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ORDINANCE NO. 25622

AN ORDINANCE AMENDING TITLE 1, TULSA REVISED ORDINANCES, TITLED "AIRPORTS AND AIRCRAFT" IN ITS ENTIRETY; ADOPTING AMENDMENTS TO CHAPTER 1, ENTITLED "PURPOSE AND DEFINITIONS"; ADOPTING AMENDMENTS TO CHAPTER 2, ENTITLED "GENERAL REGULATIONS"; ADOPTING AMENDMENTS TO CHAPTER 3, ENTITLED "AIRPORT OPERATIONAL RULES AND REGULATIONS"; ADOPTING AMENDMENTS TO CHAPTER 4, ENTITLED "AVIATION FUEL FLOW FEE"; ADOPTING AMENDMENTS TO CHAPTER 5, ENTITLED "AIRPORT COMMERCIAL BUSINESS EXTERIOR SIGN POLICY"; ADOPTING AMENDMENTS TO CHAPTER 6, ENTITLED "FINE SCHEDULE"; PROVIDING FOR SEVERABILITY; REPEALING OTHER 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 in its entirety as follows:

"TITLE 1 - AIRPORTS AND AIRCRAFT

CHAPTER 1. - Purpose And Definitions

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 or non-aeronautical activities or airport practices, processes and equipment, which are not otherwise defined herein, shall be construed according to their general usage in the aviation or airport 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:

Aircraft means any contrivance used or designed for navigation or flight in the air.

Airport and Airport Property means any and all land described and listed on the then current Airport Layout Plan and that property included in the current lease between the City of Tulsa and Tulsa Airports Improvement Trust, including real property owned by the City and/or the Tulsa Airports Improvement Trust which is used to operate a general aviation or commercial service airport, which airports are currently referred to as Tulsa International Airport and Tulsa Riverside Airport, together with all buildings, facilities, and improvements thereto within the boundaries of such airports including roads constructed with airport revenue and used exclusively for an airport purpose.

Airport Layout Plan (ALP) means the drawing set approved by the FAA in order to receive federal financial assistance; to provide for long term planning of the Airport; to record aeronautical, non-aeronautical, and mixed use requirements at the Airport; to protect the airspace; and to use as a planning document for FAA and Airport employees.

Airport Operations Area (AOA) means a portion of an Airport, specified in the Airport security program, in which security measures specified in 49 CFR are carried out. This area includes Aircraft Movement Areas, Aircraft parking areas, Ramps, and safety areas, for use by Aircraft regulated under 49 CFR parts 1542, 1544, and 1546, and any adjacent areas (such as general aviation areas) not separated by adequate security systems, measures, or procedures, and the Airport grounds enclosed by security fencing.

Airport Operations Division or Department means the Airport division established by the Tulsa Airports Improvement Trust to provide operational oversight, safety and security for the Airport Operations Area.

Airport Parking Facilities means any parking lot owned and operated by the Tulsa Airports Improvement Trust, including commercial parking facilities and parking facilities provided by permit to vendors, contractors, and employees of Tulsa Airports Improvement Trust and other Persons who work and Park at the Airport in Airport Parking Facilities.

Airport Police Service Officer means a non-sworn Airport employee under the direction of the chief of TIAPD police, whose duties are to assist in compliance with Airport safety and security regulations.

Airport Rules and Regulations means the provisions of this title, as may be amended from time to time.

Air Traffic Control Tower (ATCT) means 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.

Apron or Ramp means those areas of the Airport within the AOA designated for the maneuvering, loading, unloading, servicing or parking of Aircraft while on the ground.

Authority means the Tulsa Airport Authority (TAA), a charter agency of the City of Tulsa.

Authorized Representative of the Chief Executive Officer means an employee of the Tulsa Airports Improvement Trust who is designated by the Airport CEO in writing to act on behalf of the CEO.

City means the City of Tulsa, a municipal corporation of the state of Oklahoma.

Commercial Activity means the conduct of any aspect of a business or concession, or the provision or offering of any goods and services or advertising at the Tulsa International Airport or the Tulsa Riverside Airport for profit.

Chief Executive Officer or **CEO** means the Chief Executive Officer of the Tulsa International Airport and Tulsa Riverside Airport.

Chief Operating Officer or **COO** means the Chief Operating Officer of the Tulsa International Airport and the Tulsa Riverside Airport.

Cruise means the operation of any taxicab, paratransit or ground transportation 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.

Disabled Aircraft means an Aircraft in a Non-Flyable Condition that is parked, stored, located or left on Airport Property, including subleased premises for a period in excess of ninety (90) days. A Non-Flyable Condition is where the CEO determines that any one of the following apply: (1) the Aircraft does not have a current and valid Certificate of Registration from the Federal Aviation Administration; (2) the Aircraft does not have a current and valid Certificate of Airworthiness from the Federal Aviation Administration; (3) the Aircraft is not airworthy (as determined in accordance with 49 U.S.C. Sec. 44704); (4) the Aircraft fails to contain all of its critical parts and systems, such as an engine(s), instrumentation, structural components, safety systems, etc.; (5) the Aircraft requires more than ten hours of mechanical repair and additional parts in order to become airworthy (as determined in accordance with 49 U.S.C. Sec. 44704); or (6) the Aircraft is not able to move under its own power and without the assistance of a tug.

Expressive Activity means the sale of printed materials, the distribution of printed materials, Solicitation, signature collecting and demonstrations at the Tulsa International Airport or the Tulsa Riverside Airport.

Landside Agent means a non-sworn Airport employee under the direction of the chief of TIADP police, whose duties are to assist in compliance with Airport safety and security regulations.

Motor Vehicle or Vehicle means any ground vehicle propelled by an internal combustion engine, electric motor, or other propellant.

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

Object-Free Area (OFA) means 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.

Offense means 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

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order, public peace, morals, public justice, health and safety of the City. Every act which is declared to be unlawful is also hereby declared to be an offense.

Park means the standing of a Motor Vehicle or Aircraft whether occupied or not, other than temporarily for the purpose of, and while actually engaged in, loading or unloading baggage, packages, merchandise, or passengers.

Passenger Terminal Complex means the passenger terminal facilities at Tulsa International Airport, including all levels of the buildings and the Airport Operations Area buildings, the parking garage, service buildings, surface parking facilities and all streets and non-public roads associated therewith.

Pedestrian means any individual traveling on foot within the borders of the Airport.

Person or **Entity** means 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.

Picket or **Picketing** means a type of Expressive Activity by demonstration or demonstrating by making speeches, marching, picketing, holding vigils and other forms of like conduct by one or more individuals which involves the communication by words or behavior of ideas, opinions, beliefs or views to individuals at the Airport, and is undertaken with the intent or is likely to have the effect of drawing a group of listeners or onlookers.

Service Animals means 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.

Solicit or **Solicitation** means 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.

Taxilane means the portion of the Aircraft parking area used for access between Taxiways and Aircraft parking positions.

Taxiway means a defined path established for the taxiing of Aircraft from one part of an Airport to another.

Transportation Security Administration (TSA) means the agency of the United States Department of Homeland Security that regulates Airport and Aircraft security or its successor agency.

Tulsa Airports Improvement Trust (TAIT) means the trust created and established for the benefit of the City, under the authority of, and pursuant to Okla. Stat. tit. 60 § 176, et seq., as amended from time to time.

Tulsa International Airport Police Department (TIAPD) means the law enforcement division duly authorized by the State of Oklahoma pursuant to Okla. Stat. tit. 74 §360.16 et seq., and that certain Jurisdictional Agreement between the Tulsa Police Department and the

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TIAPD to enforce the laws of the State of Oklahoma, the provisions of this title, and the Airport Rules and Regulations of the Tulsa International Airport.

Section 102. - Words and phrases not defined.

Other than as set forth in Section 101, terms not defined in this title shall have their ordinarily accepted meanings or such as the context may imply.

Section 103. - Construction of Ordinance.

Throughout this Ordinance, unless the context clearly requires otherwise:

- a. The singular includes the plural and vice versa;
- b. The words “and” and “or” are both conjunctive and disjunctive;
- c. The words “all” and “any” mean “any and all”;
- d. The word “including” means “including without limitation”;
- e. Reference to sections respectively mean the sections of these Ordinances.
- f. The words “must” or “will” or “shall” in this ordinance indicate mandatory requirements.

CHAPTER 2. - General Regulations

Section 200. - Advertising and display of commercial speech.

Advertising at the Airport is governed by TAIT’s advertising policy for the Tulsa International Airport and Tulsa Riverside Airport, which is subject to reasonable and viewpoint neutral limitations and restricted to advertising, governmental public service advertising and advertising by community promotional organizations.

Additionally, no Person shall post, distribute, or display signs, advertisements, circulars, pictures, sketches, or drawings, whether in print or electronic media, or engage in any other commercial speech at the Airport or on Airport Property without first complying with Section 209, Public Use of Airport Property.

Section 201. – Airport Emergency Administration.

- A. When an emergency exists, the CEO or the Authorized Representative(s) of the CEO shall, as authorized by the laws of the state of Oklahoma and 14 CFR Part 139, take action as necessary, in the CEO’s 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 CEO, or the Authorized Representative of the CEO, determines the condition of the Airport or any part thereof is unsafe for taxiing, landings or takeoffs, the CEO shall

issue, or cause to be issued, a Notice to Airmen (NOTAM) closing the Airport or any part thereof.

Section 202. - Animals.

- A. No Person other than a disabled individual with a Service Animal, an individual with a certified therapy animal approved by the CEO under an Airport therapy animal program, 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 an individual's arms, or restrained by a leash so that such individual 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 within the Passenger Terminal Complex, or Airport Parking Facilities without removing evidence of the event.

Section 203. - Compliance with rules and regulations.

- A. All activities at the Airport 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 CEO, Airport policies, and the provisions of the Airport Rules and Regulations.
- B. Any permission granted by the CEO, Authority or TAIT, expressed or by implication, to any Person to enter or to use the Airport or any improvements, facilities or equipment is conditioned upon compliance by that Person with all pertinent federal, state and local laws and the Airport Rules and Regulations.
- C. TAIT or 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 or customer facility charges, or any other governmental program in which TAIT or the Authority participates to obtain funds for use at an Airport.

Section 204. - Damage to Airport Property.

Any Person damaging, injuring or destroying Airport Property, either by accident or otherwise, shall be liable for the actual value of the repair or replacement of the property so damaged or destroyed and for an assessment of reasonable administrative costs.

Section 205. - Disposition of waste material.

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

Section 206. - Weapons.

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- A. The prohibitions and Offenses set forth in Title 27, Chapter 15 - Weapons, Tulsa Revised Ordinances, as may be amended from time to time, are applicable to all Airport Property.
- B. In addition thereto, it shall be unlawful and an Offense for any Person to engage in the use of weapons and archery equipment consisting of arrows and bows or crossbows on Airport Property.
- C. Except for wildlife control measures necessary for proper operation of the Airport performed by employees or contractors of the Airport, no Person shall hunt, fish, kill, or trap any animal on Airport Property.

Section 207. - Lost and abandoned property and personal property which comes into the possession of the Tulsa International Airport Police Department.

A. Lost and Found.

Lost and found or abandoned personal property which is recovered or turned into the administrative offices, or to an employee of the Airport, will be logged, inventoried and held and disposed of in accordance with the Airport's lost and found policy.

B. Personal Property in Possession of the Tulsa International Airport Police Department.

Personal property or legal tender which has come into the possession of the Tulsa International Airport Police Department is subject to the provisions of Okla. Stat. tit. §§ 34-104, as the same may be amended from time to time.

C. Tenant Lost and Found Programs.

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 208. - Maintenance and Care of Leased or Licensed Airport Property.

A. No lessee or licensee of TAIT, without the express written permission of the CEO, shall:

1. Permit grass or ground cover vegetation on leased or licensed Airport Property to reach a height in excess of six (6) inches;
2. Allow trees or shrubbery on leased or licensed Airport Property to limit visibility for Motor Vehicle or Aircraft movement, or extend into prohibited airspace or any right-of-way of the Airport, including runways and Taxiways;
3. Park, store, keep or permit to be parked, stored or kept, in the open on leased or licensed Airport Property or the Airport, 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. Park, store, keep, or permit to be parked, stored, or kept, a Disabled Aircraft on open areas of leased or licensed Airport Property or otherwise at the Airport;

5. Allow the accumulation of rubbish, trash or other waste material on leased or licensed Airport Property.
- B. No Person shall use or permit others to use any leased or licensed Airport Property, including hangars for non-aeronautical Commercial Activity, unless the leased or licensed Airport Property has been designated on the ALP (as approved by the FAA) as a non-aeronautical area of the Airport.
- C. No Person shall use or permit others to use hangars for storage of non-aeronautical personal property except as provided under the current FAA Policy on the Non-Aeronautical Use of Airport Hangars, 81 Fed. Reg. 38906 as the same may be amended from time to time.
- D. No assessment of fines issued for a violation of any section of this chapter shall preclude or negate any remedies provided to TAIT under the terms and conditions of any lease or sublease or license between TAIT and a lessee or licensee.

Section 209. - Public use of Airport Property.

- A. The Airport is not a public forum.
- B. No Person shall engage in Expressive Activity on Airport Property, including, but not limited to, the Airport terminals, sidewalks, walkways, and parking lots, without filing for and receiving a permit issued by the Airport under the Airport policy on free speech and Expressive Activity. Such permitted Expressive Activity must be conducted in accordance with this policy and the terms of the permit so issued.
- C. No Person shall Picket, demonstrate, distribute printed material, sell printed material, Solicit, collect signatures, conduct polls or surveys, without first obtaining a permit issued by the Airport Chief Operating Officer, granted under the authority of the current Airport policy on free speech and Expressive Activity.
- D. No Person shall take still, video or motion pictures and/or sound recordings of voices or people on the Airport for commercial purposes without a license authorized by the Chief Executive Officer of TAIT; provided, however, the CEO 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 CEO.

Section 210. - 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 3. – Airport Operational Rules and Regulations

Section 300. - Airport Operations Area, Movement Area, and Secured Area Restrictions.

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A. Restrictions on Persons.

1. No Person may, without an Airport security badge issued in accordance with the Airport's approved security program, enter the Air Operations Area, Movement Area, or any secured area(s) at Tulsa International Airport, except Persons escorted by an individual displaying an appropriately-issued Airport security badge, except that ticketed airline passengers who have cleared the TSA checkpoint for the purpose of enplaning an Aircraft, or airline passengers deplaning an Aircraft, may enter the interior secured areas of the Passenger Terminal Complex for the limited purposes of enplaning or deplaning from an Aircraft.
2. No Person (including a Person operating a Motor Vehicle or an Aircraft) shall enter a Movement Area unless the Person is in direct communication with the ATCT or is being directly escorted by authorized Airport personnel.
3. No Person may tow an Aircraft from non-movement areas through Movement Areas without the express consent of the TAIT Airport Operations Department or Tulsa Riverside Airport manager, and such Person with the express consent shall establish, gain approval, and maintain contact with the Airport Operations Department and comply with the Airport Operations Department or Tulsa Riverside Airport manager directions.
4. No Person shall Park a Motor Vehicle or an Aircraft within the boundaries of any Movement Area, unless approved by Airport Operations Department or Tulsa Riverside Airport manager.
5. No Person shall Park Motor Vehicles or Aircraft on Taxiways, Taxilanes or the Object-Free Areas at the Airport without express consent of the Airport Operations Department or Tulsa Riverside Airport manager.

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. No Aircraft shall be started or run up to full power at an Airport, except for places designated for such purposes by the CEO.
3. No pilot or mechanic shall 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 any flammable or combustible material on the ground under such Aircraft.
5. Helicopters operated at the Airport must have braking devices or rotor mooring blocks applied to the rotor blades.

C. Taxiing Aircraft or helicopters.

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.

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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. The CEO 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.
2. 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.
3. Motor Vehicles shall only be operated within the Movement Area by Movement Area trained drivers, and in the non-movement area by non-movement area trained drivers.
4. No Person shall drive any Motor Vehicle on Airport Property in excess of posted speed limits.
5. No operators of Motor Vehicles shall operate within an Object-Free Area without the express consent of the Airport Operations Department.

Section 301. - 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. Tulsa Airports Improvement Trust is authorized to remove to the nearest location designated or maintained by TAIT or the City, or cause to be removed by reasonable means, any Aircraft in violation of the provisions of this section; provided that such impounded Aircraft shall be surrendered to the duly registered owner or lessee upon payment to the City of all reasonable costs of removal and storage which shall have accrued to such Aircraft in compliance with Title 24, Section 305, of the Tulsa Revised Ordinances.

Section 302. - Vehicle operations in public areas.

- A. The CEO 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.
- B. No Person shall drive any Motor Vehicle on Airport Property in excess of posted speed limits.
- C. No Person shall Cruise the Passenger Terminal Complex for the purpose of Soliciting business or fares.

- D. No Person shall make repairs to a Vehicle in the Passenger Terminal Complex area unless such repairs are minor, i.e. flat tire or dead battery, but in no event shall the minor repairs create an unsafe condition or nuisance.
- E. 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 or in such other manner as directed by a TIAPD Police Officer, Airport Police Service Officer, Landside Agent, or City of Tulsa Police Officer.
- F. No Person shall fail to promptly obey any lawful command by any TIAPD Police Officer, Airport Police Service Officer, Landside Agent, City of Tulsa Police Officer, or other Authorized Representative of the CEO or duly authorized representative of the City, when so identified.
- G. No Person shall operate a commercial ground transportation service Vehicle within the boundaries of the Tulsa International Airport without holding a current and valid permit issued by TAIT in accordance with TAIT's ground transportation services policy, as it may be amended and in effect from time to time, and agreeing to comply with such policy.
- H. Tulsa Airports Improvement Trust is authorized to remove to the nearest location designated or maintained by TAIT or the City, or cause to be removed by reasonable means, any Motor Vehicle in violation of the provisions of this section; provided that such impounded Motor Vehicle shall be surrendered to the duly registered owner or lessee upon payment to TAIT or to the City of all reasonable costs of removal and storage which shall have accrued to such Vehicle or Aircraft in compliance with Title 24, Section 305, of the Tulsa Revised Ordinances.

Section 303. Abandoned or Junked Vehicles as a Nuisance at Airport Parking Facilities; Disabled Individual's Parking.

- A. No Person shall deposit, store, keep or permit to be deposited, stored or kept in and upon Airport Parking Facilities a dismantled, unserviceable, inoperable, junked or abandoned Motor Vehicle or any Vehicle legally or physically incapable of being operated, for a period exceeding forty-eight (48) hours.
- B. Tulsa Airports Improvement Trust is authorized to remove to the nearest location designated or maintained by TAIT, or cause to be removed by reasonable means, any Motor Vehicle in violation of the provisions of this section; provided that the registered owner or lessee will be provided information by TAIT, when requested, sufficient to identify the location designated or maintained by TAIT or other location of such impounded Motor Vehicle such that the registered owner or lessee of said Motor Vehicle may arrange for the Motor Vehicle's recovery at their own cost.
- C. Tulsa Airports Improvement Trust is authorized to enforce in any Airport Parking Facilities the provisions of Title 37, Chapter 5 Section 525 through 527 of the Tulsa Revised Ordinances with respect to disabled person's parking, unauthorized use of disabled person's parking and the penalties associated with a violation of said sections.

Section 304. - Adoption of NFPA 407, Standard for Aircraft Fuel Servicing (2022)

The National Fire Protection Association, Standard for Aircraft Fuel Servicing, Standard 407 (2022) (“NFPA 407” or “Standard”), or as prescribed in the most current revision thereof, is hereby adopted for the purpose of establishing reasonable minimum fire safety requirements for the protection of persons, aircraft, and other property at the Airports from fire and explosion hazards during ground fuel servicing of Aircraft. Each Standard specified in NFPA 407 is hereby adopted and made a part hereof as if fully set out in this section. Electronic and hard copies of NFPA 407 are on file at Tulsa International Airport and Tulsa Riverside Airport.

Section 305. - 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.

The Tulsa Airports Improvement Trust shall assess a fuel flow fee on all aviation fuel, including AVGAS 100LL, Military Jet Propellant 8 (“Military JP-8”), Jet A and Jet A-1 fuel, 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 lessee and licensee at the Airport who dispenses aviation fuel, shall pay to TAIT, for the use and benefit of TAIT, a fuel flow fee for each gallon of aviation fuel dispensed during any calendar month. The amount of the fuel flow fee shall be established by TAIT and the Authority and may be changed at any time as shall be in the best interests of the Airport by approving such change and publishing the new rate in the Airport’s Schedule of Rates, Fees, and Charges.

Section 402. - Exemption from fuel flow fee.

The fuel flow fee shall not apply to aviation fuel dispensed for commercial service air carriers or cargo carriers with scheduled service and a license to operate at the Airport.

Section 403. - Accounting and reporting.

Within twenty (20) days of the preceding calendar month, every lessee or licensee subject to this section shall provide to TAIT a verified fuel flow report in a form provided by TAIT of: 1) all aviation fuel received from a fuel supplier, and 2) all aviation fuel dispensed by the reporting entity at the Airport, including aviation fuel which is exempt from the fuel flow fee under Section 402 above, during the preceding calendar month. The report must contain the volume of aviation fuel from the reporter’s beginning inventory (“BI”) plus any purchases and deliveries during the month

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("P&D") minus the volume of aviation fuel from the ending inventory ("EI"), and these volumes shall be used as the volume of aviation fuel used to calculate the fuel flow fee. i.e., BI + P&D – EI = Volume of aviation fuel dispensed. The total volume of aviation fuel dispensed shall be multiplied by the published fuel flow fee to determine the amount due to TAIT. A late fee of Fifty Dollars (\$50.00) will be assessed for fuel flow reports not received by TAIT by the due date.

Section 404. –Payment

Every lessee or licensee subject to this chapter shall provide, with the monthly verified fuel flow report required by Section 403, a payment to TAIT of the fuel flow fee for each gallon of fuel dispensed on the Airport during the preceding calendar month at the rate and in the amount then currently approved in the Airport's published Schedule of Rates, Fees, and Charges. Fuel flow fee payments received by TAIT after the due date will be assessed interest equal to eighteen percent (18%) per annum (one and one-half percent (1½%) per month) of the amount due (or the amount allowed by Oklahoma law if less than eighteen percent (18%)), accruing monthly until full payment is made to TAIT.

Section 405. - Auditing.

Each lessee or licensee subject to this chapter 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 chapter within the city limits of the City of Tulsa for a period of three (3) years from the due date of a fuel flow report. TAIT and/or the City, 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 TAIT 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 with reasonable notice.

CHAPTER 5. - Airport Commercial Business Exterior Sign Policy

Section 501. - Interpretation.

The provisions of Tulsa Revised Ordinances, Title 42, Chapter 60 - Signs, § 60.010 et seq., as the same may be amended from time to time, are hereby incorporated by reference and made a part of this chapter as if fully set out herein. The more restrictive provisions of the Tulsa International Airport and the Tulsa Riverside Airport Commercial Business Exterior Sign Policy will control in the case of a conflict where height, line of sight, and other Airport restrictions are governed by Federal Aviation Regulations, 14 CFR Part 77, Safe, Efficient Use, and Preservation of Navigable Airspace.

Section 502. - General requirements.

- A. Before any business sign is erected on Tulsa International Airport or Tulsa Riverside Airport, a tenant, subtenant, or licensee shall obtain the approval of a Tenant Construction or Alteration Application ("TCAA") from the Tulsa Airports Improvement Trust, and subsequently a City

of Tulsa Sign Permit from the City. Off-leasehold signage or advertising on other Airport Property by a tenant, subtenant or licensee is prohibited. Signs must meet all local and state building and zoning codes and all federal requirements.

- B. An Airport TCAA form shall be completed with tenant's, subtenant's or licensee's business name, contact individual, and phone number, and submitted to the CEO or the CEO's designated department, along with one (1) 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. After approval of the TCAA and the TAIT sign permit, the tenant or licensee should apply for a City of Tulsa Sign Permit and provide a copy of the same to TAIT. All signs shall be permanently affixed to a building, fuel dispensing facility, fuel truck or the ground within the boundaries of a leasehold or licensed 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 fifteen (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 fifteen (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 thirty-five (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 14 CFR, Part 77, Safe, Efficient Use, and Preservation of 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, subtenant, or licensee 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, subtenant or licensee within thirty (30) days of obsolescence. Damaged signs are to be repaired or removed by tenant, subtenant or licensee within thirty (30) days of occurrence.

Section 503. - Display surface area.



- A. The aggregate display surface area of wall signs shall not exceed three (3) 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, subtenants, and licensees leasing an aggregate leasehold or licensed area of at least two (2) acres are permitted a total of three (3) ground signs or projecting signs, or any combination thereof, on the total leased or licensed premises per Airport (Tulsa International Airport or Tulsa Riverside Airport).

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 (2) 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 (2) 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 must be limited to one (1) sign not exceeding one (1) square foot.
- D. **Safety markings.** Standardized safety markings for fuel pump facilities, fuel trucks and fuel storage facilities must 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. A tenant, subtenant or licensee may display any combination of one (1) corporate flag, one (1) City of Tulsa flag, one (1) Oklahoma State flag, and one (1) Standard, unmodified and official American flag on either the public side or the air side of one (1) of its buildings. For aggregate leasehold areas up to thirty (30) acres, flag size (per flag) may not exceed sixty (60) square feet and flagpoles may not exceed thirty-five (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, 14 CFR Part 77, Safe, Efficient Use, and Preservation of 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 prohibited; provided, however this shall not restrict placement of any signs of warning, directive, or instructional nature erected by TAIT or the Authority, a public utility, franchised transportation company, or governmental agency; signs, not exceeding three (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.

Section 506. - Variances and exceptions.

- A. Requests for variances to this sign policy must be submitted in writing to the CEO or designated department 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 TAIT and the Authority.
- B. Requests for variances must follow the application procedures set out in this chapter.
- C. 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 or Alteration Application must be approved by TAIT and 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 TAIT or 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.

Pursuant to Okla. Stat. tit. 11 § 28-113(C), in lieu of an appearance before the Municipal Court, the City may designate, by ordinance, penalties not to exceed \$500.00 to be paid for Offenses which may be satisfied by payment at the Court. 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.

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FINE SCHEDULE

Section Reference	Description	Fine for Penalty
CHAPTER 2 – GENERAL RULES AND REGULATIONS		
202.A	Unrestrained Animal	\$ 75.00
202.B	Failure to Clean Up After Animal	\$ 75.00
205	Failure to Properly Dispose of Waste Material	\$ 75.00
206.B.	Use of Weapons on Airport Property	\$500.00
207.C	Hunting on Airport Property	\$500.00
208.A.1-5	Failure to Properly Maintain Airport Property	\$150.00
208.B.	Use of Hangar for Non-Aeronautical Commercial Activity	\$150.00
208.C	Storage of Non-Aeronautical Property	\$150.00
209.B	Picketing or Material Distribution without Authorization	\$150.00
209.C	Solicitation on Airport Property or Conducting Poll or Survey	\$150.00
209.E	Taking Pictures for Commercial Purposes	\$150.00
CHAPTER 2 – 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.2	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	Failure to Properly Secure Unattended Aircraft	\$150.00
302.B	Operating Vehicle in Excess of Posted Speed	\$150.00

302.C	Cruising Passenger Terminal Complex for Soliciting Fare	\$150.00
302.D	Vehicle Repair in unsafe condition on the Terminal Complex	\$150.00
302.E	Parking in an Undesignated Area	\$150.00
302.F	Failure to Obey Lawful Command	\$150.00
302.G	Operating a Commercial Ground Transportation Vehicle without a Permit	\$150.00

CHAPTER 5 – 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

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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"

Section 2. *REPEAL OF CONFLICTING ORDINANCES.* That all ordinances or parts of ordinances in conflict herewith be and the same are now expressly repealed.

Section 3. *SEVERABILITY CLAUSE.* If any section, subsection, paragraph, subparagraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance, which shall remain in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 4. *EMERGENCY CLAUSE.* That an emergency is now declared to exist for the preservation of the public peace, health and safety by reason whereof this ordinance shall take effect immediately from and after its adoption, approval and publication.

ADOPTED by the Council: JUL 16 2025
Date


Chair of the Council

ADOPTED as an emergency measure: JUL 16 2025
Date


Chair of the Council

OFFICE OF THE MAYOR

APPROVED by the Mayor of the City of Tulsa, Oklahoma: JUL 21 2025
Date

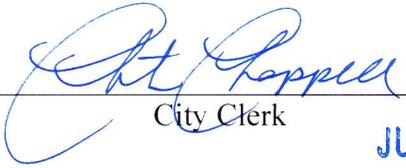
at _____
Time


Mayor

10/10

10/10

(Seal)
ATTEST:



City Clerk

JUL 21 2025



APPROVED:



City Attorney

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