedures and notify the Department. Such person shall then return to and remain at the scene of the accident until he has fulfilled all reporting requirements, including those specified in subsection 25-10.6(b).

(b) Any person operating an aircraft involved in an accident on the Airport, of the type specified in subsection 25-10.6(a) and the owner of such aircraft, if other than the operator thereof, shall make a full report of such accident to the Metro-Dade Police Department, and to an authorized representative of the Department as soon after the accident as possible, including the names and addresses of the individuals involved, the description of the property and all aircraft involved, the registration and license number of all aircraft involved, and such other information relevant to the accident on request of any law enforcement officer investigating the same; and the operator of any such aircraft involved in such accident shall, upon request, exhibit such licenses, registrations or other documents relevant to such accident or the persons or property involved to any law enforcement officer investigating the same.

(c) The owner or operator of an aircraft involved in an accident on the Airport shall not move such aircraft from the scene of the accident until authorized to do so by the appropriate federal agencies and the Director. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 132, 3-7-95)

25-10.7 *Removal of disabled aircraft.*

(a) Aircraft owners, operators and tenants shall be responsible for the prompt disposal of disabled aircraft and parts thereof, unless required or directed to delay such action by the Director or an authorized federal agency.

(b) When a disabled aircraft is blocking or delaying the use of any portion of the AOA, the owner or operator of the aircraft shall make immediate arrangements to have such aircraft moved as soon as an authorized representative of the Department and appropriate governmental agencies have authorized such movement. In the event that removal of the aircraft is not initiated as soon as possible, or is not progressing at a rate acceptable to the Department, the Director shall have the right to initiate action to remove the aircraft at the expense and risk of the owner. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 133, 3-7-95)

25-10.8 *Tampering with aircraft.* No person shall interfere or tamper with any aircraft, or put in motion such aircraft, or use or remove any aircraft, aircraft parts, instruments or tools without appropriate positive evidence of the owner's approval thereof. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 134, 3-7-95)

25-10.9 *Enplaning and deplaning.*

(a) No person shall enplane or deplane passengers or cargo at Miami International Airport except in specific areas, assigned by the Department, designated by posted painted ramp markings, established by Operational Directives, or pursuant to permits issued by the Department or Airport lease agreements with the County. Where a passenger aircraft is being loaded or unloaded at ground level, all passengers shall be channeled by the shortest and safest route across the aircraft apron area, under the direction and supervision of the aircraft operator or his authorized representatives. All such aircraft operators shall load and unload an aircraft through designated restricted areas, in accordance with security and operational procedures established by the Department and Federal Aviation Regulations.

(b) No person operating an aircraft shall enplane or deplane passengers or cargo at Miami International Airport other than at aircraft gates or positions or areas established pursuant to subsection 25-10.9(a). All such operators, when deplaning passengers through any part of such an established or authorized area, that has been restricted by the Department for enplaning passengers that have been previously screened in accordance with Federal Aviation Regulations, must insure that the arriving passengers have previously passed through such established Federal Aviation Administration security screening procedures before entering such designated restricted area, or must make arrangements for physical escort through such restricted area, in accordance with requirements of federal law and Federal Aviation Regulations.

(c) No person operating a general aviation or military aircraft shall enplane or deplane passengers or cargo on the terminal apron at Miami International Airport, without having made prior arrangements thereof with the Department or unless such operation is in accordance with Operational Directives of the Department.

(d) No person operating an aircraft shall enplane or deplane passengers at the terminal apron without having made prior arrangements for all required aircraft and passenger services.

(e) No persons, including scheduled or nonscheduled air carriers, certified helicopter operators, supplemental air carriers, air carrier charterers, or other aircraft operators, shall utilize an Airport for any commercial activities except as are specifically authorized by Operational Directives, permits issued by the Department, lease or other agreement with the County or in accordance with the Airport's Federal Aviation Administration certification.

(f) All fees charged others by the lessee of any exclusively leased aircraft parking position at the Airport, for the use of such parking position shall be subject to approval annually by the Department. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, §§ 135, 136, 3-7-95)

25-10.10 *Cleaning, maintenance and repair of aircraft.*

(a) No person shall clean, paint, wash, polish or otherwise maintain an aircraft, other than in areas approved by the Department for such purpose.

(b) No person, unless authorized by FAA regulations, shall maintain or repair or permit the maintenance or repair of an aircraft at any Airport other than:

(1) At Federal Aviation Administration approved repair station;

(2) At Federal Aviation Regulations, Part 121 airline maintenance station; or

(3) At an area authorized by the Department for such maintenance or repair by an FAA approved and licensed mechanic holding a valid Department approved identification badge and required vehicle entry permit, as appropriate, issued by the Department.

(c) No person, unless an employee of or under contract to an Airport lessee authorized by its lease agreement with the County to perform aircraft maintenance and repair, or an aircraft owner to the extent that self-maintenance is allowed under Federal Aviation Regulations and is otherwise authorized and permitted under the provisions of Chapters 24 and 25 of this Code, shall perform any aircraft maintenance and repair work at any Airport. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, §§ 137, 138, 3-7-95)

25-10.11 *Radio communications.* No person shall operate an aircraft at Miami International Airport, unless such aircraft is equipped with functioning two-way radio, tuneable to and operating on the frequencies set out in notices to airmen as being assigned to the Miami International Airport Control Tower and such other communications equipment as may be required by the Federal Aviation Administration (FAA). Aircraft which land, in emergencies, without functioning required communications equipment shall be required to have such equipment operational before clearing for take-off, unless authorized by FAA Air Traffic Control. (Ord. No. 75-113, § 2, 12-2-75)

25-10.12 *Aircraft equipment.* Except as may be otherwise authorized by the Department pursuant to Section 25-10.17 of the Code, no person shall operate an aircraft on the Airport, other than a helicopter, unless it is equipped with main landing gear, a tail or nose wheel, and wheel brakes, and unless the aircraft has been issued all certificates then required by the FAA to operate at the Airport. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 139, 3-7-95)

25-10.13 *Landing and taking-off.*

(a) No person shall land at or take-off in an aircraft, other than a helicopter, from an Airport having a control tower except on the runway and in the direction assigned by the control tower. Aircraft not requiring a runway, such as a helicopter, shall operate in strict accordance with directions of the FAA Control Tower, where such tower facilities are available and in use.

(b) No person shall land at or take-off from the Airport in a helicopter except at designated helicopter landing and take-off areas, in strict compliance with air traffic control tower procedures or preestablished operational procedures where no tower facilities are available.

(c) Persons landing at or taking-off in an aircraft from an Airport having a control tower shall conform to the air traffic instructions given by the control tower.

(d) No person shall turn an aircraft in order to reverse direction on the runway, unless given specific instructions or authorization to do so by the control tower.

(e) No person shall take-off or land in an aircraft on or from an unserviceable runway, or on or from any ramp area or taxiway, without prior authorization of the Department and Federal Aviation Administration.

(f) Persons landing an aircraft at the Airport shall make the landing runway available to other aircraft by leaving the runway as promptly as possible.

(g) No person shall take-off or land an "engine-out" ferry flight (e.g., three-engine operation of four-engine aircraft) at Miami International Airport, except under the following conditions:

(1) When conducted by Federal Aviation Regulations Part 121 operator, in strict compliance with its FAA approved maintenance program; or

(2) When authorized by a written FAA permit, and, under either condition,

(3) In accordance with established Airport Operational Directives.

(h) Any person operating or controlling an aircraft landing at or taking-off from the Airport shall ensure the aircraft meets applicable federal noise emission standards and maintains engine noise within applicable aircraft engine noise limits as promulgated by the federal government, the State of Florida or Dade County. Aircraft pilots shall utilize thrust and flap management techniques consistent with industry noise abatement guidelines and FAA air traffic control instructions and are encouraged to follow noise abatement programs described in Operational Directives and Bulletins issued by the Department. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 140, 3-7-95)

25-10.14 *Taxiing.*

(a) No person shall taxi an aircraft until he has ascertained that there is no danger of collision with any person or object in the immediate area by visual inspection of the area, and when available, through information furnished by attendants.

(b) No person shall taxi an aircraft except at a safe and reasonable speed.

(c) No person shall taxi an aircraft onto or across any active runway or taxiway until cleared to do so by the control tower, or where such clearance authorization is not managed by the control tower, until ascertaining that said taxiway or runway is clear of other traffic.

(d) No person shall taxi an aircraft near buildings, parked aircraft, or ground equipment, unless an attendant is present on the ground to assist the operator thereof.

(e) No person shall taxi an aircraft other than in accordance with the taxiing patterns and procedures prescribed for the particular runway to be used or, where applicable, in accordance with the instructions of the control tower.

(f) No person shall push, tow, or back an aircraft away from a designated parking position, in the terminal area or on the apron without assuring that conditions are safe to do so, and in accordance with Operational Directives.

(g) No person shall engage in a power-back an aircraft on any Terminal apron or Terminal aircraft parking position, except at Department approved power-back parking positions, without advance written permission from the Department for such power-back operations and clearance from the FAA control tower for each power-back movement. Except as specifically authorized by the Department, for each power-back movement, the operator of the aircraft shall provide or arrange for the provision of (1) guide persons or wing walkers for each wing, so positioned that vehicles on any adjoining vehicular route will be instructed to stop before the power-back movement commences, and (2) an additional guide person must also be so provided in proper position to provide signals to the aircraft operator to assure safe power-back conditions throughout the movement. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, §§ 141, 142, 3-7-95)

25-10.15 *Airport marking and lighting.* No person shall take-off from, land, park or maneuver an aircraft at the Airport, without complying with all Airport lighting and pavement marking signals and designations, unless the Department or the Federal Aviation Administration has waived such compliance. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 143, 3-7-95)

25-10.16 *Motorless aircraft.* No person shall land at or take-off from Miami International Airport in a motorless aircraft. No person shall land or take-off from any other Airport in a motorless aircraft except as provided by Operational Directive and, where applicable, clearance from the Airport control tower. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 144, 3-7-95)

25-10.17 *Airport operational restrictions.* Unless contrary to Federal Aviation Regulations, the Department shall have the authority to designate or restrict the use of Airports or runways at an Airport with respect to but not limited to, the following types of operations:

(a) Student pilot training.

(b) Training flights.

(c) Experimental flights.

(d) Equipment demonstration.

(e) Air shows.

(f) Maintenance flight checks.

(g) Ultralight aircraft flights.

(h) Parachuting activities.

(i) Towing, pick up or release of any banner.

(j) Hot air balloons.

Such designations or restrictions shall be established through the issuance by the Department of appropriate Operational Directives. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 145, 3-7-95)

25-10.18 *Aircraft parking.*

(a) No person shall park an aircraft at a parking position on the terminal apron, other than pursuant to and for purposes authorized by Operational Directives issued by the Department.

(b) No person shall park an aircraft at a gate position at the Miami International Airport Terminal without having received prior assignment to such gate position from the Department. However, such assignment is not required if said aircraft to be parked is being directly operated by an Airport user which has been given authorization by the Department to assign its aircraft to the gate position involved.

(c) When an aircraft parking position on the Terminal apron is not needed for other aircraft, an aircraft operator may, following assignment of that gate, park at such gate position according to the time and rate schedule established by the Board, or by the Department, if duly authorized by the Board.

(d) When an aircraft parking position on the Terminal apron is needed for other aircraft, an aircraft operator to whom such gate position is assigned shall park at such gate position no longer than the maximum allowable turn-around time according to aircraft type as established by the Department or as otherwise permitted by lease. Failure of the aircraft operator to remove the aircraft from the gate position within the allotted maximum time shall subject the aircraft operator, in addition to any other penalties prescribed by these rules and regulations, to a charge in accordance with the time and rate schedule established by the Board, or by the Department if duly authorized by the Board, and, if the Department deems it necessary for the efficient operation of the Airport, removal of the aircraft from the gate position at the owner's or operator's risk and expense.

(e) No person shall park an aircraft at the Terminal, or on an apron area, whether leased or not, including designated taxilanes, other than at such positions and in such configurations as may be established by the Department.

(f) No person shall use any area of an Airport, including designated taxiways and taxilanes, other than Department designated public aircraft parking and storage areas, for parking and storage of aircraft, except as otherwise specifically authorized by lease, permit or Operational Directive. Notwithstanding the provisions of any lease or permit to the contrary, if any person uses unauthorized areas, including designated taxiways and taxilanes, without the prior, specific approval of the Department, and the payment of applicable rentals or aircraft parking charges, for aircraft parking or storage, the aircraft so parked or stored may be removed by the Department at the risk and expense of the owner or operator thereof. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 146, 3-7-95)

25-10.19 *Radio ground control.* The operator of an aircraft taxiing or being towed at an Airport having a control tower shall monitor the ground control frequency being used by the control tower and shall remain in direct communication with the control tower at all times when so operating anywhere on the AOA. In addition, all persons taxing or towing an aircraft at Miami International Airport, other than pilots licensed to operate the particular aircraft being taxied, must be certified as having successfully completed the "movement area driver's training program" given by the Department. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 147, 3-7-95)

25-10.20 *Propeller slipstream and jet blast.* No person shall position, start or taxi an aircraft in such a manner that propeller slipstream or jet blast could cause injury to persons or damage to property on the Airport or adjacent to the Airport, or contrary to Operational Directives. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 148, 3-7-95)

25-10.21 *Starting and running aircraft engines.*

(a) No person shall start engines or operate an aircraft unless he is a qualified licensed pilot or mechanic.

(b) Blocks or chocks shall be placed in front of the wheels before starting the aircraft engine or engines, unless the aircraft is provided with adequate parking brakes and the same are in applied position.

(c) (1)  An "aircraft engine run-up" is defined as the operation of the engines on an aircraft for any purpose other than for proceeding expeditiously to and from an Airport runway system for takeoff, or for landing or taxiing to and from an approved run-up location. Aircraft engine run-ups include, but are not limited to, engine trim checks, oil pressure checks, propeller checks, various diagnostic tests and aircraft engine idle thrust runs. This definition of aircraft engine run-ups specifically excludes reciprocating engine run-ups performed as part of pre-takeoff procedures, such as magneto checks, conducted on a runway run-up pad, and all engine operations in approved test cells. The term "idle thrust" means the minimum power setting on an engine required to maintain constant, stable engine power output. An "aircraft engine idle thrust run" is defined as the idle thrust operation of an aircraft engine for any purpose other than proceeding expeditiously to and from an Airport runway system for takeoff or for taxiing to an approved run-up location.

(2) Miami International Airport nighttime aircraft engine run-ups, as defined in (1) above, are prohibited commencing at 11:00 p.m. every night through 7:00 a.m. on Mondays through Fridays and through 10:00 a.m. on Saturdays and Sundays, unless a specific exemption has been granted by the Department. Exemptions will be granted subject to the following:

(i) All requests for exemption must be made by letter, telephone or radio, at the office designated by the Department, at least one hour prior to the time the run-up is requested. The person requesting the exemption must provide the following information:

Name, title and telephone number of requesting individual

Name of airline and/or owner or other party having custody and control of aircraft

Aircraft registration

Aircraft type

The mechanical and/or operational reason why the run-up is required

The scheduled departure time and flight number of the aircraft

The expected duration of the run-up

(ii) Exemptions will only be granted for aircraft scheduled to depart the Airport during the same prohibition period in which the requested run-up is to occur or within one hour after expiration of such prohibition period and the requesting party provides information, acceptable to the Department, as to why the run-up can not be performed prior to or after the prohibition period for which the exemption is sought.

(iii) All aircraft engine run-ups during the prohibition period, under exemptions granted by the Department, shall be conducted only at the airport's midfield blast fence, unless the aircraft owner or other party in custody and control of the aircraft can demonstrate to the satisfaction of the Department that use of another location will result in less noise and/or air pollution. In the event the midfield blast fence is out of service, the Department shall designate an alternative acceptable location.

(iv) All aircraft engine run-ups during the prohibition period, under exemptions granted by the Department, shall be limited to a maximum period of fifteen (15) minutes, of which the run-up at maximum engine power shall be limited to no more than one minute.

(v) All aircraft engine run-ups during hours not included in the prohibition period shall be conducted only at the midfield blast fence or at other locations which have been authorized for such use by the Department.

(vi) All aircraft engine idle thrust runs during the prohibition period, under exemptions granted by the Department, shall be conducted only at aircraft parking positions in the terminal apron area, or at locations designated by aircraft power-on markers, or at other locations approved by the Department.

(vii) All aircraft thrust runs during the prohibition period, under exemptions granted by the Department, shall be conducted with only a single engine operating, unless multi-engine operation is required for aircraft maintenance purposes and is approved in advance by the Department.

(3) No person shall perform aircraft engine run-ups, at any County general aviation Airport, other than in places on such general aviation Airport and at such times as may be established from time to time in Operational Directives issued by the Department.

(4) The restrictions hereunder shall not apply to any normal pre-takeoff aircraft engine run-ups performed on a run-way run-up pad if the aircraft is departing the Airport.

(5) Notwithstanding the provisions of Section 25-1.7, for the first violation of this Section 25-10.21(c) the operator shall be given a written warning and the person having custody and control of the aircraft at the time of the violation shall be punished by a fine of two hundred fifty dollars ($250.00). For each subsequent violation of this Section 25-10.21(c) by an operator, the provisions of Section 15-1.7 shall apply. In the event that a person having custody and control of an aircraft commits a second violation of this Section 25-10.21(c) within a three (3) month period, said person shall be punished by a fine of five hundred dollars ($500.00). In the event that such a person commits a third violation of this Section 25-10.21(c), within a twelve-month period, in addition to a punishment by fine of five hundred dollars ($500.00), such violation shall also constitute a material breach of the lease agreement or other written agreement by which the person is permitted to use the Airport, and shall, therefore, entitle the County to terminate such agreement. Upon conviction of the person for such third violation, the Director shall direct, to the extent such action is permitted by the agreements, that such agreements be terminated and shall effect the removal or eviction of the person from the Airport facilities.

(d) Noise emanating from aircraft engines during ground operations shall be maintained within the then applicable aircraft engine noise limits as promulgated by the Federal government, the State of Florida, or Dade County, whichever be the most restrictive.

(e) Aircraft shall be parked so that fumes, prop wash and jet blast are not directly blown into non-enclosed passenger holding or loading and baggage make-up areas at the Terminal. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 91-134, § 1, 11-5-91; Ord. No. 95-41, § 149, 3-7-95)

25-10.22 *Aircraft lights.* No person shall park an aircraft at a terminal parking position, or such other areas that may be established by the Department at the Airport, during periods of low visibility or between the hours of sunset and sunrise, unless the wingtip lights or other suitable warning lights for such aircraft are kept lighted while the aircraft is so parked, or apron lighting is such that all portions of the aircraft are clearly visible. (Ord. No. 75-113, § 2, 12-2-75)

25-10.23 *Interference with aircraft operations.*

(a) No person shall, while on the Airport, disturb, interrupt or otherwise interfere with:

(1) The enplanement or deplanement of aircraft passengers;

(2) The departure or arrival of any aircraft, other than as permitted in Section 25-10.3; or

(3) Any member of a flight crew aboard an aircraft in the performance of his duties.

(b) The refusal of any person to comply with the request of any member of the flight crew to observe and obey regulations of the Federal Aviation Administration relating to the safety of passengers or aircraft shall constitute disturbance, interruption or interference with a member of a flight crew in the performance of his duties.

(c) No person shall, while aboard an aircraft on the Airport as a passenger, refuse to leave such aircraft upon the request of an agent or representative of the air carrier whose aircraft the person is aboard, when that person has committed an act which is a breach of his contract of carriage under the terms and conditions set out in the air carrier's tariffs. Such acts shall include, but shall not be limited to, violations of the Federal Aviation Regulations concerning fastenings of seat belts, observance of no smoking signs, placement of luggage, consumption of alcoholic beverages, intoxication, and obstruction of aisles and exits.

(d) No person shall, while aboard an aircraft on the Airport as a passenger, refuse to leave such aircraft upon the request of an agent or representative of the owner or operator thereof, when such person has committed an act aboard the aircraft which is an assault, a breach of the peace, an act of intimidation, or a threat against any other person.

(e) No person shall, while aboard an aircraft on the Airport, assault, intimidate or threaten any other person, or commit any act which is a breach of the peace. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 150, 3-7-95)

25-10.24 *Non-Operating Aircraft.*

(a) Because the Board has found and determined that Non-Operating aircraft and component parts pose a danger to the life and safety of users of the Airport and their property, as a result of the possibility of the aircraft and components (1) being blown about in storms, (2) becoming fire hazards, (3) being subjected to vandalism, and (4) interfering with orderly and rapid emergency response efforts of firefighters, police, and ambulance services, no person shall park or store any Non-Operating aircraft on Airport property, including leased premises, for a period in excess of sixty (60) days, without written authorization from the Department.

(b) No person shall store or retain aircraft parts or components being held as inventory anywhere on the Airport, other than in an enclosed, authorized facility, or in a manner approved by the Department, in writing.

(c) Whenever any aircraft is parked, stored, or left in Non-Operating condition on the Airport in violation of the provisions of subsections 25-10.24(a), the Department shall follow the procedures required by law to notify the owner or operator thereof and require removal of said aircraft within fifteen (15) days of receipt of such notice, or if the owner or operator be unknown or cannot be found, the Department shall conspicuously post and affix a notice to the said aircraft, requiring removal of said aircraft within fifteen (15) days from date of posting. Upon the failure of the owner or operator of said aircraft to remove said aircraft within the period provided and unless the Department is required to follow Section 25-10.24(d), the Department shall cause the removal of such aircraft from the Airport. All costs incurred by the Department in the removal of any Non-Operating aircraft as set forth herein shall be recoverable against the owner or operator thereof.

(d) Where any federal or Florida law imposes on the County a specific requirement of notice for the removal of Non-Operating aircraft, such law shall prevail and shall be followed by the Department.

(e) To the extent required by state or federal law, the Department shall submit a proposed removal of aircraft under this section to a pre-taking hearing before a court of competent jurisdiction.

(f) If any registered owner fails or refuses to respond to notices sent under this section or under federal or Florida law, the Department shall be entitled thereafter to proceed as if the aircraft had no identifiable owner and may effect the removal of the aircraft without a pre-taking hearing.

(g) The Department may, but is not obligated to, resort to the administrative hearing provisions of [Chapter 8CC](../level2/PTIIICOOR_CH8CCCOEN.docx#PTIIICOOR_CH8CCCOEN) of the Code to effect the removal of such aircraft. If required by federal or state law, the Department shall obtain from a court of competent jurisdiction an order of taking of such non-flyable or derelict aircraft. (Ord. No. 75-113, § 2, 12-2-75; Ord. No. 95-41, § 151, 3-7-95)

25-10.25 *Prohibition on removal of liened aircraft.* No person shall move or remove any aircraft from any Airport, or parts from such aircraft when an official notice of lien has been posted upon such aircraft by the Department. (Ord. No. 95-41, § 152, 3-7-95)

25-10.26 *Waiver by Aviation Director for Governmental Operations.* Notwithstanding any provision, requirement or prohibition stated in [Chapter 25](../level2/PTIIICOOR_CH25AVDERURE.docx#PTIIICOOR_CH25AVDERURE), the Aviation Director or his designee shall have the authority to waive any such provision, requirement or prohibition therein in order for any military branch operating on any County owned or operated airport to operate thereon in accordance with governmental requirements applicable to such operations. (Ord. No. 95-191, § 1, 10-17-95)

FOOTNOTE(S):

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**Editor's note—** Ord. No. 75-113, §§ 1, 2, adopted Dec. 2, 1975, repealed former Ch. 25, setting forth the Port Authority rules and regulations, and enacted in lieu thereof a new Ch. 25. Former Ch. 25 was derived from Ord. No. 59-24, adopted July 14, 1959; Ord. No. 59-30, adopted Aug. 18, 1959; Ord. No. 63-19, adopted May 21, 1963; and Ord. No. 67-8, adopted Feb. 7, 1967. [(Back)](#BK_1FDD1494705796426AF88DD713E339D4)

**Cross reference—** Aviation Department, § 2-278 et seq. [(Back)](#BK_1FDD1494705796426AF88DD713E339D4)

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**Editor's note—** Section 1 of Ord. No. 10-24, adopted April 6, 2010, added this section designation to identify the subject matter that follows. [(Back)](#BK_3BE4163280B23B7BECC803F9D2567E4E)