

SALT LAKE CITY ORDINANCE
No. 86 of 2010

(Motor vehicle operation at the Salt Lake City International Airport)

An ordinance amending Chapters 16.60 and 16.64, *Salt Lake City Code*, pertaining to motor vehicle operation at the Salt Lake City International Airport, to correspond with changes made in Chapters 5.71 and 5.72, *Salt Lake City Code*; providing for rules and regulations; replacing criminal enforcement with civil penalties; and establishing processes and procedures related thereto.

WHEREAS, the City Council has amended Chapters 5.71 and 5.72, *Salt Lake City Code*, pertaining to ground transportation and taxicabs; and

WHEREAS, the City Council has determined this ordinance corresponds with and supports amendments to Chapters 5.71 and 5.72, *Salt Lake City Code*; and

WHEREAS, after a duly noticed public hearing before the City Council, the Council has determined this ordinance is in the best interest of the City.

NOW, THEREFORE, be it ordained by the City Council of Salt Lake City, Utah as follows:

SECTION 1. That Chapter 16.60, *Salt Lake City Code*, pertaining to motor vehicle operation at the Salt Lake City International Airport, be, and the same hereby is, amended to read as follows:

Chapter 16.60

MOTOR VEHICLE OPERATION

Article I. General Regulations

16.60.001: AUTHORITY TO ESTABLISH RULES AND REGULATIONS:

To the extent authorized by the provisions of this chapter and consistent with other applicable provisions of this code, the department director, under guidance and direction from the Mayor, may enter into contracts deemed necessary or desirable and may establish rules and

regulations necessary to administer the provisions of this chapter and any security or operating requirements applicable to the Salt Lake City International Airport.

16.60.005: EXEMPTIONS FROM REQUIREMENTS OF THIS CHAPTER:

Vehicles licensed and operated by a government agency, a university or school district, the Utah Transit Authority, an ambulance service, and others, as may be designated in department rules and regulations, and others, as may be designated by the director, are exempt from the requirements of this chapter.

16.60.010: COMPLIANCE WITH STATE AND OTHER REGULATIONS:

A. No person shall operate a motor vehicle on the airport except in strict compliance with applicable laws of the state, City ordinances, and department rules and regulations.

B. No person or owner shall drive, or permit to be driven, stopped or parked on any street, parking lot, alleyway or driveway within the airport, any vehicle which is required under the laws of the state to be inspected and registered unless such vehicle has been inspected and registered, and has attached thereto in proper position a valid and unexpired certificate of inspection as required by the laws of the state.

C. All vehicles operated on airport property, including ramp areas, shall be maintained in a safe operating condition.

16.60.020: DRIVING ON LOADING AREAS; RESTRICTIONS:

A. Any motorized vehicle being used on the ramp as a service vehicle shall display the department-issued identification sticker. Each such vehicle shall also bear company identification visible from fifty feet (50') on both sides of the vehicle.

B. No person or vehicle is permitted in, on, or around any secured area, such as, but not limited to, any hangar, landing field, runway, apron or taxi strip, without prior permission from the department director.

C. Automobiles, trucks and other equipment (including airport maintenance and emergency vehicles) being driven on any landing area, runway, taxi strip, or apron shall display a standard checkered flag or flashing amber or red light, as appropriate, if operated during the nighttime, or, when applicable, be marked in accordance with Federal Aviation Administration regulations or as directed by the department director, and shall not be operated without prior permission of the control tower.

16.60.030: VEHICLE RAMP OPERATIONS:

A. Speed Limits: Motor vehicles shall be operated on established streets and roadways within the airport in strict compliance with speed limits posted on traffic signs. They shall also be maintained and operated in conformity with all motor vehicle regulations and laws of the state and City. Motor vehicles being operated on any passenger loading ramp, aircraft parking ramp, or in any area immediately adjacent to the terminals or hangars, shall be driven cautiously and at a safe and reasonable speed, but not to exceed twenty (20) miles per hour.

B. Use of Ramp Roadways: Vehicles shall only be operated within the limits of the designated painted roadways on the air operations areas, except as required to perform aircraft servicing and airfield inspections.

C. Traffic Markings on Paved Surfaces: Vehicle operators shall observe all traffic markings painted on pavement surfaces of the aircraft operations area.

D. Yield Right-of-Way To Aircraft: All vehicles shall yield right-of-way to any aircraft when the aircraft is under tow or has its engines operating. No vehicle shall proceed past such

aircraft until the vehicle's progress will not impede the aircraft's movement. This section does not preclude the establishment of agreements to the contrary between the City and the Federal Aviation Administration.

16.60.040: COMMON CARRIERS:

No common carrier, vehicle for hire, or ground transportation vehicle shall load or unload passengers at the airport at any place or in any manner other than that designated by the department director.

16.60.050: ACCIDENTS TO BE REPORTED:

Any person involved in an accident resulting in personal injury or damage to property on the airport shall report such accident promptly to the office of the department director.

16.60.060: PROHIBITED VEHICLES AND ANIMALS:

No go-cart, motorbike, bicycle, house trailer, or similar vehicle, or horse, shall be permitted on any landing area, ramp, taxiway, or hangar area without approval of the department director, except for bicycles that are secured and delivered to an aircraft for transport, or motorcycles used for surface transportation in a hangar area.

16.60.065: PARKING AREAS:

A. Parking areas for motor vehicles shall be set aside for airport employees and the general public. No person shall park a motor vehicle or a trailer in any place on the airport other than those areas designated by the department director or as expressly set forth in this title. No person shall park a vehicle in an area designated as an employee parking lot unless such person has complied with all rules and regulations, and other requirements for employee parking as established by the department.

B. Tenants of T-hangars and shade hangars may park their motor vehicles in their own hangars when the aircraft is being flown or in front of their hangar if they are present. Service or delivery vehicles may park next to a tenant's hangar long enough for delivery. All others shall park in public lots.

C. No person shall park a motor vehicle on the airport in excess of seventy-two (72) consecutive hours unless it is parked in the public parking area or with the authorization of the airport.

D. No person shall park a motor vehicle in an area designated as a public parking lot unless such person pays the authorized rate for such parking lots. A schedule of parking rates shall be available in the airport Office of Finance and Administration.

16.60.067: PARKING VEHICLES:

No person shall park a vehicle on the airport other than in the manner and at locations indicated by posted traffic signs and markings. Each hour a vehicle remains parked in violation of this section shall be a separate offense.

16.60.070: IMPOUNDMENT AUTHORIZED WHEN:

Any vehicle parked in violation of department rules and regulations may be impounded or relocated by a certified peace officer. The owner thereof shall pay for the tow charge, regular parking fees, and other penalties and related charges.

16.60.075: PASSENGER COURTESY CARTS:

A. No person may operate any vehicle inside a City-owned building at the airport without proper authority. The owner of any such authorized vehicle shall install and maintain a speed governor on each such vehicle which will prevent the vehicle from exceeding five (5) miles per hour. Vehicles at all times shall be maintained in a safe operating condition. Any person

operating such vehicle shall yield to pedestrians, not pass pedestrians unless there is enough space to leave an eighteen inch (18") clearance between vehicle and pedestrian, and otherwise operate the vehicle in a safe manner.

B. The department director may prohibit the operation of such vehicles at the Airport or limit their use at any time.

Article II. Ground Transportation Businesses

16.60.080: PURPOSE OF ARTICLE II PROVISIONS:

The provisions set out in this article are enacted for the purpose of:

A. Requiring persons who conduct business at the airport by providing ground transportation service to assist the City in defraying the expense of providing certain facilities and services provided for ground transportation vehicles and services using the airport, and to create an equitable assessment of fees for its use; and

B. Requiring such persons to adhere to department rules and regulations regarding the operation of ground transportation vehicles to ensure that such are conducted in a safe, efficient, and cost effective manner for the public benefit.

16.60.090: DEFINITIONS:

The following words and phrases, when used in this chapter, shall have the meanings defined and set forth in this section.

AIRPORT SHARED RIDE SERVICE: Ground transportation provided by an authorized ground transportation business contracted through the Department of Airports to provide on - demand shared ride service to and from the Salt Lake City International Airport.

AIRPORT SHARED RIDE VEHICLE: Any authorized ground transportation vehicle operating under contract with the Department of Airports to provide airport shared ride service.

AUTHORIZED GROUND TRANSPORTATION BUSINESS: Any business operating any ground transportation vehicle, which has a current, valid business license as required by the City and which:

A. Registers the business in accordance with the requirements established by the department, and

B. Is current with all fees or charges imposed by the Department or City.

AUTOMOBILE: Any motor vehicle with passenger seating for five (5) persons or less not including the driver.

BUS: Any motor vehicle with a seating capacity of twenty-five (25) passengers or more, not including the driver.

BUSINESS: A voluntary association legally formed and organized to carry on a business in Utah in the legal name of the association, including without limitation a corporation, limited liability company, partnership, or sole proprietorship.

CIVIL NOTICE: The written notice of a ground transportation violation.

COURTESY VEHICLE: Any motor vehicle regularly operated on Salt Lake City streets for transportation of customers and/or baggage without making a specific separate charge to the passenger for such transportation.

DEPARTMENT: The Salt Lake City Department of Airports.

DEPARTMENT DIRECTOR: The director of the Salt Lake City Department of Airports.

DEPARTMENT RULES AND REGULATIONS: Rules and regulations developed and adopted by the department director to govern ground transportation service and businesses at the airport.

FIXED SCHEDULE: Ground transportation service operating on a regular time schedule previously announced as to time of departure and arrival between the airport and definitely established and previously announced points along definitely established and previously announced routes regardless of whether there are passengers or freight to be carried.

GROUND TRANSPORTATION BUSINESS: Any business operating any ground transportation vehicle.

GROUND TRANSPORTATION SERVICE: The transportation of passengers by a ground transportation business.

GROUND TRANSPORTATION APPEAL COMMITTEE: A committee established by the department director to hear and rule on appeals, suspensions, and other matters related to ground transportation in and connected with the City.

GROUND TRANSPORTATION VEHICLE: Any motor vehicle used for the transportation of persons using Salt Lake City streets for commercial purposes regardless of whether a fee or fare is collected, which includes, but is not limited to, any airport shared ride vehicle, automobile, bus, courtesy vehicle, hotel vehicle, limousine, minibus, special transportation vehicle, specialty vehicle, taxicab, van, or trailer being towed by a ground transportation vehicle.

HOTEL VEHICLE: Any motor vehicle regularly operated by a ground transportation business under contract to or directly by a motel, hotel, or other lodging business to provide transportation of customers and/or baggage for the contracted establishment, for which transportation the customer is charged a separate fee or fare, and which is subject to a contract filed with the department providing for operating the vehicle.

LIMOUSINE: Any vehicle described by its manufacturer or aftermarket manufacturer as a limousine or a luxury vehicle such as, but not limited to, a Cadillac Escalade, Chevrolet

Suburban, Lincoln Town Car, or Mercedes Benz, with a driver furnished, who is dressed in professional business attire or a chauffeur's uniform. A limousine may be deemed a hotel vehicle if the service provided is prearranged and minimum fare is charged as provided in this chapter.

MINIBUS: Any motor vehicle with a seating capacity of thirteen (13) to twenty-four (24) passengers, not including the driver.

ON-DEMAND AIRPORT SERVICE OR ON-DEMAND SERVICE: Transportation provided by an authorized airport ground transportation business which is not scheduled service nor prearranged service from the airport as defined in this section.

PREARRANGED SERVICE FROM THE AIRPORT: Transportation from the airport to points within the corporate limits of Salt Lake City provided by an authorized ground transportation business which is contracted for between such business and the person to be transported, or by an agent of the person, prior to the arrival of the person at the Salt Lake City International Airport. Prearranged service from the airport shall include airport ground transportation contracted for by an airline company on behalf of its own passengers whose regular air travel may have been disrupted in some manner. An agent may include a travel agent, family member, employee, business or meeting planner, but excludes an authorized ground transportation business. Prearranged service to the airport shall be provided on the same basis as permitted under Title 5, Chapter 5.71 of this code.

SCHEDULED SERVICE: Transportation provided by an authorized ground transportation business on a fixed schedule posted with the department in advance of such transportation.

TAXICAB: A motor vehicle with a seating capacity of five (5) passengers or less, not including the driver, or a van with a passenger seating capacity of six (6) to twelve (12), not including the

driver, used in the on demand for hire transportation of passengers or baggage over the public streets and not operated over a fixed route or upon a fixed schedule, but which is subject for contract hire by persons desiring special trips from one point to another, as provided under Chapter 5.72 of this title, or its successor chapter, and authorized to operate in Salt Lake City by contract with the department.

VAN: Any licensed motor vehicle other than those designated as a limousine with a passenger seating capacity of six (6) to twelve (12), not including the driver

**16.60.095: BUSINESSES AUTHORIZED TO PROVIDE GROUND
TRANSPORTATION:**

It shall be a violation to operate a ground transportation vehicle at the airport, unless such vehicle is part of is an authorized ground transportation business.

16.60.097: GROUND TRANSPORTATION DESTINATIONS:

A. All authorized ground transportation businesses may provide scheduled service or prearranged service from the airport.

B. Only authorized airport shared ride service vehicles, taxicabs, courtesy vehicles, and hotel vehicles may provide on-demand service at the airport, except that courtesy vehicles and hotel vehicles may provide on-demand service only to and from the hotel, motel, or other lodging business with whom they hold a current contract for transportation services. The department director may waive these restrictions if the director determines that circumstances at the airport exist that create congestion, security concerns, emergency conditions, or other operational problems, and that a temporary suspension of this limitation is in the best interests of the City to address such circumstances.

C. All authorized ground transportation businesses may provide on-demand, scheduled service and prearranged service from the airport to destinations outside of the corporate limits of Salt Lake City.

16.60.100: PASSENGER PICK-UP ZONES:

All persons operating a ground transportation vehicle on the premises of the airport shall pick up passengers only in areas as designated by the department director. Ground transportation vehicles may occupy such area only for the period of time established by the department director.

16.60.110: COMMERCIAL CHARGES:

Commercial charges may be imposed by the City for the use of airport facilities and services. Any business located at, or doing business on, the airport shall pay all established fees applicable to such business.

16.60.120: GROUND TRANSPORTATION FEES REQUIRED:

No ground transportation vehicle or business shall use the airport's roadways or facilities without paying required fees established under Section 16.60.110 of this chapter.

16.60.130: PAYMENT OF FEES:

Payment of required fees shall be made in the manner prescribed by the department director consistent with department rules and regulations and applicable provisions of this code.

16.60.140: CITY ORDINANCES APPLICABLE TO AIRPORT:

All applicable ordinances set forth in the Salt Lake City Code, including without limitation Chapters 5.71 and 5.72 of Title 5 or their successors, shall apply to the airport. Pursuant to applicable provisions of this code, the department director may enter into contracts and establish rules and regulations for taxicab operations specific to the airport.

16.60.180: GROUND TRANSPORTATION BOOTHS:

There may be established within the terminal buildings at the airport one (1) or more ground transportation booths for the exclusive use of authorized ground transportation businesses to assist the public to arrange for transportation, including travel reservations and ticket sales. These booths may be made available to businesses in accordance with applicable contracts and/or department rules and regulations.

A. No authorized ground transportation business may solicit passengers at the airport except at a bona fide ground transportation booth established by the department director and operated by the authorized ground transportation business.

B. No person or business including any ground transportation business may contract for passenger meet and greet services on behalf of any ground transportation business without written permission of the department director.

C. In addition to civil penalties, any violation of these solicitation restrictions by any driver or representative of any authorized ground transportation business may result in such driver or business being barred from any further entry to an airport terminal as a driver or authorized ground transportation business employee. D. No representative of any authorized ground transportation business shall transport baggage or cargo in behalf of a customer to or from the airport without documentation such as baggage claim tickets or transfer documents clearly indicating the authority of such representative to transport such baggage. Said representative shall produce such documentation for inspection upon request by an authorized official of the department.

16.60.190: STAGING AND PARKING OF GROUND TRANSPORTATION VEHICLES:

Any use of a staging area, parking facilities, taxi stands, parking areas, traffic lanes or other areas and facilities used by authorized ground transportation vehicles are subject to department rules and regulations.

16.60.200: SIGNS:

Signs may be posted at the airport by authorized ground transportation businesses if such signs are in accordance with applicable City ordinances, department contracts, department rules and regulations, and have been approved by the department director.

SECTION 2. That Chapter 16.64, *Salt Lake City Code*, pertaining to violations, penalties, and enforcement at the Salt Lake City International Airport be, and the same hereby is, amended to read as follows:

Chapter 16.64

VIOLATION, PENALTY AND ENFORCEMENT

16.64.010: PROHIBITIVE NATURE OF REGULATIONS:

It is a violation for any person to do any act prohibited by law, to fail or refuse to do any act required by law, to operate any vehicle or aircraft in violation of any provisions of this title or department rules and regulations, or to operate any vehicle or aircraft unless such vehicle or aircraft is equipped and maintained as provided in this title or other applicable law.

16.64.020: REMOVAL AUTHORIZED WHEN:

Any person using airport property, operating any vehicle or handling any aircraft in violation of this title or other applicable law, or by refusing to comply therewith, may be removed or ejected from the airport, and may be deprived of the further use of the airport and its facilities for such length of time as may be deemed necessary by the department director to ensure the safeguarding of the same and the public and its interest therein.

16.64.025: VIOLATION; PENALTY:

Any person guilty of violating any provision of this title shall be deemed guilty of a class B misdemeanor, except the violation of certain sections of this Title 16 as set forth in Section 16.64.030 below, which shall constitute civil violations.

16.64.030: CIVIL PENALTIES AND ENFORCEMENT:

A. Any person in violation of this title, department rules and regulations, or other applicable law are subject to civil penalties and any other lawful action as may be taken by the department director to ensure the safe and effective operations of the airport.

B. The City may revoke, suspend, or deny renewal of a City business license to operate a ground transportation business for violation of any provision of this title, department rules and regulations, or other applicable law as provided under Chapter 5.02 of this code.

C. The department may revoke, suspend or deny renewal of an operator's badge, department automated vehicle identification tag, or department inspection seal for violation of any provision of this title, department rules and regulations, or other applicable law. The person or business affected may request, in writing filed with the department, an appeal hearing before the ground transportation appeal committee. Any such revocation, suspension or denial of renewal shall remain in effect until the party against whom such action is taken requests reinstatement, and the ground transportation appeal committee determines that reinstatement is appropriate.

D. If any named party fails to comply with civil penalties imposed under this chapter, such party may be subject to suspension, revocation, or nonrenewal of a City license to operate a ground transportation business, operator's badge, department automated vehicle identification tag and department inspection seal.

E. Civil penalties may be imposed as set forth below. The named party in the civil notice shall be liable for a civil penalty. Any penalty assessed in connection with this section may be in addition to any other penalty that may be imposed by law or department rules and regulations.

F. Violations of the following ordinances shall constitute civil violations and be subject to the following penalties:

CODE	AMOUNT OF PENALTY	VIOLATION
ARTICLE I		
GENERAL REGULATIONS		
16.60.010	\$500.00	Vehicle operations on airport
16.60.020	\$1000.00	Secured area vehicle operations
16.60.030	\$1000.00	Ramp area vehicle operations
16.60.040	\$200.00	Unauthorized passenger load/unload
16.60.050	\$1000.00	Failure to report accident
16.60.060	\$1000.00	Prohibited vehicle in secure area
16.60.065	\$200.00	Parking area restrictions/failure to pay fees
16.60.067	\$100.00	Parking violation posted signs
16.60.075	\$500.00	Courtesy cart operations
ARTICLE II		
GROUND TRANSPORTATION BUSINESSES		
16.60.095	\$1000.00	Unauthorized ground transportation vehicle
16.60.097	\$500.00	Unauthorized prearranged/on-demand transport

16.60.100	\$200.00	Unauthorized passenger pick up
16.60.120	\$500.00	Failure to pay fees
16.60.180 (A,B,D)	\$500.00	Unauthorized solicitation or baggage transport
16.60.190	\$100.00	Unauthorized staging/use of grounds and facilities
16.60.200	\$500.00	Unauthorized posting of signs

16.64.050: ENFORCEMENT PROCEDURES; CIVIL NOTICE OF GROUND

TRANSPORTATION VIOLATION:

A. Civil notices under this chapter, other than those involving revocations, suspensions, denials or approvals of a business license, operators' badge, department automated vehicle identification tags and department inspection seals shall be heard by the Salt Lake City Justice Court. Any named party may appear before a hearing officer and present and contest an alleged violation as provided in Title 2, Chapter 2.75 of this code, or its successor.

B. The burden to prove any defense shall be upon the person raising such defense. Nothing herein shall affect the City's burden to prove each element of the underlying charge by a preponderance of evidence.

C. If the hearing officer finds that no violation of this chapter occurred, or that a violation occurred but one or more of the defenses set forth in this section is applicable, the hearing officer may dismiss the civil notice and release the named party from liability thereunder, or may reduce the penalty associated therewith as he or she shall determine. Such defenses are:

1. The civil notice does not contain the information required by this chapter;

2. Compliance with the subject ordinances would have presented an imminent and irreparable injury to persons or property; or

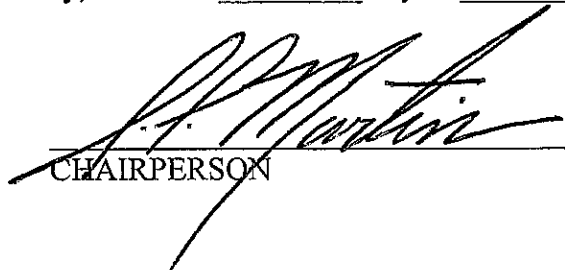
3. Such other mitigating circumstances as may be approved by the City Attorney's Office.

16.64.060: EXPEDITED APPEAL OF EXCLUSION:

Any named party who is excluded from pursuing commercial activities under this chapter, and has not had a hearing before the ground transportation appeal committee regarding such exclusion as provided for in this chapter, may request an expedited appeal of the action that resulted in such exclusion. Such appeal shall be requested in writing by the party so excluded to the department. The department shall promptly investigate the facts relating to such exclusion. If the evidence indicates such exclusion is improper under this chapter, the department director may reverse the action that resulted in such exclusion. If the department director does not reverse such action, the action resulting in such exclusion shall be heard and determined by the ground transportation appeal committee in accordance with the provisions of this chapter. If a preponderance of the evidence indicates such exclusion is proper under this chapter the ground transportation hearing committee shall uphold such exclusion.

SECTION 3. Effective Date. This ordinance shall become effective on the date of its first publication.

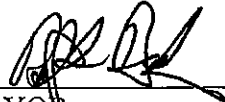
Passed by the City Council of Salt Lake City, Utah this 16th day of November, 2010.


CHAIRPERSON

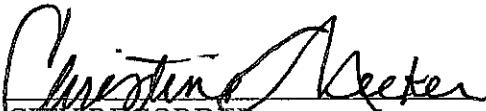

CITY RECORDER

Transmitted to Mayor on November 19, 2010.

Mayor's Action: X Approved. Vetoed.



MAYOR




CITY RECORDER

(SEAL)



Bill No. 86
Published: December 3, 2010

APPROVED AS TO FORM  Date: <u>11-17-10</u>
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