



Legislation Details (With Text)

File #: 23-041-O **Name:**
Type: Ordinance **Status:** Passed
File created: 10/31/2023 **In control:** Committee of the Whole
On agenda: 11/13/2023 **Final action:** 11/20/2023
Title: ORDINANCE AMENDING CHAPTER 4, ARTICLE IV, OF THE DULUTH CITY CODE TO MODERNIZE LANGUAGE AND UPDATE PARKING REGULATIONS.

Sponsors:

Indexes:

Code sections:

Attachments:

Date	Ver.	Action By	Action	Result
11/20/2023	1	City Council	adopted	
11/13/2023	1	City Council	read for the first time	

ORDINANCE AMENDING CHAPTER 4, ARTICLE IV, OF THE DULUTH CITY CODE TO MODERNIZE LANGUAGE AND UPDATE PARKING REGULATIONS.

CITY PROPOSAL:

The city of Duluth does ordain:

Section 1. That Chapter 4, Article IV, title, of the Duluth City Code be amended as follows:

Article IV. Parking and Parking Meter Regulations at Duluth International Airport and Duluth Sky Harbor Airport.

Section 2. That Chapter 4, Article IV, Section 4-70, of the Duluth City Code be amended as follows:

Sec. 4-70. Applicability of article.

This Article shall apply to that city property designated by either the city or Duluth airport authority at the Duluth International Airport used for public airport purposes.

Section 3. That Chapter 4, Article IV, Section 4-71.2, of the Duluth City Code be amended as follows:

Sec. 4-71.2. ~~Same--~~Park or parking.

Park or parking shall mean the standing of a vehicle, whether occupied or not, ~~otherwise than temporarily, for the any purpose of and while actually engaged in receiving or discharging passengers, or loading or unloading merchandise, or in obedience to traffic regulations, signs or signals, or an involuntary stopping of the vehicle by reason of causes beyond the control of the operator of the vehicle upon designated airport property.~~

Section 4. That Chapter 4, Article IV, Section 4-71.6, of the Duluth City Code be amended as follows:

Sec. 4-71.6. Same--Street.

Street shall mean any public street, avenue, road, alley, highway, lane, path, parking lot, or other public place located over, under, or through designated airport property in the area to which this Article applies and established for the use of vehicles.

Section 5. That Chapter 4, Article IV, Section 4-71.7, of the Duluth City Code be amended as follows:

Sec. 4-71.7. Same--Vehicle.

Vehicle shall mean any device in, upon, or by which any person or property is or may be transported upon a highway or roadway, ~~except a device which is operated upon rails~~

Section 6. That Chapter 4, Article IV, Section 4-78, of the Duluth City Code be amended as follows:

Sec. 4-78. Prohibited acts.

It shall be unlawful for any person:

(a) To cause, allow, permit or suffer any vehicle registered in the name of or operated by such person to be parked in violation of parking regulations ~~as are provided for in Section 4-83~~ established by either the city or the Duluth airport authority;

(b) To fail to comply with any of the provisions of this Chapter.

(c) To fail to comply with the Duluth International Airport minimum standards, rules and standards, and other policies, as may be amended by the Duluth airport authority from time to time;

(d) To fail to comply with any written or verbal directive of city or Duluth airport authority employees or agents; and

~~(b)~~(e) To fail to pay any fee, charge, or assessment due to the Duluth airport authority.

Section 7. That Chapter 4, Article IV, Section 4-80, of the Duluth City Code be amended as follows:

Sec. 4-80. Violations of article--summons to appear in court or before traffic violations bureau.

~~(a) In lieu of taking the person into custody for a violation of the provisions of this Article, a police officer or other authorized person may serve a written notice, hereinafter referred to as a summons, upon such person to appear before the county court of St. Louis County or the traffic violations bureau established by such court at a time and place fixed in the summons; provided, however, that no person upon whom a summons has been served in the manner provided for in this Section, for a violation of the provisions of this Article, shall fail to appear at the time and place fixed in the summons;~~

~~(b) The summons as provided for in this Section shall be made out on a form in triplicate, which shall indicate in addition to information otherwise required, the time, date, nature of violation, and the motor vehicle license number;~~

~~(c) (1) The police officer or other authorized person serving the summons provided for in this Section shall deliver one copy of such summons to the person violating any of the provisions of this Article or affix the copy in a prominent place on or within the vehicle. The other two copies of the summons shall be delivered by the police officer or other authorized person to the traffic violations bureau for processing before the county court;~~

~~(2) The triplicate summons form hereinbefore referred to shall be identified by a separate serial number for each summons, and shall be furnished to the police officer or other authorized person by the~~

director of the traffic violations bureau. The city auditor shall audit all files, records and accounts of the traffic violations bureau and the clerk of the county court at stated periods, relating to such summonses, cash statements, and disposition of cases of violations of this Article;

(d) It shall be unlawful for any person to remove a summons from one vehicle and place such summons in or upon another vehicle; nor shall any person willfully alter, deface or destroy any such summons. The provisions hereof shall not forbid the proper city officers, when duly authorized, to dispose of any summons, after processing, when authorized;

(e)(a) Any employee or agent of the Duluth airport authority upon designation by the executive director of the Duluth airport authority, is hereby authorized to enforce this Chapter by any legal means, including but not limited to, issue issuing traffic summons and/or administrative citations pursuant to Article 12, towing, removing, and/or impounding vehicles, aircraft, machinery, and/or equipment, or detaining, restraining, removing, and/or trespassing persons for any violation of the provisions of this Article. Such employee or agent while make reasonable attempts while performing such work to verbally identify themselves as a Duluth airport authority representatives and shall wear some piece of clothing or bear some device or marking as will identify him them clearly as an airport employee representative.

Section 8. That Chapter 4, Article IV, Section 4-82, of the Duluth City Code be amended as follows:

Sec. 4-82. Interpretation of article chapter.

Nothing in this ~~Article~~ Chapter shall be construed so as to prohibit the city from establishing any other type of regulation, relating to the parking, use, or movement of vehicles at Duluth International Airport or Duluth Sky Harbor Airport.

Section 9. That Chapter 4, Article IV, Section 4-83, of the Duluth City Code be amended as follows:

Sec. 4-83. Regulation of parking in unmetered areas.

The executive director or their designee is hereby authorized to restrict, limit and prohibit vehicular parking, under penalty of this Article, on airport property and to make and enforce such rules and regulations with respect thereto so as to permit the orderly regulation of traffic and parking on airport property, and shall be further authorized to place signs for the purpose of enforcing such rules and regulations.

Section 10. That this ordinance shall take effect 30 days after its passage and publication.

STATEMENT OF PURPOSE: This ordinance amends Chapter 4, Article IV, pursuant to recommendations of the Ordinance Review and Modernization Task Force to modernize language and update parking regulations at the Duluth International Airport and Duluth Sky Harbor Airport.