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ORDINANCE NO. 22550

AN ORDINANCE AMENDING TITLE 1, TULSA REVISED ORDINANCES, ENTITLED "AIRPORTS AND AIRCRAFT" IN ITS ENTIRETY; ADOPTING A NEW CHAPTER 1, ENTITLED "DEFINITIONS;" ADOPTING A NEW CHAPTER 2, ENTITLED "GENERAL REGULATIONS" TO PROVIDE RULES AND REGULATIONS FOR USE OF TULSA'S AIRPORTS AND ESTABLISHING A PENALTY FOR VIOLATIONS THEREOF; ADOPTING A NEW CHAPTER 3, ENTITLED "OPERATIONAL RULES AND REGULATIONS" TO PROVIDE RULES AND REGULATIONS GOVERNING OPERATIONAL ISSUES AT TULSA'S AIRPORTS INCLUDING ADOPTION OF SECTION 42.10, *ET SEQ.*, OF THE NFPA1, FIRE CODE, 2009 EDITION, AND ESTABLISHING A PENALTY FOR VIOLATIONS THEREOF; ADOPTING A NEW CHAPTER 4, ENTITLED "AVIATION FUEL FLOW FEE" TO PROVIDE FOR A FUEL FLOW FEE FOR EACH GALLON OF FUEL SOLD, CONSUMED OR DISPENSED AT THE AIRPORTS; PROVIDING FOR AN EXEMPTION FROM THE FUEL FLOW FEE FOR AIR CARRIERS OR CARGO CARRIERS WITH SCHEDULED SERVICE AND A LICENSE TO OPERATE AT THE AIRPORT; PROVIDING A METHOD OF ACCOUNTING AND REPORTING TO THE TULSA AIRPORT AUTHORITY AND ESTABLISHING A LATE FEE FOR PAST DUE REPORTS AND INTEREST FOR LATE PAYMENTS; AND PROVIDING FOR AUDIT OF FUEL FLOW RECORDS; ADOPTING A NEW CHAPTER 5, ENTITLED "AIRPORT COMMERCIAL BUSINESS EXTERIOR SIGN POLICY" TO PROVIDE RULES AND REGULATIONS REGARDING COMMERCIAL SIGNAGE AT TULSA INTERNATIONAL AIRPORT AND R.L. JONES, JR. AIRPORT; AND ESTABLISHING A PENALTY FOR VIOLATIONS THEREOF; ADOPTING A NEW CHAPTER 6, ENTITLED "FINE SCHEDULE" TO DESIGNATE BY ORDINANCE THE PENALTIES FOR OFFENSES WHICH MAY BE SATISFIED BY PAYMENT AT THE COURT; REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE CITY OF TULSA:

*Section 1. That Title 1, Tulsa Revised Ordinances, be and the same is hereby amended to read as follows:*

**TITLE 1  
AIRPORTS AND AIRCRAFT**

**CHAPTER 1. DEFINITIONS  
CHAPTER 2. GENERAL REGULATIONS  
CHAPTER 3. AIRPORT OPERATIONAL RULES AND REGULATIONS  
CHAPTER 4. AVIATION FUEL FLOW FEE  
CHAPTER 5. COMMERCIAL BUSINESS EXTERIOR SIGN POLICY  
CHAPTER 6. PENALTY**

**CHAPTER 1.  
DEFINITIONS**

**Section 100. Purpose.  
Section 101. Words and Phrases Defined.  
Section 102. Words and Phrases Not Defined.  
Section 103. Present and Future Tense; Singular and Plural References.  
Section 104. Gender.**

**SECTION 100. PURPOSE.**

As authorized by the Amended Charter of the City of Tulsa, Oklahoma, the Tulsa Airport Authority may adopt, amend or repeal rules and regulations for the maintenance and operation of any and all Airports belonging to the City, subject to the approval of the City Council. This Title shall be known, and may be cited as, the "Airports Ordinance" or "Title 1."

**SECTION 101. WORDS AND PHRASES DEFINED**

Words relating to aeronautical practices, processes and equipment, which are not otherwise defined herein, shall be construed according to their general usage in the aviation industry. The following words and phrases when used in this title shall, for the purpose of this title, have the meanings respectively ascribed to them in this chapter:

A. **Accident** shall mean a collision or similar incident involving a motor vehicle or an unplanned and unfortunate event, resulting in property damage, personal injury, or death.

B. **Aircraft** shall mean any contrivance used or designed for navigation or flight in the air.

C. **Airport and Airport Property** shall mean any and all real property held by the City and/or the Tulsa Airports Improvement Trust which is used, or intended to be used, for aircraft loading, unloading, landing, and taking off, together with all buildings, facilities and

improvements thereto within the exterior boundaries of such airport as it now exists on the Airport Layout Plan or as it may hereafter be extended, enlarged or modified.

D. **Airport Operations Area (AOA)** shall mean that portion of the Airport designed and used primarily for landing, taking off, and taxiing, including a runway, Taxiway, Ramp, Apron, and the airport grounds enclosed by security fencing.

E. **Airport Operations Division** shall mean the law enforcement organization established by the Tulsa Airport Authority and the City of Tulsa to provide operational oversight, safety and security for the Tulsa International Airport.

F. **Airport Rules and Regulations** shall mean the provisions of this title, as may be amended from time to time.

G. **Air Traffic Control Tower (ATCT)** shall mean the facility operated by the FAA for air/ground communications, which provides air traffic control services to aircraft operations on or in the vicinity of the Airport.

H. **Apron or Ramp** shall mean those areas of the Airport within the Airport Operations Area designated for the maneuvering, loading, unloading, servicing or Parking of Aircraft while on the ground.

I. **Authority** shall mean the Tulsa Airport Authority (TAA), a charter agency of the City of Tulsa.

J. **Authorized Representative of the Director** shall mean a Person or Persons who is an employee of the Authority and designated by the Airports Director to act on his behalf.

K. **City** shall mean the City of Tulsa, a municipal corporation of the state of Oklahoma.

L. **Commercial Activity** shall mean the conduct of any aspect of a business or concession on an Airport for revenue.

M. **Cruise** shall mean the operation of any taxicab or paratransit vehicle on the roadways of the Passenger Terminal Complex without a valid reservation from a pre-reserved customer for the time and place of said operation.

N. **Director** shall mean the individual appointed by the Mayor to serve as the chief administrative officer of the Airport.

O. **Motor Vehicle** shall mean any ground vehicle propelled by an internal combustion or electric motor.

P. **Movement Area** shall mean the runways, Taxiways, and other areas of the Airport which are used for taxiing or hover-taxiing, air taxiing, takeoff, and landing of Aircraft and under direct control of the ATCT.

Q. **Object-Free Area (OFA)** shall mean the area on the ground centered on a runway, Taxiway, or Taxilane centerline provided to enhance the safety of aircraft operations by having the area free of objects, except for objects that need to be located in the OFA for air navigation or aircraft ground maneuvering purposes.

R. **Offense.** The doing of any of the acts or things which are prohibited by any provisions of this Title 1, or the failure or refusal to do any act which is commanded to be done as more fully specified and set forth in this Title 1, is hereby declared to be an offense against the good order, public peace, morals, public justice, health and safety of the City of Tulsa, Oklahoma. Every act which is declared to be unlawful is also hereby declared to be an offense.

S. **Owner**, when referring to vehicles or aircraft, shall mean:

1. A person who holds the registration to an aircraft;
2. A person who holds the title to a motor vehicle;
3. A person who owns improvements on a leasehold at the Airport.
4. A conditional vendee or lessee, in the event the motor vehicle or aircraft is the subject of an agreement for the conditional sale or lease thereof with a right of purchase upon performance of the conditions stated in the agreement and with immediate right of possession; or
5. A mortgagor of a motor vehicle or aircraft vested with an immediate right of possession of the motor vehicle or aircraft.

T. **Park** shall mean the standing of a motor vehicle or aircraft whether occupied or not, otherwise than temporarily for the purpose of, and while actually engaged in, loading or unloading merchandise or passengers.

U. **Passenger Terminal Complex** shall mean the passenger terminal facilities at Tulsa International Airport, including all levels of the Landside Buildings and the Airport Operations Area buildings, the parking garage, service buildings, surface parking facilities and all Streets and non-public roads associated therewith.

V. **Pedestrian** shall mean any person traveling afoot within the borders of the Airport.

W. **Person or Entity** shall mean any individual, firm, partnership, corporation, company, association, joint stock association, limited liability company or body politic; and includes any trustee, receiver, committee, assignee or other representative or employee thereof.

X. **Picketing** shall mean participating in a picket line as a picket or taking part in any labor or other form of demonstration or protest.

Y. **Public Areas** shall include the areas of the Passenger Terminal Complex to which access is not restricted by Governmental Regulations.

Z. **Secured Area** shall mean any area of the Airport which requires security access procedures consistent with the Transportation Security Administration's security requirements.

AA **Service Animals** shall mean animals that are individually trained to perform tasks for people with disabilities as defined by the Americans with Disabilities Act, or to perform other special tasks which are certified by the Transportation Security Administration. For the purposes of this section, Service Animals are working animals and are not considered domestic pets.

BB. **Solicit or Solicitation** shall mean to request an immediate donation of money or other thing of value from another person, regardless of the solicitor's purpose or intended use of the money or other thing of value. The solicitation may be, without limitation, by the spoken, written or printed word, or by other means of communication.

CC. **Street** shall mean the whole width between boundary lines of every way publicly maintained when any part thereof is open to the use of the public for purposes of vehicular traffic.

DD. **Taxilane** shall mean the portion of the aircraft parking area used for access between Taxiways and aircraft parking positions.

EE. **Taxiway** shall mean a defined path established for the taxiing of aircraft from one part of an airport to another.

FF. **Transportation Security Administration (TSA)** shall mean the agency of the United States Department of Homeland Security that regulates airport and aircraft security or its successor agency.

GG. **Tulsa Airports Improvement Trust ("TAIT")** shall mean the trust created and established for the benefit of the City of Tulsa, Oklahoma, under the authority of, and pursuant to 60 O.S. §176, *et seq.*, as amended from time to time.

## **SECTION 102. WORDS AND PHRASES NOT DEFINED**

Other than as set forth in Section 100, terms not defined in this title shall have their ordinarily accepted meanings or such as the context may imply.

**SECTION 103. PRESENT AND FUTURE TENSE, SINGULAR AND PLURAL REFERENCES**

A. Words used in the present tense include the future; the singular number includes the plural, and the plural the singular when used in this title.

B. Shall when used in this title is always mandatory and never permissive.

**SECTION 104. GENDER**

Words used in the masculine gender comprehend, as well, the feminine gender and neuter.

**CHAPTER 2.  
GENERAL REGULATIONS**

- Section 200. Accident Reports**
- Section 201. Advertising and Display of Speech**
- Section 202. Airport Administration**
- Section 203. Animals**
- Section 204. Compliance with Rules and Regulations**
- Section 205. Damage to Airport Property**
- Section 206. Disposition of Waste Material**
- Section 207. Firearms and Archery Equipment**
- Section 208. Lost and Abandoned Property**
- Section 209. Hangar Area Maintenance and Usage**
- Section 210. Public Use of Airport Premises**
- Section 211. Penalty**

**SECTION 200. ACCIDENT REPORTS.**

At the request of the Airports Director, witnesses of, and participants in, accidents on or within the Airports shall make a full report thereof to the Airport Operations Division at Tulsa International Airport (TUL) or to the Authorized Representative of the Director at Richard L. Jones, Jr. Airport (RVS) as soon after the accident as possible. The report shall include a statement of the accident and names, addresses, and appropriate contact information.

**SECTION 201. ADVERTISING AND DISPLAY OF COMMERCIAL SPEECH.**

No Person shall post, distribute, or display signs, advertisements, circulars, pictures, sketches, or drawings, or engage in any commercial speech at the Airport or on Airport Property without first complying with Section 210.

**SECTION 202. AIRPORT ADMINISTRATION**

A. When an emergency exists, the Director or his authorized Representative(s) shall, as authorized by the laws of the State of Oklahoma and Title 14, Code of Federal Regulations, take action as necessary, in his discretion and judgment, to protect the health, welfare and safety of persons and property and to facilitate operations of the Airport including the authority to suspend or restrict any or all aeronautical, vehicular and Pedestrian operations at the Airport.

B. In the event the Director, or his authorized Representative, determines the condition of the Airport or any part thereof is unsafe for taxiing, landings or takeoffs, the Director shall issue, or cause to be issued, a Notice to Airmen (NOTAM) closing the Airport or any part thereof.

**SECTION 203. ANIMALS.**

A. No Person other than a disabled Person with a Service Animal or a law enforcement officer with a specially trained animal or dog used for law enforcement purposes shall enter the Airport Terminal Building or adjacent areas within the Airport boundaries at Tulsa International Airport with a domestic animal unless such animal is confined within a cage, carried in a person's arms, or restrained by a leash so that such Person retains complete control of the animal.

B. No Person shall, either willfully or through failure to exercise due care, permit any animal to urinate or defecate upon the sidewalks at Tulsa International Airport or within the Airport Terminal Building, parking facility or roadways within the jurisdiction of the Airport without removing evidence of the event.

**SECTION 204. COMPLIANCE WITH RULES AND REGULATIONS.**

A. All activities at the Airports shall be conducted in conformity with the current pertinent provisions of regulations and Advisory Circulars issued by the Federal Aviation Administration, authorized orders issued by the Director, and the provisions of the Airport Rules and Regulations which are not in conflict with the Federal Aviation Regulations or Advisory Circulars.

B. Any permission granted by the Director, Authority or TAIT, expressed or by implication, to any Person to enter or to use the Airport(s) or any improvements, facilities or equipment is conditioned upon compliance by that Person with all pertinent federal, state and local laws.

C. The Authority may prohibit any conduct that violates any requirement for, or condition of, the receipt of federal grant-in-aid funds, the approval of the imposition of Passenger Facility Charges, or any other governmental program in which the Authority participates to obtain funds for use at an airport.

**SECTION 205. DAMAGE TO AIRPORT PROPERTY.**

Any Person damaging, injuring or destroying Airport property, either by Accident or otherwise, shall be liable for the reasonable value of the property so damaged or destroyed.

**SECTION 206. DISPOSITION OF WASTE MATERIAL.**

Garbage, trash, paper, refuse and other waste material at the Airports shall be placed in receptacles provided for that purpose.

**SECTION 207. FIREARMS AND ARCHERY EQUIPMENT.**

A. The prohibitions and offenses set forth in Title 27, Chapter 15, Tulsa Revised Ordinances as may be amended from time to time, are specifically applicable to Airport Property including but not limited to Tulsa International Airport and R.L. Jones, Jr. (RVS) Airport.

B. In addition thereto, it shall be unlawful and an offense for any person to engage in archery target practice or any other active use of archery equipment consisting of bows or crossbows and arrows on Airport property.

**SECTION 208. LOST AND ABANDONED PROPERTY.**

Any Person finding lost, mislaid, or abandoned personal property on or in the Airport or Airport-sponsored ground transportation shall immediately deliver such property to the Airport Operations Division, if found at Tulsa International Airport, or to an employee of the Authority at the maintenance building if found at Richard L. Jones, Jr. Airport, subject to the provisions of 11 Oklahoma Statutes, Title 11, §34-104G, as the same may be amended from time to time. Nothing in this Section shall be construed to prohibit scheduled air carriers or other tenants from maintaining "lost and found" services for the property of patrons, invitees or employees of such air carriers or tenants.

**SECTION 209. MAINTENANCE AND USAGE.**

A. No person (who leases Airport Property from TAIT) shall:

1. Permit grass or ground cover vegetation on leased Airport Property to reach a height in excess of six (6) inches;

2. Allow trees or shrubbery on leased Airport Property to limit visibility for motor vehicle or aircraft movement;

3. Deposit, store, keep or permit to be deposited, stored or kept, in the open on leased Airport Property any Aircraft service vehicles, tugs, fuel trucks, fork lifts, mobile equipment, cargo, trailers, motor homes, boats, or other items of personal property unless such property is in common use in a business activity licensed by TAIT;



4. Deposit, store, keep or permit to be deposited, stored or kept on open areas of leased Airport Property, Aircraft in non-airworthy condition or disabled, disassembled, or partially assembled aircraft, parts, or other aircraft components;

5. Allow the accumulation of rubbish, trash or other waste material on Airport property.

B. No person shall use or permit others to use hangars on leased Airport Property for non-aeronautical Commercial Activity.

C. No person shall use or permit others to use hangars for storage of non-aeronautical personal property or vehicles except such storage as may be strictly incidental to the primary aeronautical use of the hangar.

#### **SECTION 210. PUBLIC USE OF AIRPORT PREMISES.**

A. The Airport is not a public forum.

B. Picketing or the distribution of printed or written materials ("Leafletting") shall only be conducted in designated areas of the Airport and only after receipt of written authorization from the Director or his designee.

C. No Person shall Solicit on the Airport.

D. No Person shall conduct any polls or surveys on the Airport without first obtaining written permission from the Director.

E. No Person shall take still, video or motion pictures and/or sound recordings of voices or people on the Airport for commercial purposes without written permission from, and as authorized by, the Authority or TAIT; provided, however, the Director may deny permission to any Person to take pictures of any nature where such denial is in the interest of public safety or national security. This section does not apply to bona fide coverage by the news media conducting business in areas authorized by the Director.

#### **SECTION 211. PENALTY**

A. Unless otherwise provided for in this chapter, every person violating any of the provisions of this chapter shall be guilty of an offense and, upon conviction, shall be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00), excluding costs, fees and assessments. Each day shall constitute a separate offense.

### **CHAPTER 3. OPERATIONAL RULES AND REGULATIONS**

- Section 300. Airport Operations Area, Movement Area and Secured Area Restrictions**
- Section 301. Commercial Vehicle Operations**
- Section 302. Unattended Aircraft; Disabled Aircraft and Aircraft Parts**
- Section 303. Adoption of Section 42.10, *et seq.*, of the NFPA1, Fire Code, 2009 Edition**
- Section 304. Penalty**

#### **SECTION 300. AIRPORT OPERATIONS AREA, MOVEMENT AREA, AND SECURED AREA RESTRICTIONS.**

##### **A. RESTRICTIONS ON PERSONS.**

1. No Person may, without an Airport security badge issued in accordance with TSA Regulations, enter the Air Operations Area, Movement Area, or any Secured Area(s) at Tulsa International Airport except Persons escorted by a Person displaying an appropriately-issued Airport security badge and passengers who, under appropriate supervision, enter upon the Apron for the purpose of enplaning or deplaning an Aircraft.
2. No Person (including a person operating a Motor Vehicle or an Aircraft) shall enter a Movement Area at the Airport during the hours of operation of the Air Traffic Control Tower unless the Person is in direct communication with the ATCT or is being directly escorted by authorized Airport personnel.
3. A Person towing an Aircraft from non-movement areas through Movement Areas at an Airport shall establish, gain approval, and maintain contact with the ATCT and comply with the ATCT's directions.
4. Operators of Motor Vehicles and Aircraft shall not park Motor Vehicles or Aircraft within the boundaries of a Movement Area, unless approved by ATCT.
5. Parking of Motor Vehicles and Aircraft on Taxiways, Taxilanes or Object-Free Areas at the Airport for loading or unloading activities shall be considered a secondary usage of such Taxiways, Taxilanes and Object-Free Areas. Persons shall conduct such activities so that primary usage as a Taxiway, Taxilane or Object-Free Area shall remain unimpaired and only for such period of time as is absolutely required to accomplish such activities.

##### **B. OPERATION OF AIRCRAFT AND HELICOPTER ENGINES.**

1. No Aircraft engine shall be operated unless a licensed pilot or Aircraft mechanic is attending the controls.

2. Aircraft shall be started and run up to full power at an Airport only in places designated for such purposes by the Director or as expressly authorized by the ATCT.

3. While running up Aircraft engines, pilots/mechanics shall not allow the propeller wash or jet stream to come into contact with buildings, airplanes, parking areas, or areas reserved for spectators.

4. No Person shall start the engine of any Aircraft when there is gasoline or other flammable material on the ground under such Aircraft.

5. Helicopters operated at the Airport shall have braking devices or rotor mooring blocks applied to the rotor blades.

#### **C. TAXIING AIRCRAFT OR HELICOPTER.**

1. No person shall taxi an Aircraft except on areas designated for taxiing.

2. Taxiing aircraft shall have the right-of-way at an Airport over all self-propelled ground vehicles.

3. Helicopters shall not be taxied, towed or otherwise moved at the Airport, with rotors turning, unless there is a clear area of at least fifty (50) feet from the outer tip of each rotor and any other Aircraft, movable object, or structure.

#### **D. OPERATION OF MOTOR VEHICLES.**

1. All operators of Motor Vehicles and all Pedestrians shall obey traffic-control devices located on Airport Property which shall include all signs, all curbing, all mechanical signage, all paint marks placed on the surface of Streets, Ramps, Aprons, Taxiways, Taxilanes, Object-Free Areas, and all electrically controlled traffic signals or gates.

2. The Director is authorized to establish Motor Vehicle speed limits and place traffic-control devices on areas of Airport Property other than Streets which are dedicated for public use.

3. Motor Vehicles shall only be operated in designated Streets, Taxiways, Taxilanes and marked Ramp areas at the Airport.

4. No Person shall drive any Motor Vehicle on Airport Property in excess of posted speed limits.

5. All operators of Motor Vehicles operating within an Object-Free Area shall give right-of-way to oncoming Aircraft by either maintaining a safe distance ahead or behind the Aircraft or by exiting the Object-Free Area to let the Aircraft pass.

**SECTION 301. VEHICLE OPERATIONS IN PUBLIC AREAS.**

A. No Person shall Cruise the Passenger Terminal Complex for the purpose of Soliciting business or fares.

B. No Person shall make repairs to a vehicle in the Passenger Terminal Complex unless such repairs are for an emergency, i.e. flat tire or dead battery.

C. No Person shall Park to load or unload passengers in the Passenger Terminal Complex in any areas other than those designated by appropriately installed signage.

D. No Person shall fail to obey promptly any lawful command by any Airport Officer, Airport Parking Inspector, City police officer, or other duly authorized Representative of the Director or the City, when so identified.

**SECTION 302. UNATTENDED AIRCRAFT; DISABLED AIRCRAFT AND AIRCRAFT PARTS.**

A. No Aircraft shall be left unattended on the Airport unless properly secured or within a hangar. Owners of Aircraft shall be held responsible for any damage resulting from failure to comply with this section.

B. Aircraft Owners, their pilots or agents, shall be responsible for the prompt removal of disabled Aircraft and parts thereof located on Airport Property, unless required or directed by the FAA or National Transportation Safety Board to delay such action pending an investigation of an Accident.

C. Authority is authorized to remove to the nearest location designated or maintained by Authority or the City of Tulsa, or cause to be removed by reasonable means, any Motor Vehicle or Aircraft in violation of the provisions of this Title; provided that such impounded Motor Vehicle or Aircraft shall be surrendered to the duly registered Owner or lessee upon payment to the City of Tulsa of all reasonable costs of removal and storage which shall have accrued to such vehicle or Aircraft in compliance with Section 305, Title 24 of the Tulsa Revised Ordinances.

**SECTION 303. ADOPTION OF SECTION 42.10, ET SEQ., OF THE NFPA1, FIRE CODE, 2009 EDITION.**

A certain document, three (3) copies of which are on file in each of the offices of the City Clerk of the City of Tulsa, Oklahoma, the Tulsa Airport Authority and the Superintendent of R.L. Jones, Jr. Airport, being marked and designated as NFPA1, *Fire Code*, 2009 edition or as prescribed in the most current revision thereof, *Aircraft Fuel Servicing*, Section 42.10, *et seq.*, which applies to the fuel servicing of all types of aircraft using liquid petroleum fuel in accordance with NFPA 407, Standard for Aircraft Fuel Servicing, 2007 Edition or as prescribed in the most current revision thereof, as published by the National Fire Protection Association, hereinafter the "*Aircraft Fuel Servicing Code*," is hereby adopted for the purpose of safeguarding

life and property at the Airports from fire and explosion hazards by regulating Aircraft fuel service, as herein provided. Each and all of the regulations, provisions, penalties, terms and conditions of the NFPA1, *Fire Code*, 2009 Edition or as prescribed in the most current revision thereof, Section 42.10, *et seq.*, and NFPA 407, Standard for Aircraft Fuel Servicing, 2007 Edition or as prescribed in the most current revision thereof, are hereby referred to, adopted and made a part hereof as if fully set out in this Chapter.

#### **SECTION 304. PENALTY.**

Unless otherwise provided for in this chapter, every person violating any of the provisions of this chapter shall be guilty of an offense and, upon conviction, shall be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00), excluding costs, fees and assessments. Each violation shall constitute a separate offense.

### **CHAPTER 4. AVIATION FUEL FLOW FEE**

- Section 400. Purpose.**
- Section 401. Fuel Flow Fee Established.**
- Section 402. Exemption from Fuel Flow Fee.**
- Section 403. Accounting and Reporting.**
- Section 404. Payment.**
- Section 405. Auditing.**

#### **SECTION 400. PURPOSE.**

The Tulsa Airport Authority, as a charter agency of the City of Tulsa with responsibility for the operation, administration, maintenance and improvement of Tulsa International Airport and Richard Lloyd Jones, Jr. Airport (collectively called "Airport"), shall assess a fuel flow fee ("Fuel Flow Fee") on all aviation fuel, jet fuel, propellant, or any other fuel used for aircraft operation ("Fuel") sold, consumed or dispensed at the Airport as hereinafter described except as otherwise provided in Section 402.

#### **SECTION 401. FUEL FLOW FEE ESTABLISHED.**

Subject to the exception provided herein, every Person at the Airport (including but not limited to Fixed Base Operators [as defined by the Schedule of Minimum Standards for Commercial Operators approved by the Tulsa Airports Improvement Trust from time to time], lessees and licensees at the Airport) which sells, consumes or dispenses Fuel directly or indirectly for consumption, shall pay to the Authority, for the use and benefit of the Authority, a Fuel Flow Fee for each gallon of Fuel sold, consumed or dispensed during any calendar month. The amount of the Fuel Flow Fee shall be established by the Authority and may be changed at any time as shall be in the best interests of the Airport. Current Fuel Flow Fees will be published and available in the Airport Director's office.

**SECTION 402. EXEMPTION FROM FUEL FLOW FEE.**

The Fuel Flow Fee shall not apply to Fuel delivered to be sold or dispensed to, or consumed by, air carriers or cargo carriers with scheduled service and a license to operate at the Airport.

**SECTION 403. ACCOUNTING AND REPORTING.**

Every Person described herein shall provide to the Authority, on or before the last day of the calendar month, a verified report ("Fuel Flow Report") in a form provided by Authority of all Fuel received from a Fuel supplier, as well as fuel consumed, sold or dispensed by the Person at the Airport, including Fuel which is exempt from the Fuel Flow Fee, during the preceding calendar month. A Late Fee of Fifty Dollars (\$50.00) will be assessed for Fuel Flow Reports not received by Authority by the due date.

**SECTION 404. PAYMENT.**

Every Person described herein shall provide, with the monthly verified Fuel Flow Report required by Section 403, a payment to the Authority of the Fuel Flow Fee for each gallon of Fuel sold, consumed or dispensed on the Airport during the preceding calendar month at the rate and in the amount then currently approved in the Airport Schedule of Rates and Charges. Fuel Flow Fee payments received by the Authority after the due date will be charged (assessed) interest equal to 18% per annum (1 1/2% per month) of the amount due (or the amount allowed by Oklahoma law if less than 18%), accruing monthly until full payment is made to Authority.

**SECTION 405. AUDITING.**

Each Person described herein shall maintain an acceptable cost accounting system in accordance with generally accepted accounting practices and principles and shall maintain all books, records and Fuel Flow Reports required under this Section within the City of Tulsa for a period of three (3) years from the due date of a Fuel Flow Report. Authority and/or the City of Tulsa, the FAA, the Comptroller General of the United States, and any of their duly authorized representatives (including a firm of certified public accountants satisfactory to the Authority and City) shall have the right, during ordinary business hours, to access any books, documents, papers and/or records which are directly pertinent to fuel transactions and reporting requirements hereunder for the purpose of making audit examination of such records and books of account.

## **CHAPTER 5.**

### **AIRPORT COMMERCIAL BUSINESS EXTERIOR SIGN POLICY**

- Section 500. Purpose.**
- Section 501. Interpretation.**
- Section 502. General Requirements.**
- Section 503. Display Surface Area.**
- Section 504. Fuel Facilities.**
- Section 505. Flags, Pennants, Banners and Other Advertising.**
- Section 506. Variances and Exceptions.**
- Section 507. Conflicts with Ordinances or Statutes.**
- Section 508. Penalty.**

#### **SECTION 500. PURPOSE.**

As authorized by the Amended Charter of the City of Tulsa, Oklahoma, the Tulsa Airport Authority may adopt, amend or repeal rules and regulations for the maintenance and operation of any and all Airports belonging to the City, subject to the approval of the City Council. The following Airport Commercial Business Exterior Sign Policy, Tulsa International Airport and R.L. Jones, Jr. Airport, was approved by the Tulsa Airports Improvement Trust and the Tulsa Airport Authority on August 11, 2005, and approved by the Tulsa City Council on September 29, 2005.

#### **SECTION 501. INTERPRETATION.**

The provisions of Tulsa Revised Ordinances, Title 42, §1221, Use Unit 21, Business Signs and Outdoor Advertising, Section C, "General Use Conditions for Business Signs;" and Section E, "CG, CH, CBD, IL, IM and IH Use conditions for Business Signs;" and Tulsa Revised Ordinances, Title 42, §1800, "Definitions," are hereby incorporated by this reference. The more restrictive provisions of the Tulsa International Airport and R.L. Jones Jr. Airport Commercial Business Exterior Sign Policy shall control in case of a conflict.

#### **SECTION 502. GENERAL REQUIREMENTS.**

A. Before any business sign is erected on Tulsa International Airport or R.L. Jones Jr. Airport, a tenant or subtenant shall obtain a City of Tulsa sign Permit and approval from the Tulsa Airport Authority ("Authority"). Authority will only grant approval to businesses licensed with the Tulsa Airports Improvement Trust. Off-leasehold signage or advertising on other Airport land by a tenant or subtenant is prohibited. Signs shall meet all local and state building and zoning codes and all federal requirements.

B. An Airport "Tenant Construction or Alteration Application" form shall be completed with tenant's or subtenant's business name, contact Person and phone number, and submitted to the Director along with a copy of the City of Tulsa sign Permit; one set of plans showing the type of sign with dimensions; whether the sign is illuminated; a plot plan showing sign location; structural details; and means of permanent attachment. All signs shall be

permanently affixed to a building, fuel dispensing facility, fuel truck or the ground within the boundaries of a leasehold area. If the sign is a ground sign, the application must also show footing plans and height of the sign. If the sign is a Projecting Sign, the application must also show means of attachment and height of the sign.

C. Wall Signs are signs affixed to a building wall; canopy, awning, marquee or parapet wall, or a sign displayed in or on a window or door which does not extend horizontally more than 15 inches from the wall, canopy, awning, marquee, parapet wall, window or door, nor extend above the parapet wall. A sign attached to the wall of a building that extends more than 15 inches from the wall is a Projecting Sign. Ground Signs are any sign which is part of a self-supporting structure, other than a building or part of a building, and may include various types of pole signs or monument signs. Roof Signs are prohibited.

D. All permanent signs shall be made from metals or polymers; no wooden signs, fabric or vinyl banners, and no paper or cardboard signs will be allowed. All electrical signs must comply with the National Electric Code.

E. Illuminated signs must be internally lit in a manner that creates no hazard or distraction to air traffic. Flashing signs, external lighting (flood lights), signs with movement, and brilliantly lit signs are prohibited.

F. Ground Signs and Projecting Signs shall be installed so that their maximum height is no greater than 35 feet. Ground Signs and Projecting Signs shall not restrict line of sight from the Air Traffic Control Tower to any Taxiway or runway; interfere with Aircraft traffic, service vehicle traffic, or existing utilities; and shall meet the requirements of Federal Aviation Regulations, Part 77 (Objects Affecting Navigable Airspace).

G. Installation and maintenance of all signs, including but not limited to painted finishes, lettering and electrical service is the sole responsibility of the tenant or subtenant who shall be responsible for maintenance of the sign and upkeep of the immediate premises occupied by the sign in a clean, sanitary, and healthful condition. Obsolete messages are to be removed by tenant within 30 days of obsolescence. Damaged signs are to be repaired or removed by tenant within 30 days of occurrence.

#### **SECTION 503. DISPLAY SURFACE AREA.**

A. The aggregate display surface area of Wall Signs shall not exceed three square feet, for each lineal foot of building wall to which the sign or signs are affixed, including doors and windows. Signs are not permitted to extend above or beyond the ends of the wall of any building.

B. The aggregate display surface area of a Ground Sign or Projecting Sign shall not exceed fifty (50) square feet per side, back to back per building. Tenants (including subtenants) leasing an aggregate leasehold area of at least two (2) acres are permitted a total of three (3) Ground Signs or Projecting Signs, or any combination thereof, on tenant's total leased premises per Airport (TUL or RVS).



**SECTION 504. FUEL FACILITIES.**

A. Fuel Pump Facilities. Signs on fuel pump facility areas (installed pumps and adjacent area) are limited to signs painted on fuel pumps plus a permanently mounted sign with an aggregate (total) display surface not to exceed four (4) square feet per side on two sides of the fuel pump facility area. The additional, permanently mounted sign may be constructed to allow messages that are easily changeable.

B. Fuel Trucks. Signs on fuel trucks are limited to signs painted on truck tanks and cab doors plus an additional sign that is permanently mounted on any two sides, which could include the front or back of the truck not to extend beyond the normal fuel truck tank and chassis. The additional, permanently mounted sign shall not exceed four (4) square feet per sign and may be constructed to allow messages that are easily changeable.

C. Fuel Storage Facilities. Signs on fuel storage facilities shall be limited to one sign not exceeding one square foot.

D. Safety Markings. Standardized safety markings for Fuel Pump Facilities, Fuel Trucks and Fuel Storage Facilities shall be displayed in accordance with the NFPA standards and shall not be measured in the aggregate (total) display surface allowed.

**SECTION 505. FLAGS, BANNERS, PENNANTS AND OTHER ADVERTISING.**

A. Tenant or subtenant may display any combination of one corporate flag, one City of Tulsa flag, one Oklahoma State flag, and one American flag on either the public side or the air side of one of its buildings. For aggregate leasehold areas up to 30 acres, flag size (per flag) may not exceed 60 square feet and flagpoles may not exceed 35 feet in height. Flagpoles may not restrict the line of sight from the Air Traffic Control Tower to any Taxiway or runway; may not interfere with Aircraft traffic, service vehicle traffic or existing utilities; and must meet the requirements of Federal Aviation Regulations, Part 77 (Objects Affecting Navigable Airspace).

B. Any other type of permanent exterior signage not included in this policy (including promotional business signs, banners, pennants, flags, streamers or similar promotional devices) is not allowed; provided, however this shall not restrict placement of any signs of warning, directive, or instructional nature erected by a public utility, franchised transportation company or governmental agency; signs, not exceeding 3 square feet of display surface area of a warning, directive, or instructional nature, including entrance, exit and restroom signs; or legal notices and street numbers.

C. Temporary promotional banners will be allowed twice a year for ten (10) days, requiring a six-month space between the two 10-day periods. No City Permit will be required for a single banner up to thirty-two (32) square feet, subject to approval by the Authority.

**SECTION 506. VARIANCES AND EXCEPTIONS.**

A. Requests for Variances (exceptions) to this sign policy shall be submitted in writing to the Director and shall state the reasons for the requested Variance along with detailed drawings identifying the Variance, if appropriate. Requests for Variances will be considered for approval by the Authority.

B. Any permanent Wall Sign, Projecting Sign, or Ground Sign installed before January 1, 2005, shall be considered to meet the size requirements of previously approved sign policy guidelines and will be allowed until any modification of any type, occurs, i.e. changed wording or logo; different tenant; color change; etc., at which time a new Tenant Construction Alteration Application must be approved by the Authority and a City of Tulsa sign Permit secured, if applicable. Repainting an existing painted sign to the original lettering, logo, and colors does not require Authority approval.

**SECTION 507. CONFLICT WITH ORDINANCES OR STATUTES.**

No provision herein shall be held to deprive any Federal, state or municipal agency having jurisdiction of any power or authority which it had on the effective date hereof or of any remedy then existing for enforcement of its orders.

**SECTION 508. PENALTY.**

Unless otherwise provided for in this Chapter, every person violating any of the provisions of this Chapter shall be guilty of an offense and, upon conviction, shall be punished by a fine of not more than FIVE HUNDRED DOLLARS (\$500.00), excluding costs, fees and assessments. Each day shall constitute a separate offense.

**CHAPTER 6.  
FINE SCHEDULE****SECTION 600. FINE SCHEDULE.**

In lieu of an appearance before the Municipal Court, the City may designate, by ordinance, the penalties to be paid for the offenses which may be satisfied by payment at the Court. Bail, in the form of a "preset fine," is authorized by 11 O.S. 2010, §28-113(c). The amount of bail for the designated offenses hereinafter described shall be the amount of fines and costs, including any penalty assessments and/or fees, provided for in Oklahoma Statutes and City Ordinances. This section establishes preset fines only for those offenses where the violator signs a written promise to appear and no court appearance is scheduled by the issuing officer. This section shall not apply to those offenses that cause the violator to be arrested.

## VIOLATION GENERAL REGULATIONS

<u>§Ref</u>		<u>Fine/Penalty</u>
203.A	Unrestrained Animal	\$ 75.00
203.B	Failure to Clean Up After Animal	\$ 75.00
206	Failure to Properly Dispose of Waste Material	\$ 75.00
207.B.	Active Use of Archery Equipment on Airport Property	\$ 150.00
209.A.1-5	Failure to Properly Maintain Airport Property	\$ 150.00
209.B.	Use of Hangar for Non-Aeronautical Commercial Activity	\$ 150.00
209.C	Storage of Non-Aeronautical Property	\$ 150.00
210.B	Picketing or Material Distribution without Authorization	\$ 150.00
210.C	Solicitation on Airport Property	\$ 150.00
210.D	Conduct of Poll or Survey	\$ 150.00
210.E	Taking Pictures for Commercial Purposes	\$ 150.00

## OPERATIONAL RULES AND REGULATIONS


300.A.1	Unauthorized Entry into Secure Area	\$ 150.00
300.A.2	Unauthorized Entry into Movement Area	\$ 150.00
300.A.3	Failure to Properly Tow Aircraft	\$ 150.00
300.A.4	Unauthorized Parking in Movement Area	\$ 150.00
300.A.5	Excessive Time for Loading & Unloading Activities	\$ 150.00
300.B.1	Operation of Engine without Attendant	\$ 150.00
300.B.2	Improper Location or No Authorization for Full Power Runup	\$ 150.00
300.B.3	Failure to Restrict Propeller Wash or Jet Stream	\$ 150.00
300.B.4	Flammable Material in Proximity When Starting Engine	\$ 150.00
300.B.5	Failure to Comply with Helicopter Braking Requirements	\$ 150.00
300.C.1	Taxiing Aircraft in Undesignated Area	\$ 150.00
300.C.2	Failure to Yield to Taxiing Aircraft	\$ 150.00
300.C.3	Movement of Helicopter without Appropriate Clear Area	\$ 150.00
300.D.1	Failure to Obey Traffic Control Devices	\$ 150.00
300.D.3	Operation of Motor Vehicle Outside Designated Areas	\$ 150.00
300.D.4	Exceeding Posted Speed Limits	\$ 150.00
300.D.5	Improper Motor Vehicle Operation in Object-Free Area	\$ 150.00
301.A	Cruising Passenger Terminal Complex for Soliciting Fare	\$ 150.00
301.B	Vehicle Repair Other than for Emergency in Terminal Complex	\$ 150.00
301.C	Parking in an Undesignated Area	\$ 150.00
301.D	Failure to Obey Lawful Command	\$ 150.00
302.A	Failure to Properly Secure Unattended Aircraft	\$ 150.00
302.B	Failure to Promptly Remove Disabled Aircraft	\$ 150.00

**COMMERCIAL BUSINESS EXTERIOR SIGN POLICY**

502.A	Failure to Secure Sign Permit and TAA Approval	\$ 150.00
502.C	Improper Display or Installation of Wall Sign, Ground Sign, or Roof Sign	\$ 150.00
502.D	Use of Impermissible Sign Material	\$ 150.00
502.E	Illuminated Sign Fails to Meet Established Requirements	\$ 150.00
502.F	Sign in Excess of Height and Sight Restrictions	\$ 150.00
502.G	Failure to Properly Maintain Installed Signage	\$ 150.00
503.A	Excess Display Surface for Wall Sign	\$ 150.00
503.B	Excess Display Surface for Ground Sign or Projecting Sign or excess number of signs	\$ 150.00
504.A	Improper Signage on Fuel Pump Facilities	\$ 150.00
504.B	Improper Signage on Fuel Trucks	\$ 150.00
504.C	Improper Signage on Fuel Storage Facilities	\$ 150.00
504.D	Failure to Display NFPA Signage on Fuel Trucks & Facilities	\$ 150.00
505.A	Exceeding Permitted Display of Flags and Banners	\$ 150.00
505.B	Display of Unauthorized Signage	\$ 150.00
505.C	Exceeding Authorized Use of Promotional Banners	\$ 150.00

*Section 2. SEVERABILITY CLAUSE. If any section, sentence, clause or phrase of this ordinance or any part thereof is for any reason found to be invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remainder of this ordinance or any part thereof.*

*Section 3. EMERGENCY CLAUSE. That the amendments hereby enacted are essential to the proper, orderly and ethical conduct of the business of the City of Tulsa by its City Officials; therefore, an emergency is hereby declared to exist for the preservation of the public peace, health, and safety, by reason whereof this ordinance shall take effect immediately upon its passage, approval, and publication.*

ADOPTED by the Council: OCT 20 2011  
 Date   
 Chairman of the Council

ADOPTED as an emergency measure: \_\_\_\_\_  
 Date \_\_\_\_\_  
N/A  
 Chairman of the Council

OFFICE OF THE MAYOR

Received by the Mayor: \_\_\_\_\_, at \_\_\_\_\_.  
Date Time

Dewey F. Bartlett, Jr., Mayor

By \_\_\_\_\_

Secretary

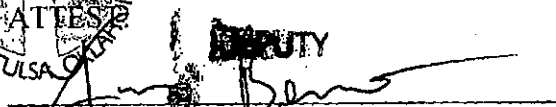
OCT 25 2011

APPROVED by the Mayor of the City of Tulsa, Oklahoma: \_\_\_\_\_, Date


at \_\_\_\_\_, Time

  
\_\_\_\_\_  
Mayor



  
\_\_\_\_\_  
City Clerk

APPROVED:

  
\_\_\_\_\_  
Deputy City Attorney 11/1/11