

9/23/15

ORDINANCE NO. 29894

An ordinance approving Resolution No. 2015-09-168 adopted by the Dallas-Fort Worth International Airport Board on September 3, 2015 for the purpose of amending Chapter 2, "Traffic Regulations," Chapter 3, "Miscellaneous Offenses," Chapter 9, "Airport Security," and Appendix I of the Code of Rules and Regulations of the Dallas-Fort Worth International Airport Board, as amended; to revise certain titles; to add an offense for parking equipment on the Air Operations Area (AOA) that is inoperable or undergoing maintenance, or for parking equipment on the AOA that the VP of Operations has instructed to be removed from the AOA; to allow electronic signatures for e-tickets for parking violations as well as adjudication of parking violations by email and by an online adjudication process; to allow parking authorizations to be placed either in the front or rear window of a vehicle; to add an offense for failing to be secured by a safety belt when operating or riding in a vehicle on the AOA in a seat that is equipped with a safety belt; to create an exception for airport-authorized therapy animals and handlers engaged in Airport therapy animal activities; to add an offense for allowing foreign object debris on a portion of the AOA that is obligated to be kept clean; to add an offense for failing to wear a reflective garment while on the AOA; to make conforming changes; providing a severability clause; and providing an effective date.

WHEREAS, Section 8.F. of the 1968 Contract and Agreement, as amended, between the City of Dallas, Texas and the City of Fort Worth, Texas, provides that the Dallas-Fort Worth International Airport Board shall have the power, by a duly adopted order, to adopt and enforce rules and regulations for the orderly, safe, efficient, and sanitary operation of the airport and to prescribe reasonable penalties for the breach of any rule or regulation not to exceed the maximum fines authorized by state law; and

WHEREAS, state law currently authorizes fines of up to \$500 for all violations of the airport's rules and regulations, except for those violations relating to fire safety, public health and sanitation, or the dumping of refuse, for which the maximum fine is \$2,000, and except when another fine is fixed by state law; and

WHEREAS, Sections 22.082 of the Texas Transportation Code, as amended, and Section 8.F. of the 1968 Contract and Agreement, as amended, provide that such rules, regulations or orders by the Dallas-Fort Worth International Airport Board will become effective only upon approval of the governing bodies of the Cities of Dallas and Fort Worth and proper publication; and

WHEREAS, pursuant to the foregoing, the Dallas-Fort Worth International Airport Board adopted the Code of Rules and Regulations of the Dallas-Fort Worth International Airport Board, which regulates traffic, travel, and conduct within the Dallas-Fort Worth International Airport and establishes certain procedures for the adoption of additional rules, regulations and orders; and

WHEREAS, on September 3, 2015, the Dallas-Fort Worth International Airport Board passed, approved, and ordered Resolution No. 2015-09-168 which amended Chapter 2, "Traffic Regulations," Chapter 3, "Miscellaneous Offenses," Chapter 9, "Airport Security," and Appendix I of the Code of Rules and Regulations of the Dallas-Fort Worth International Airport Board, as amended; and

WHEREAS, in accordance with Section 1-8 of Chapter 1 of the Code of Rules and Regulations of the Dallas-Fort Worth International Airport Board, as amended, the Dallas-Fort Worth International Airport Board has requested that the City Councils of the Cities of Dallas and Fort Worth approve Resolution No. 2015-09-168 in order that it may become effective; Now Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That all of the declarations and findings contained in the preambles of this ordinance are made a part hereof and shall be fully effective as a part of the ordained subject matter of this ordinance.

SECTION 2. That Resolution No. 2015-09-168 of the Dallas-Fort Worth International Airport Board, a duly certified copy of which is attached hereto as Exhibit A and made a part of this ordinance by reference, is hereby approved.

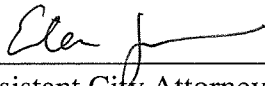
SECTION 3. That after publication of a substantive statement relating to the contents of Resolution No. 2015-09-168 of the Dallas-Fort Worth International Airport Board in a newspaper of general circulation in each of the counties of Dallas and Tarrant, stating that a breach of any provision of Resolution No. 2015-09-168 will subject the violator to a penalty and stating that the full text of Resolution No. 2015-09-168 and any attachments are on file in the principal office of the Dallas-Fort Worth International Airport Board to be read by any interested party, Resolution No. 2015-09-168 shall thereafter have the same force and effect within the boundaries of the Dallas-Fort Worth International Airport as an ordinance by the City Council of the City of Dallas would have in the City of Dallas, and the penalty shall be enforced in the same manner in which penalties prescribed by other ordinances of the City of Dallas are enforced.

SECTION 4. That the sections, paragraphs, sentences, clauses, and phrases of this ordinance and Resolution No. 2015-09-168 are severable, and if any phrase, clause, sentence, paragraph, or section shall be declared unconstitutional or invalid by the valid judgment or decree of any court of competent jurisdiction, the unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of these ordinances or Resolution No. 2015-09-168, since the same would have been enacted without the incorporation of any unconstitutional phrase, clause, sentence, paragraph, or section.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By  _____
Assistant City Attorney

Passed OCT 14 2015

Exhibit A

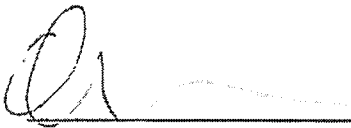
September 11, 2015

STATE OF TEXAS §

COUNTY OF DALLAS §
COUNTY OF TARRANT §

I, Kristy Anderson, Board Secretary of the Dallas-Fort Worth International Airport Board, do hereby certify that the attached is a true and correct copy of Resolution No. 2015-09-168, approved by the Dallas-Fort Worth International Airport Board of Directors at its Board Meeting held on September 3, 2015.

WITNESS MY HAND AND SEAL OF THE DALLAS-FORT WORTH INTERNATIONAL AIRPORT BOARD, this 11th day of September 2015.



Kristy Anderson
Board Secretary

DALLAS FORT WORTH INTERNATIONAL AIRPORT BOARD
OFFICIAL BOARD ACTION/RESOLUTION

Date 09/03/2015	Committee Operations	Subject Amendments to the Code of Rules and Regulations of the Dallas Fort Worth International Airport Board.	Resolution # 2015-09-168
Action That the Airport Board approve amendments to Chapters 2, 3, 9 and Appendix I to the Code of Rules and Regulations of the Dallas/Fort Worth International Airport Board, and recommend approval of such amendments to the Cities of Dallas and Fort Worth.			
Description This action will approve the attached amendments to Chapters 2, 3, 9 and Appendix I of the Code of Rules and Regulations of the Dallas Fort Worth International Airport Board as follows: Chapter 2 - Traffic Regulations <ul style="list-style-type: none"> ● Throughout the Chapter, change "Vice President of Operations" to "Administrator", "VP Customer Service" to "VP Parking Business Unit", and in Sec. 2-68, change "Director" to "Administrator" to utilize appropriate term and correct terminology. ● To make it an offense to park equipment on the Air Operations Area (AOA) that is inoperable or undergoing maintenance, or to park equipment on the AOA that the VP of Operations has instructed them to remove from the AOA. ● To allow electronic signatures for e-tickets for parking violations. ● To include adjudication of parking violations by email and the online adjudication process. ● To provide that parking authorizations may be placed either in the front or rear window of a vehicle. ● To make it an offense to fail to be secured by a safety belt when operating or riding in a vehicle on the AOA in a seat that is equipped with a safety belt. Chapter 3 - Miscellaneous Offenses <ul style="list-style-type: none"> ● To amend the section prohibiting animals in terminals in terminals to create an exception for airport-authorized therapy animals and handlers engaged in Airport therapy animal activities. ● To add an offense which would prohibit foreign object debris on a portion of the AOA that is obligated to be kept clean. ● To move section regarding possession or consumption of an alcoholic beverage from Chapter 2 (Traffic Regulation) to Chapter 3 (Miscellaneous Offenses). ● To make it an offense to fail to wear a reflective garment while on the AOA. Chapter 9 - Airport Security <ul style="list-style-type: none"> ● Add issuance of 2 different SIDA badges, one with no escorting privileges. Appendix I <ul style="list-style-type: none"> ● Addition of Technology Drive (E & W) ● Addition of Terminals A & E Entrance, Exit and Recirculation Roads. ● Remove Terminals A & E Public Loop Roads. 			
D/S/M/WBE Information <ul style="list-style-type: none"> ● N/A - Not subject to the goal per the Board's SBE Policy due to the nature of the procurement (Board policies and amendments). 			
Contract #	Agreement #	Purchase Order #	Action Amount \$0
			Revised Amount \$0
For information contact Elaine Rodriguez 3-5487	Fund	Project #	External Funding Source Amount \$0

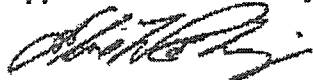
Additional Information

Additional Attachments: Y

BE IT RESOLVED BY THE DALLAS-FORT WORTH INTERNATIONAL AIRPORT BOARD

That the Airport Board hereby approves the amendments to Chapters 2, 3, 9 and Appendix I to the Code of Rules and Regulations of the Dallas Fort Worth International Airport Board and recommend approval of such amendments by the Cities of Dallas and Fort Worth.

Approved as to Form by



Rodriguez, Elaine
Legal Counsel
Aug 20, 2015 9:58 am

Approved as to Funding by



Underwood, Max
VP Finance
Finance
Aug 20, 2015 9:23 am

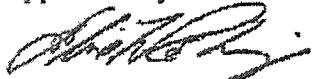
Approved as to M/WBE by



Lee, Tamela
VP Business Diversity & Dev
Business Diversity and
Development
Aug 20, 2015 1:13 pm

SIGNATURE REQUIRED FOR APPROVAL

Approved by



Department Head
Legal
Aug 20, 2015 9:08 am



Chief Executive Officer

Sep 3, 2015 2:48 pm

Date



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL OCT 14 2015

ORDINANCE NUMBER 29894

DATE PUBLISHED OCT 17 2015

ATTESTED BY: