

PROPOSED

ORDINANCE NO. 2014-

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA, PERTAINING TO AIRPORTS AND AIRCRAFT; AMENDING VARIOUS SECTIONS OF CHAPTER 2 OF THE BROWARD COUNTY CODE OF ORDINANCES ("CODE"); AMENDING DEFINITIONS; AMENDING PROVISIONS PERTAINING TO OPERATIONS ON THE AIRPORT OPERATIONS, MOVEMENT, AND NONMOVEMENT AREA; AMENDING GENERAL USE RESTRICTIONS AND OPERATIONS PERTAINING TO NORTH PERRY AIRPORT; AMENDING PROVISIONS RELATING TO GROUND TRANSPORTATION AT FORT LAUDERDALE-HOLLYWOOD INTERNATIONAL AIRPORT; AMENDING PROVISIONS RELATING TO AIRPORT TRAFFIC AND PARKING; AMENDING CHAPTER 8½ OF THE CODE PERTAINING TO CIVIL PENALTIES; AND PROVIDING FOR SEVERABILITY, INCLUSION IN THE CODE, AND AN EFFECTIVE DATE.

(Sponsored by the Board of County Commissioners)

WHEREAS, the Board of County Commissioners of Broward County, Florida, desires to amend various sections of Part II, Chapter 2 of the Broward County Code of Ordinances ("Code"), pertaining to operations on the Airport Operations, Movement, and Nonmovement Area; pertaining to use and operations at North Perry Airport (HWO); and pertaining to ground transportation and Airport traffic and parking; and

WHEREAS, this Board further desires to amend various sections of Chapter 8½ pertaining to fines for violations of Code sections,

BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF BROWARD COUNTY, FLORIDA:

1 Section 1. Section 2-2 of the Broward County Code of Ordinances,
2 "Definitions," is hereby amended to read as follows:

3 **Sec. 2-2. Definitions.**

4 . . .

5 (cc) Ramp Control shall mean the entity responsible for controlling the surface
6 movement of Aircraft on those portions of the Airport designated by the Department.

7 (ee) (dd) *Restricted Area* shall mean any area of the Airport that prohibits entry or
8 limits entry or access to specific authorized persons or vehicles.

9 (dd) (ee) *Security Identification Display Area (SIDA)* shall mean the areas identified
10 in the Airport Security Program requiring each person to continuously display on his or
11 her outermost garment, above the waist, an Airport-Issued Identification Media, unless
12 under Airport-approved escort.

13 (ee) (ff) *Security Program* or *Airport Security Program* shall mean that program
14 developed by the Department pursuant to the requirements of the federal regulations
15 relative to the protection and safety of aircraft operations and users of the Airport.

16 (ff) (gg) *Terminal Complex* shall mean the passenger terminal facilities or
17 associated airport facilities, at the Fort Lauderdale-Hollywood International Airport,
18 including loading bridges, aircraft parking apron, landside facilities, and all roadways
19 and parking facilities associated therewith, including any expansion or improvements
20 thereto serving the passenger terminals.

21 (gg) (hh) *Transportation Security Administration* or *TSA*, or any successor agency,
22 shall mean the entity appointed by the United States Department of Transportation to be
23 responsible for airport security and the inspecting of persons and property carried by
24 aircraft operators and foreign air carriers.

1 ~~(hh)~~ (ii) *Vehicle Ramp Access Decal Program* shall mean that program developed
2 by the Department to permit motor vehicle access on the AOA.

3 ~~(ii)~~ (jj) *Weapon* shall mean a gun, knife, blackjack, slingshot, metal knuckles, or
4 any explosive device, or any other similar instrument capable of being utilized to coerce,
5 intimidate, or injure a person or property.

6
7 Section 2. Section 2-20 of the Broward County Code of Ordinances, "Airport
8 operations area," is hereby amended to read as follows:

9 **Sec. 2-20. Airport operations area.**

10 In addition to the following, all airport operations and activities at the Airport shall
11 be consistent and in conformity with any and all regulations promulgated by the FAA,
12 prescribed air traffic rules, applicable laws, and regulations of the state of Florida, and
13 all procedures or rules and regulations established by the Department:

14 ~~(a) *Runway in Use.* Runway in use shall be indicated by the Control Tower.~~

15 ~~(b) *Takeoff Turns at Fort Lauderdale-Hollywood International Airport (FLL).*~~
16 ~~Departing aircraft shall not commence any turning maneuvers prior to clearing the~~
17 ~~Airport boundaries pursuant to the Informal Runway Use Program promulgated by the~~
18 ~~Department and the Control Tower, unless otherwise directed or authorized by the~~
19 ~~Control Tower.~~

20 ~~(c) *Runway Restrictions at FLL.*~~

21 ~~(1) Runway 9R/27L is constructed as a basic transport category runway and~~
22 ~~is restricted to aircraft weighing not more than fifty-eight thousand (58,000)~~
23 ~~pounds manufactured maximum certificated takeoff weight.~~

1 (2) ~~Turbojet operations on Runway 13/31 are authorized only when~~
2 ~~crosswinds require the use of such runway, or operational necessity~~
3 ~~requires such use.~~

4 (d) ~~Exceptions to Runway Takeoffs.~~ With the exception of rotor craft,
5 landings and takeoffs shall be made from the runways only and with prior authorization
6 from the Control Tower. Rotor craft, with the concurrence of the Control Tower, may
7 take off and land on any portion of the Airport.

8 (e) ~~Intersection Takeoffs.~~ No intersection takeoffs shall be made from any of
9 the Airports' runways, without prior approval of the Control Tower.

10 (f) ~~Downwind Taxiing.~~ Downwind taxiing on the runway or stopping on the
11 runway in use is prohibited unless authorized by the Control Tower.

12 (g) ~~Aircraft Flight Training at FLL~~

13 (1) ~~Aircraft flight training operations utilizing turbine powered aircraft are~~
14 ~~prohibited.~~

15 (2) ~~Aircraft flight training operations are prohibited between the hours of 11:00~~
16 ~~p.m. and 7:00 a.m.~~

17 (3) ~~Aircraft flight training operations utilizing jet aircraft weighing in excess of~~
18 ~~fifty-eight thousand (58,000) pounds, manufactured maximum certificated~~
19 ~~takeoff weight, are prohibited.~~

20 (h) ~~Runway Use Preference at FLL.~~ Runway preference for both landings
21 and departures shall be in accordance with the Informal Runway Use Program
22 promulgated by the Aviation Department and the Control Tower.

23 (i) ~~Aircraft Noise Abatement Considerations at FLL.~~

24

Coding: Words in struck-through type are deletions from existing text. Words in
 underscored type are additions.

1 (1) ~~Except in an emergency, on arrival or departure, pilots shall, consistent~~
2 ~~with the safe operation of the aircraft, comply with noise abatement~~
3 ~~procedures published in the "FAA Airport Facilities Directory."~~

4 (2) ~~Pilots shall utilize procedures that will result in minimum noise to~~
5 ~~surrounding residential areas.~~

6 (3) ~~Air carriers shall use air carrier industry noise abatement procedures.~~
7 ~~NOTE: The above is prefaced with the authority for the Control Tower and~~
8 ~~the carrier to deviate from such procedures when operational necessity~~
9 ~~requires such a deviation.~~

10 (4) ~~Multiengine aircraft shall notify the Control Tower before making~~
11 ~~simulated engine-out takeoffs, landings, approaches, and go-arounds.~~

12 (j) (a) *Suspension of Operations.* The Director shall have the authority to
13 suspend ~~Airport O~~operations at the Airport when, in his or her opinion, existing
14 conditions may impact the health or safety of the public.

15 (k) (b) ~~Prohibiting [or] e~~*Encouraging congregation of birds or wildlife.* No person
16 shall feed or do any other act to encourage the congregation of birds or other wildlife on
17 the Airport.

18 (l) (c) *Hurricane Preparedness on the AOA.* All persons operating at the Airport
19 shall be responsible for preparing their premises and property located on the Airport for
20 protection against hurricanes and windstorms, including the removal of aircraft from
21 ramps and aprons. Such persons shall perform this work at their own expense at the
22 time and in the manner specified by the Aviation Director. Hurricane preparedness shall
23 include, if applicable, boarding up windows, securing all openings, eliminating any
24 hazards by securing all loose materials and property and any other steps deemed

1 necessary to reasonably protect buildings, premises, persons, and property from
2 damage by hurricanes or windstorms. Upon issuance of a hurricane warning by the
3 United States Weather Bureau and notice from the Aviation Director, all aircraft parked
4 or stored on the ramps and aprons shall be removed from the Airport or placed inside
5 hangars. Upon failure of such persons to carry out the responsibilities set forth in this
6 section, the Aviation Director is hereby authorized to have the work performed and
7 invoice such persons for the applicable charges.

8 ~~(m)~~ (d) *Smoking prohibited on the AOA.* Smoking any tobacco product or any
9 electronic or other artificial smoking device is prohibited on the AOA, including all ramps
10 and apron areas. Smoking shall be allowed only in those areas specifically designated
11 for smoking by the Aviation Director.

12
13 Section 3. Section 2-21 of the Broward County Code of Ordinances, "Ground
14 aircraft operations and terminal ramp operations," is hereby amended to read as
15 follows:

16 **Sec. 2-21. Ground aircraft operations and terminal ramp operations.**

17 . . .

18 (c) *Authorized Movement of Aircraft.*

19 (1) No aircraft shall taxi in areas other than those authorized by the Control
20 Tower, Ramp Control, or the Department.

21 . . .

1 Section 4. Section 2-22 of the Broward County Code of Ordinances, "Ground
2 vehicle operations on movement and nonmovement areas," is hereby amended to read
3 as follows:

4 **Sec. 2-22. Ground vehicle operations on mMovement and nNonmovement**
5 **aAreas.**

6 ...

7 (f) Use of Cellphones and Personal Electronic Devices. Drivers of vehicles
8 authorized by the Department to operate such vehicles within the Movement or
9 Nonmovement Area are prohibited from using cellphones or other personal electronic
10 devices while operating their vehicles on the Movement or Nonmovement Area.

11
12 Section 5. Section 2-25 of the Broward County Code of Ordinances, "Vehicle
13 access to the AOA," is hereby amended to read as follows:

14 **Sec. 2-25. Vehicle access to the AOA.**

15 ...

16 (f) Aircraft Under Tow on Movement Areas. Aircraft under tow on the
17 mMovement aArea shall be escorted by a vehicle equipped with two-way radio
18 communication with the Control Tower and by an operator authorized by the
19 Department to conduct mMovement aArea escorts; ~~except that aircraft operated by a~~
20 ~~certificated pilot, rated for the type aircraft and equipped with a working two-way radio in~~
21 ~~communication with the Control Tower and in communication with the tow operator,~~
22 ~~may operate on the movement area under tow with clearance from the Control Tower.~~

23 ...

1 Section 6. Section 2-26 of the Broward County Code of Ordinances, "Ground
2 support equipment," is hereby amended to read as follows:

3 **Sec. 2-26. Ground support equipment.**

4 (a) No person shall operate ground support equipment towing a train of
5 baggage or cargo carts in excess of ~~four~~ (4) five (5) carts, or in excess of ~~fifty~~ (50) sixty
6 (60) feet, unless specifically authorized by the Director.

7 ...

8 (h) Care of Aircraft Ramp, Apron, and Parking Area. Owners or operators of
9 ground support equipment that cause the overflowing or spilling of oil, grease, fuel, or
10 any similar material on the Airport: (1) shall immediately notify the Department; and (2)
11 shall be responsible for the immediate clean-up or remediation of such spillage. In the
12 event the responsible party fails to promptly clean or remediate the area in a manner
13 acceptable to the Department, then, after notice from the Department, the Department
14 may clean or remediate the area and charge the responsible owner or operator for all
15 costs and expenses relating thereto. Notification by the Department to the owner or
16 operator does not relieve such owner or operator from responsibility for such spillage.
17 In addition, the use or storage of any hazardous materials on the ramp, apron, and
18 parking areas, in violation of federal, state, County, or local laws, codes, ordinances,
19 rules, or regulations is prohibited.

20 (i) Use of Cellphones and Personal Electronic Devices. Drivers of vehicles
21 authorized by the Department to operate such vehicles within the Movement or
22 Nonmovement Area are prohibited from using cellphones or other personal electronic
23 devices while operating their vehicles on the Movement or Nonmovement Area.

1 Section 7. Section 2-30 of the Broward County Code of Ordinances,
2 "Maintenance or servicing of aircraft on the airport," is hereby amended to read as
3 follows:

4 **Sec. 2-30. Maintenance or servicing of aircraft on the airport.**

5 ...

6 (f) ~~Removal of Derelict or Abandoned Aircraft or and Derelict or Abandoned~~
7 ~~Motor Vehicles.~~

8 (1) ~~Derelict aircraft is defined as an aircraft stored, in the open, to which one~~
9 ~~or more of the following applies: The removal and disposal of derelict or~~
10 ~~abandoned aircraft at the Airport shall be made in accordance with~~
11 ~~Section 705.183, Florida Statutes, and, for purposes of this section, a~~
12 ~~derelict or abandoned aircraft shall also be defined to mean~~

- 13 a. ~~An aircraft that does not hold a current and valid airworthiness~~
14 ~~certificate issued by the Federal Aviation Administration, or other~~
15 ~~appropriate aircraft certifying authority, together with necessary~~
16 ~~aircraft registration and maintenance records with a current~~
17 ~~endorsement by an appropriately rated certificate holder that the~~
18 ~~aircraft is in an airworthy condition; or~~
- 19 b. ~~An aircraft which has been issued a condition notice by the Federal~~
20 ~~Aviation Administration that specifies that the aircraft has one or~~
21 ~~more conditions which causes it to be not airworthy; or~~
- 22 c. ~~An aircraft which has had major components, accessories, flight~~
23 ~~controls, portions of the airframe, or engines removed so as to~~
24 ~~render the aircraft not airworthy, or~~

Coding: Words in struck-through type are deletions from existing text. Words in
 underscored type are additions.

1 d. ~~A~~an unhangared aircraft located on the Airport, whether on a tenant
2 leasehold or public area, which has been continuously parked or stored on
3 the AOA, and has not landed or taken off from the Airport for a period of
4 ~~sixty (60)~~ forty-five (45) consecutive calendar days or more, unless the
5 owner of such aircraft has obtained the prior written consent of the
6 Aviation Department.

7 (2) ~~Any derelict aircraft shall be removed from the Airport within a period of~~
8 ~~ninety (90) calendar days after written notice from the Department.~~
9 ~~Notwithstanding the foregoing, the Department may make written request~~
10 ~~to the owner to demonstrate that an open work order is being actively~~
11 ~~pursued. If the owner fails to provide the Department with satisfactory~~
12 ~~evidence that such an open work order is being actively pursued within~~
13 ~~three (3) calendar days of the date requested, then such derelict aircraft~~
14 ~~shall be removed from the Airport within ninety (90) calendar days from~~
15 ~~the date the Department makes its written request to the owner for proof~~
16 ~~that an open work order is being actively pursued.~~

17 (3) (2) The removal and disposal of Aa derelict or abandoned motor vehicle at
18 the Airport shall be made in accordance with Section 705.184, Florida
19 Statutes, and, for purposes of this section, a derelict or abandoned motor
20 vehicle shall also be defined to mean ~~is defined as~~ a motor vehicle,
21 designed for use on the roadways that is in a wrecked, dismantled, or
22 partially dismantled condition, or which is discarded and in an inoperable,
23 or deteriorated, or deteriorating condition, ~~or which has an expired license~~
24 ~~tag, or does not have a license tag and is not subject to an exemption~~

1 under Florida law. Derelict motor vehicles shall be removed immediately
2 from the Airport.

3 (4) The Department shall have the authority to enforce this subsection relating
4 to the removal of derelict aircraft and derelict vehicles from County-owned
5 airports. In the unincorporated area of Broward County, the Department,
6 the Broward County Sheriff's Office ("Sheriff's Office"), and the Broward
7 County Zoning Code Services Division ("Zoning Code Services") shall
8 have the authority to enforce this subsection relating to the removal of
9 derelict aircraft and derelict vehicles from County-owned airports. Zoning
10 Code Services is authorized to utilize the power and authority granted to it
11 pursuant to Chapter 39, of the Broward County Code of Ordinances, to
12 remove any derelict aircraft or derelict motor vehicles as defined herein.
13 At North Perry Airport, the Department and the City of Pembroke Pines
14 Police Department shall have the authority to enforce this section relating
15 to the removal of derelict aircraft and derelict vehicles.

16 (5) Whenever any derelict motor vehicle or derelict aircraft is parked, stored,
17 or left in a derelict condition on the Airport in violation of the provisions
18 above, the owner or operator thereof shall be notified by the posting of
19 notice, consistent with the requirements of Chapter 705, F.S., as
20 amended, on the vehicle, aircraft or aircraft parts or components.

21 a. If the owner or operator is unknown or cannot be located, the law
22 enforcement officer, Department, or Zoning Code Services
23 enforcement officer shall conspicuously post and affix such notice
24 to said derelict aircraft or vehicle, requiring removal of said derelict

1 ~~aircraft or vehicle within five (5) calendar days from date of posting.~~
2 ~~Upon the failure of the owner or operator of the said derelict aircraft~~
3 ~~or vehicle to remove same within the period provided, the law~~
4 ~~enforcement officer, Department, or Zoning Code Services~~
5 ~~enforcement officer may cause the sale or removal of such derelict~~
6 ~~aircraft or vehicle from the Airport. All costs incurred in the removal~~
7 ~~of any such derelict aircraft or vehicle as set forth herein shall be~~
8 ~~recoverable against the owner or operator thereof.~~

9 ~~b. In addition to the posting of notice, the law enforcement officer,~~
10 ~~Department, or Zoning Code Services enforcement officer shall~~
11 ~~make a reasonable effort to ascertain the name and address of~~
12 ~~owner; and, if same is reasonably available, a notice shall be~~
13 ~~mailed to the owner on or before the date of posting.~~

14 (6) (3) Any derelict airplane or aircraft at North Perry Airport shall be either
15 removed from the Airport as required by this section, or, upon written
16 approval of the Aviation Director or the Airport Manager, it may be moved
17 by the Department to a fixed base operator or an approved maintenance
18 facility until such time as the airplane or aircraft can be removed from the
19 Airport. ~~The fixed base operator shall be entitled to collect from the owner~~
20 ~~of the airplane or aircraft any costs or charges associated therewith.~~

21
22 Section 8. Section 2-44 of the Broward County Code of Ordinances,
23 "Definitions," is hereby amended to read:

24 **Sec. 2-44. Definitions.**

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in
 underscoring type are additions.

1 . . .

2 (i) *Prearrange*. The term "prearrange" shall mean commercial ground
3 transportation ~~services which have been~~ that has been coordinated, ~~for compensation,~~
4 prior to the passenger's arrival at the Airport Terminal Complex.

5 (j) *Prearranged Ground Transportation Services*. The term "Prearranged
6 Ground Transportation Services" shall mean the transportation for compensation of any
7 passenger who prearranges for transportation services prior to arrival at the Airport's
8 ~~Terminal Complex~~. The term "Prearranged Ground Transportation Services" shall not
9 include rental car operations, whether located on the Airport or off the Airport, or any
10 taxi, limousine, or shuttle service operating at the Airport under a current lease, license,
11 permit, or concession agreement, and, in addition, shall not include any hotel or motel
12 accommodation that operates any motor vehicle provided as a "courtesy" vehicle with a
13 driver to customers who pay for the primary service with transportation included as an
14 ancillary benefit.

15 (k) *Terminal Complex*. The term "Terminal Complex" shall mean any
16 passenger terminal facility or airport facilities including all roadways, taxiways, aircraft
17 aprons, and parking facilities associated therewith and any expansion thereof or
18 improvements thereto.

19

20 Section 9. Section 2-46 of the Broward County Code of Ordinances, "Permit
21 and decal required, term," is hereby amended to read:

22 **Sec. 2-46. Prearranged ground transportation - Permit and decal required,**
23 **term.**

24

1 No person shall enter the Airport for the purpose of providing Prearranged
2 Ground Transportation Services at the Airport without first obtaining authorization to do
3 so as hereinafter set forth:

4 (a) Applicants with vehicles that provide seating for twenty (20) passengers or
5 more shall make application for a permit to the Aviation Department. Applicants with
6 vehicles that provide seating for nineteen (19) passengers or less fewer shall make
7 application to ~~Consumer Affairs~~ Broward County Permitting, Licensing and Consumer
8 Protection Division pursuant to the requirements of Chapter 22½, Broward County Code
9 of Ordinances.

10 . . .

11 (d) Permittees shall display a current decal on each of ~~permittee's~~ their
12 vehicles operating at the Airport, which decals shall be provided to permittees by the
13 Aviation Department. The Each decal issued shall be displayed on each the
14 appropriate vehicle in the ~~location~~ manner specified by the Aviation Department. In
15 addition, when providing services at the Airport, each of ~~permittee's~~ drivers shall have in
16 ~~his/her~~ his or her possession, available for inspection, a valid chauffeur's license and, if
17 the vehicle is designed to accommodate nineteen (19) or fewer passengers, an Airport
18 Identification Card ~~(this card required only when the vehicle is designed to~~
19 ~~accommodate 19 passengers or less)~~ with a corresponding vehicle permit number
20 authorizing permittee to pick up passengers at the Airport. Drivers, while on Airport
21 premises, shall also have in their possession and available for inspection a trip log and
22 a dispatch record containing each passenger's name, scheduled arrival time, and flight
23 number.

24 . . .

1 (f) Any person engaged in providing Prearranged Ground Transportation
2 Services at the Airport shall provide transportation services only to persons at the
3 Airport who have prearranged for such services. Employees, agents, individual
4 contractors, or representatives of any permittee providing Prearranged Ground
5 Transportation Services are expressly prohibited from the solicitation of business in any
6 manner whatsoever while present on the Airport.

7 . . .

8 (h) ~~Notwithstanding~~ In addition to the foregoing requirements, the County,
9 through its Aviation Department, ~~reserves the right to~~ may require all providers of
10 Prearranged Ground Transportation Services at the Airport, whether permitted by the
11 Aviation Department or Consumer Affairs the Broward County Permitting, Licensing and
12 Consumer Protection Division, to obtain a transponder, or to utilize such other electronic
13 access system that may be implemented by the Aviation Department, at the time such
14 program is implemented at the Airport.

15
16 Section 10. Section 2-50 of the Broward County Code of Ordinances,
17 "Compliance with operational guidelines," is hereby amended to read:

18 **Sec. 2-50. Compliance with operational guidelines.**

19 The Aviation Department shall establish operational guidelines governing the
20 privilege of engaging in or conducting ~~Prearranged~~ Ground Transportation Services at
21 the Airport. Such operational guidelines may add to or supplement the requirements of
22 this division and may be amended from time to time as deemed necessary.

1 Section 11. Section 2-137 of the Broward County Code of Ordinances,
2 "General use restrictions," is hereby amended to read:

3 **Sec. 2-137. General use restrictions.**

4 ...

5 (c) *Engine Run-ups.* Engine run-ups will be conducted in a designated run-up
6 area. Aircraft shall not be positioned for run-up so that the propeller blast or rotor wash
7 is directed at spectators, personnel, hangars, shops, or other vehicles. Aircraft shall not
8 taxi behind other aircraft in the process of engine run-up. All persons are responsible
9 for any damage from the effects of their propeller blast incidental to flight or during
10 ground run-ups and taxiing. Engine maintenance run-ups shall be conducted only
11 between the hours of 7:00 a.m. and 10:00 p.m.

12 ...

13 (m) Light-sport aircraft operating at the Airport shall be required to comply with
14 ~~the following:~~ all FAA regulations pertaining to light-sport aircraft.

- 15 (1) ~~Light-sport aircraft shall have on the aircraft an operable transponder and~~
16 ~~an operable two-way radio;~~
- 17 (2) ~~Each light-sport aircraft operating at the Airport shall have a registered tail~~
18 ~~number;~~
- 19 (3) ~~When operating light-sport aircraft at the Airport, each operator of the~~
20 ~~aircraft shall have a pilot's certificate issued by the FAA;~~
- 21 (4) ~~During flight instruction, the instructor shall have a Certified Flight~~
22 ~~Instructor's License ("CFI"); and~~
- 23
- 24

1 (5) ~~Light-sport aircraft shall not utilize the Airport during the hours of 7:00 p.m.~~
2 ~~through 7:00 a.m. during Daylight Savings Time, and from 5:00 p.m.~~
3 ~~through 7:00 a.m. during Eastern Standard Time.~~

4
5 Section 12. Section 2-138 of the Broward County Code of Ordinances, "Airport
6 operations area," is hereby amended to read as follows:

7 **Sec. 2-138. Airport operations area.**

8 ...

9 (i) ~~Additional Rules Pertaining to Student Flight Operations. Instructors shall~~
10 ~~acquaint each student with these rules and regulations and shall be responsible for~~
11 ~~compliance during dual instructions. Students flying solo shall be responsible for~~
12 ~~compliance.~~

13 (1) ~~All student solo flight operations shall be with the consent and knowledge~~
14 ~~of a licensed instructor.~~

15 (2) ~~Students and instructors shall be thoroughly familiar with any and all~~
16 ~~applicable FAA regulations regarding student training.~~

17 (3) ~~Instructors wishing to remain on the mMovement aArea for the purpose of~~
18 ~~a supervised solo flight shall notify the Control Tower and the Aviation Director or~~
19 ~~designee, and remain clear of taxiways and runways.~~

20 ...

21
22 Section 13. Section 2-140 of the Broward County Code of Ordinances, "Ground
23 vehicle operations," is hereby amended to read as follows:

24 **Sec. 2-140. Ground vehicle operations.**

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in
 underscored type are additions.

1 (a) No motorized vehicle shall be operated in or upon the ~~m~~Movement or
2 ~~n~~Nonmovement ~~a~~Areas unless:

3 (1) The operator is duly licensed to operate such vehicle on state, County,
4 municipal streets, roads, or highways; ~~and~~

5 (2) Such vehicle is registered and inspected in accordance with state law, or
6 is specifically exempted from such requirements; and

7 (3) Such vehicle is authorized by the Aviation Director or designee.

8 ...

9
10 Section 14. Section 2-205 of the Broward County Code of Ordinances,
11 "Vehicles not to obstruct traffic," is hereby amended to read as follows:

12 **Sec. 2-205. Vehicles not to obstruct traffic.**

13 (a) Other than for the active loading or unloading of passengers at the curb, it
14 is unlawful for any person or persons to willfully obstruct the free, convenient, and
15 normal use of any roadway, loading area, unloading area, authorized commercial
16 vehicle holding or staging area, parking aisle, crosswalk, wheelchair ramps, parking
17 entrance, or exit at the Airport by impeding, hindering, stifling, restricting, hampering, or
18 restraining traffic or passage thereon, or by endangering the safe movement of vehicles
19 or pedestrians traveling thereon.

20 ...

21
22 Section 15. Chapter 8½ of the Broward County Code of Ordinances, "Code
23 Enforcement," Section 8½-16, "Schedule of civil penalties," is hereby amended to read
24 as follows:

Coding: Words in ~~struck-through~~ type are deletions from existing text. Words in
underscored type are additions.

1 **Sec. 8½-16. Schedule of civil penalties.**

2 ...

3 (n) ~~Violations of Chapter 2, Relating to Airports and Aircraft at County Owned~~
4 ~~Airports relating to Operations and Activities on the Airport Operations Movement and~~
5 ~~Nonmovement Areas ("AOA")~~ Violations of Chapter 2, Relating to Airports and Aircraft at
6 County-Owned Airports relating to Operations and Activities on the Airport Operations
7 Movement and Nonmovement Areas ("AOA"):

Violation		Fine	
		First Violation	Repeat Violation
(1)	Encouraging congregation of birds or wildlife on the Airport (sec. 2-20 (k)(b) and 2-38(k))	\$250.00	\$500.00
(2)	Unauthorized use of terminal ramp parking (sec. 2-21(a))	250.00	500.00
(3)	Unauthorized access to a <u>Nonmovement a</u> Area or aprons (sec. 2-21(b))	250.00	500.00
(4)	Unauthorized jet propeller blast endangering persons, buildings, equipment, or other aircraft (sec. 2-21(j)(2))	150.00	300.00
(5)	Movement of aircraft by other than appropriately rated pilot or mechanic certificated by the FAA (sec. 2-21(c)(3))	150.00	300.00
(6)	Failure to park unhangared aircraft in designated space (sec. 2-21(f))	100.00	250.00

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1	(7)	Failure to adequately secure unhangared aircraft (sec. 2-	100.00	250.00
2		21(f))		
3	(8)	Unauthorized use of a hardstand or loading bridge to	250.00	500.00
4		conduct loading or unloading of passenger and/or		
5		luggage or cargo (sec. 2-21(e))		
6	(9)	Parking of unhangared aircraft on a pervious surface	100.00	200.00
7		(sec. 2-21(f))		
8	(10)	Unauthorized vehicle driving on landing areas, ramps, or	500.00	500.00
9		aprons (sec. 2-22(a))		
10	(11)	Failure of ground vehicles to yield right-of-way to aircraft	150.00	300.00
11		in motion (sec. 2-22(c))		
12	(12)	Unauthorized vehicle parking in or on a m Movement or	100.00	200.00
13		n Nonmovement <u>a</u> Area (sec. 2-22(d)(1))		
14	(13)	Failure to have Tower Clearance within the Movement	500.00	500.00
15		Area (sec. 2-22(e)(1)(2)(3))		
16	(14)	<u>Use of cellphones or other personal electronic devices</u>	<u>100.00</u>	<u>200.00</u>
17		<u>while operating vehicle on the Movement or</u>		
18		<u>Nonmovement Area (sec. 2-22(f))</u>		
19	(14)(15)	Failure to store, dispense, or handle fuel in accordance	100.00	250.00
20		with Airport's Fueling Program and in compliance with all		
21		applicable laws, codes, rules, ordinances, regulations,		
22		etc. (sec. 2-203 (a-k) and sec. 2-28))		
23				
24				

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1	(15) <u>(16)</u> Failure of driver to have all of the following when driving	100.00	200.00
2	on the AOA: (i) appropriate license, (ii) insurance, (iii)		
3	ramp driving decal, and (iv) security badge or visitor's		
4	badge (sec. 2-25(c))		
5	(16) <u>(17)</u> Failure of vehicle providing escort to an aircraft under	250.00	500.00
6	tow to have a driver authorized by the Department to		
7	conduct m Movement a Area escorts (sec. 2-25(f))		
8			
9	(17) <u>(18)</u> Failure to observe traffic control devices when operating	100.00	200.00
10	a vehicle on the ramps or aprons of the AOA (sec.		
11	2-25(g))		
12	(18) <u>(19)</u> Operating in excess of fifteen (15) miles per hour while	100.00	200.00
13	on the ramp (sec. 2-25(g))		
14	(19) <u>(20)</u> Operating a vehicle on the AOA in excess of five (5)	150.00	300.00
15	miles per hour within fifty (50) feet of an aircraft or		
16	building (sec. 2-25(g))		
17	(20) <u>(21)</u> Operating a vehicle on the AOA in a careless and	100.00	200.00
18	reckless manner (sec. 2-25(h))		
19			
20	(21) <u>(22)</u> Parking of motorized ground support equipment in a	100.00	200.00
21	manner that prevents such equipment from being readily		
22	driven or towed away from the aircraft in case of an		
23	emergency (sec. 2-25(i))		
24	(22) <u>(23)</u> Failing to yield right-of-way to an aircraft in motion or to	250.00	500.00

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1	emergency vehicles on the m <u>M</u> ovement or		
2	n <u>N</u> onmovement a <u>A</u> rea (sec. 2-25(j) or <u>and</u> sec. 2-25(k))		
3	(23)(24) Parking of vehicles or equipment within fifteen (15) feet	100.00	200.00
4	of, or in any manner that blocks or interferes with access		
5	to, a fire hydrant, fire department connection, fire lane, or		
6	any other fire protection device or equipment (sec. 2-25		
7	(m))		
8			
9	(24)(25) Leaving motor vehicle unattended on the AOA when the	100.00	200.00
10	engine is running (sec. 2-25(l) or <u>and</u> sec. 2-140 (e)		
11	<u>2-140(c)</u>)		
12	(25)(26) Operating ground support equipment towing a train of	75.00	150.00
13	baggage or cargo carts in excess of four (4) <u>five</u> (5) carts		
14	or in excess of fifty (50) <u>sixty</u> (60) feet (sec. 2-26(a))		
15	(26)(27) Operating ground support equipment on the AOA	75.00	150.00
16	without fully operational brakes, and/or towing equipment		
17	without positive locking couplings (sec. 2-26(b) and sec.		
18	2-26(c))		
19			
20	(27)(28) Parking ground support equipment on the AOA in other	75.00	150.00
21	than designated storage areas when not in use (sec. 2-		
22	26(d))		
23	(28)(29) Parking or storing of any motor vehicle or other	100.00	200.00
24	equipment on the AOA other than in areas designated or		

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1	authorized by the Department (sec. 2-26(e))		
2	(29) <u>(30)</u> Unless specifically authorized by the Aviation	75.00	150.00
3	Department, or except for minimum repairs required to		
4	remove a vehicle or equipment from the AOA,		
5	maintaining, repairing, or overhauling vehicles or other		
6	equipment on the AOA (sec. 2-26(f)(1))		
7	(30) <u>(31)</u> Failing to fuel <u>Fueling</u> motor vehicles or other motorized	150.00	300.00
8	equipment on the AOA <u>other than</u> in areas established		
9	for such purpose by the Aviation Department (sec. 2-		
10	26(f)(2))		
11	(31) <u>(32)</u> Failure to maintain motor vehicle or rolling stock	75.00	150.00
12	equipment in good operating condition and in good repair		
13	when operating on the AOA (sec. 2-26(g))		
14	(32) <u>(33)</u> <u>Failure to properly care for Aircraft ramp, apron, and</u>	<u>100.00</u>	<u>200.00</u>
15	<u>parking areas by causing the overflow or spilling of oil,</u>		
16	<u>grease, fuel, or any similar material (sec. 2-26(h))</u>		
17	(33) <u>(34)</u> <u>Use of cellphones or other personal electronic devices</u>	<u>100.00</u>	<u>200.00</u>
18	<u>while operating vehicle on the Movement or</u>		
19	<u>Nonmovement Area (sec. 2-26(i))</u>		
20	(34) <u>(35)</u> Failure to report all accidents resulting in injury or	100.00	200.00
21	damage to property or equipment on the AOA		
22	m <u>Movement and n</u> Nonmovement a <u>Area to BSO and the</u>		
23			
24			

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1	Department (sec. 2-27)		
2	(33)(36) Failure to report an aircraft accident or incident resulting	100.00	200.00
3	in injury to any person or damage to any property to the		
4	Department (sec. 2-29(a))		
5	(34)(37) Failure to remove a disabled aircraft from the AOA ₁	250.00	500.00
6	delaying use of any portion of the AOA (sec. 2-		
7	29(b)(1)(2))		
8	(35)(38) Failure to follow directions of airline agent involved in	150.00	300.00
9	aircraft push-back or power-back operation, and/or		
10	taxiing an aircraft between an aircraft involved in push-		
11	back operations and terminal gate area (sec. 2-29(d)(5))		
12	(36)(39) Failure of aircraft being taxied, towed, or otherwise	150.00	300.00
13	moved on the AOA to utilize navigational lights during		
14	the hours between sunset and sunrise (sec. 2-29(d)(7))		
15	(37)(40) Throwing, shooting, or propelling any object, or directing	250.00	500.00
16	any lighting in such a manner as to interfere with the safe		
17	operation of any aircraft or other vehicle at the Airport		
18	(sec. 2-29(e))		
19	(38)(41) Performing repairs or servicing aircraft in areas not	150.00	300.00
20	specifically approved for such purpose by the Aviation		
21	Department (sec. 2-30(a))		
22	(39)(42) Starting or operating of aircraft engines for maintenance	150.00	300.00
23			
24			

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1	purposes inside any hangar (sec. 2-30(b))		
2	(40)(43) Cleaning, washing, or polishing aircraft in violation of	150.00	300.00
3	applicable governmental rules or regulations; and/or		
4	performing such cleaning, washing, or polishing on other		
5	than an impervious surface (sec. 2-30(a))		
6	(41)(44) Failing to follow standard, approved procedures in the	150.00	300.00
7	event of an overflow or spill of oil, grease, fuel, or other	<u>100.00</u>	<u>250.00</u>
8	similar material (sec. 2-26(h) and sec. 2-30(d))		
9	(42)(45) Storing of any hazardous materials in violation of federal,	250.00	500.00
10	state, County, or local laws, codes, ordinances, rules,		
11	regulations, or County policies (sec. 2-30(d))		
12	(43)(46) Failure to remove a derelict aircraft (sec. 2-30(f)(1)(2))	250.00	500.00
13	(44)(47) Failure to remove a derelict motor vehicle (sec.	250.00	500.00
14	2-30(f)(3)(2))		
15	(45)(48) Painting, varnishing, or lacquer spraying in violation of	250.00	500.00
16	NFPA standards, or federal, state, County, or local laws,		
17	codes, ordinances, rules, regulations, or County policies		
18	(sec. 2-30(e)(2) or sec. 2-141(i))		
19	(46)(49) Failing to conduct aircraft paint stripping at approved	250.00	500.00
20	locations and/or failing to obtain appropriate		
21	environmental permits (sec. 2-30(e)(3))		
22	(47)(50) Smoking <u>other than</u> in a non-designated smoking area	<u>100.00</u>	<u>200.00</u>
23			
24			

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(sec. 2-20(m)(<u>l</u>))	<u>250.00</u>	<u>500.00</u>
(48)(51) Blocking access to a fire hydrant, fire department connection, or other fire protection devices and equipment (sec. 2-25(m))	250.00	500.00
(49)(52) Engaging in aircraft flight training operations using turbine powered aircraft (sec. 2-20(g)(1))	250.00	500.00
(50)(53) Engaging in aircraft flight training operations between 11:00 p.m. and 7:00 a.m. (sec. 2-20(g)(2))	250.00	500.00
(54)(54) Engaging in aircraft flight training operations using jet aircraft in excess of 58,000 pounds (sec. 2-20(g)(3))	250.00	500.00
(52)(55) Engaging in operations in violation of specified aeronautical use restrictions (sec. 2-29(g)(1)—(8)(1)-(8))	250.00	500.00

(q) *Violations of Chapter 2, Relating to Airports North Perry Airport ("HWO") and Aircraft at ~~County Owned Airports Specific to Activities at North Perry Airport ("NPA")~~ HWO:*

Violation	Fine	
	First Violation	Repeat Violation
(1) Maintaining or operating an airplane in excess of 12,500 pounds at <u>NPA HWO</u> (sec. 2-137(a))	\$150.00	\$300.00

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1	(2)	Conducting engine run-ups outside designated run-up	150.00	300.00
2		areas (sec. 2-137(c))		
3	(3)	Conducting engine run-ups at NPA <u>HWO</u> between the	150.00	300.00
4		hours of 10:00 p.m. and 7:00 a.m. (sec. 2-137(c))		
5	(4)	Conducting engine run-ups so engine blast is directed at	150.00	300.00
6		spectators, other aircraft, personnel, hangars, shops, or		
7		other vehicles (sec. 2-137(c))		
8				
9	(5)	Operating, keeping, or storing aircraft not in conformity	150.00	300.00
10		with published FAA airworthiness standards without prior	<u>100.00</u>	<u>250.00</u>
11		approval of the Airport Manager <u>Aviation Director or</u>		
12		<u>designee</u> (sec. 2-137(d))		
13	(6)	Posting billboards or signs, distributing circulars or other	75.00	150.00
14		advertising media without the prior written consent of the	<u>100.00</u>	<u>200.00</u>
15		Aviation Director <u>or designee</u> (sec. 2-137(k) or sec. 2-		
16		141(d))		
17	(7)	Parking vehicles outside of designated areas without the	75.00	100.00
18		prior approval of the Airport Manager <u>Aviation Director or</u>		
19		<u>designee</u> (sec. 2-137(l))		
20				
21	(8)	Tampering or interfering with security alarms, locks, or	250.00	500.00
22		closing mechanisms of any door or gate leading to the		
23		AOA or other secure area (sec. 2-137.1(a)(2))		
24	(9)	Parking, storing, or repairing aircraft outside areas	150.00	300.00

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1	designated for such use by the County or Airport Manager		
2	<u>Aviation Director or designee</u> (sec. 2-139(a))		
3	(10) Operating a motor vehicle on the m <u>Movement</u> or	150.00	300.00
4	n <u>Nonmovement</u> a <u>Area</u> without proper licensing and	<u>100.00</u>	<u>200.00</u>
5	registration, <u>or authorization by the Aviation Director or</u>		
6	<u>designee</u> (sec. 2-140(a)(1), or sec. 2-140(a)(2)) (sec. 2-		
7	<u>140 (a)(1-3))</u>		
8	(11) Operating a fuel transport or fuel service vehicle, tug, or	150.00	300.00
9	any and all other motor vehicles on the m <u>Movement</u>		
10	a <u>Area</u> without being escorted by the Aviation Department		
11	(sec. 2-140(b))		
12	(12) Conducting commercial activities, occupying, or using any	250.00	500.00
13	portion of NPA <u>HWO</u> without the prior approval of County		
14	or <u>the Aviation Director or designee</u> (sec. 2-137(f) and		
15	sec. 2-141(a))		
16	(13) Parking or storing aircraft, vehicles, or property without	100.00	200.00
17	specific authorization of the airport manager <u>Aviation</u>		
18	<u>Director or designee</u> (sec. 2-141(e))		
19	(14) <u>Allowing the accumulation of materials that give the</u>	<u>150.00</u>	<u>300.00</u>
20	<u>premises an unsightly appearance</u> (sec. 2-141(f))		
21	(14)(15) Improper parking of aircraft so as to obstruct view by	150.00	300.00
22	the Control Tower of any m <u>Movement</u> a <u>Area</u> (sec. 2-		
23			
24			

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1	141(h))		
2	(15)(16) Failing to control and keep secure ingress to or egress	100.00	250.00
3	from the AOA (sec. 2-137.1(a))		
4	(16)(17) Failing to wear and/or display a proper General Aviation	50.00	100.00
5	Identification Badge ("GA Badge") when entering, <u>or</u>		
6	exiting, or while on ₁ the AOA (sec. 2-137.1(b))		
7	(17)(18) Allowing unauthorized use of a GA Badge	250.00	500.00
8	(sec. 2-137.1(b))**		
9	(18)(19) Providing false or misleading information on an	250.00	500.00
10	application for a GA Badge (sec. 2-137.1(b))**		
11	(19)(20) Unauthorized driving on the m Movement a Areas,	150.00	300.00
12	runways ₁ or taxiways (sec. 2-140(d))	<u>500.00</u>	<u>500.00</u>
13	(20)(21) Smoking <u>other than</u> in a non-designated smoking area	100.00	200.00
14	(sec. 2-142(f))	<u>250.00</u>	<u>500.00</u>
15	(21)(22) Blocking access to a fire hydrant, fire department	250.00	500.00
16	connection ₁ and other fire protection devices and	<u>100.00</u>	<u>200.00</u>
17	equipment (sec. 2-142(g))		

20 ...

21 Section 16. SEVERABILITY.

22 If any portion of this Ordinance is determined by any Court to be invalid, the
 23 invalid portion shall be stricken, and such striking shall not affect the validity of the
 24

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1 remainder of this Ordinance. If any Court determines that this Ordinance, or any portion
2 hereof, cannot be legally applied to any individual(s), group(s), entity(ies), property(ies),
3 or circumstance(s), such determination shall not affect the applicability hereof to any
4 other individual, group, entity, property, or circumstance.

5
6 Section 17. INCLUSION IN CODE.

7 It is the intention of the Board of County Commissioners that the provisions of
8 this Ordinance shall become and be made a part of the Broward County Code; and that
9 the sections of this Ordinance may be renumbered or relettered and the word
10 "ordinance" may be changed to "section," "article," or such other appropriate word or
11 phrase in order to accomplish such intentions.

12
13 Section 18. EFFECTIVE DATE.

14 This Ordinance shall become effective as provided by law.

15
16 ENACTED

17 FILED WITH THE DEPARTMENT OF STATE

18 EFFECTIVE

19 Approved as to form and legal sufficiency:
20 Joni Armstrong Coffey, County Attorney

21
22 By: /s/ Robert L. Teitler 06/11/14
23 Robert L. Teitler (Date)
24 Assistant County Attorney

RLT/dmv
06/18/14
Chapter 2 and 8 1/2 Ord.doc
14-071.11; 14-414

PROPOSED

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