



# CITY OF SANTA BARBARA

## ORDINANCE COMMITTEE AGENDA REPORT

**AGENDA DATE:** June 7, 2011

**TO:** Ordinance Committee

**FROM:** Airport Department

**SUBJECT:** Airport Ordinance Update and Security Program Resolution

**RECOMMENDATION:** That Ordinance Committee:

- A. Review and recommend that the City Council introduce and subsequently adopt an ordinance amending Title 18 of the Santa Barbara Municipal Code pertaining to operations at the Santa Barbara Airport; and
- B. Review and recommend that the City Council adopt a resolution of the City of Santa Barbara adopting rules and regulations pertaining to restricted areas in the Santa Barbara Airport.

### **DISCUSSION:**

Events since 2001, including heightened Airport security requirements and pending completion of the Airline Terminal, make it necessary to update many chapters of Title 18 of the Santa Barbara Municipal Code, which pertains to operations at the Santa Barbara Municipal Airport. Proposed revisions to Title 18 of the Santa Barbara Municipal Code include additions, deletions, and rewrites to all Chapters. Additionally, staff has prepared and recommends adoption of a resolution providing rules and regulations related to Airport security. Significant revisions are proposed in the following subject areas:

#### Security

Title 18 Chapter 8 currently contains a number of outdated airport security measures. To update and implement the requirements of the federal Departments of Homeland Security (DHS) and Aviation Administration (FAA), staff has drafted a new chapter to add to Title 18 and a new resolution that pertains to activity within restricted areas of the Airport. Chapter 18.10 establishes Airport security requirements applicable to the public. These proposed ordinances build on existing requirements in an effort to codify the basic, more robust security framework at the Airport.

The proposed Resolution creates rules and regulations applicable to individuals granted access to Airport restricted areas. The Resolution would establish standards for

conduct within Airport restricted areas, use of personnel identification media, and reporting security violations. The resolution also details specific procedures and an appeal process for confiscation, suspension, and revocation of personnel identification media.

#### Santa Barbara Airport Commercial Ground Transportation Program

Section 18.08.065 was rewritten to establish a framework for a future Santa Barbara Airport Commercial Ground Transportation Program. Proposed language in this section provides for the establishment of program rules and regulations. This section requires that such a program be adopted by Council and updated, as-needed, by the Airport Commission. Additionally, the proposed section allows the Commercial Ground Transportation Program to contain a permit requirement, including the establishment of permit fees. The proposed language also grants the Airport Director authority to enforce the program.

#### Solicitation on Airport Property

After many years of litigation, the California Supreme Court held that Los Angeles World Airports' ban on solicitation for the immediate receipt of funds in the non-secure airport terminal areas was a reasonable time, place, and manner restriction on the protections of expression guaranteed under the federal and state constitutions. The City's ordinance (Section 18.08.020) has been amended to reflect the language approved by the Court.

#### Advertising and Camping

Sections 18.08.040 and 18.08.150.D have also been amended for consistency with other provisions of the Santa Barbara Municipal Code.

#### Firearms

After consultation with the Chief of Police, Section 18.40.040 has been amended to eliminate specific reference to periodic firearms competency testing by the Airport Patrol Supervisor and Airport Patrol Officers. These requirements are more appropriately included in departmental policies. Proposed language also clarifies the "purpose and intent" of Airport Patrol Officers carrying firearms to include both self-defense and defense of others.

#### Airport Commission Approval of Aeronautical Permits

Section 18.44.075 has been amended to more effectively deal with the issuance of short-term aeronautical permits.

#### Unenforceable Aviation Regulations

Certain existing provisions in Title 18 pertaining to aviation activities that are regulated and enforced solely by the FAA are proposed for deletion. These provisions include:

- Section 18.08.200 Noise Abatement,
- Chapter 18.12 Flight Pattern,
- Section 18.16.040 Clearance of Base Leg and Final Approach.

Other Title 18 revisions are more clerical in nature. Staff is available to answer any questions that may arise pertaining to all suggested revisions.

Airport Commission Review and Recommendation

On May 18, 2011, the Airport Commission, by a vote of five (5) yes and one (1) abstention, recommended that City Council approve an ordinance amending Title 18 of the Santa Barbara Municipal Code pertaining to operations at the Santa Barbara Airport and a resolution adopting rules and regulations pertaining to restricted areas in the Santa Barbara Airport.

**ATTACHMENTS:** 1. Draft Ordinance  
2. Proposed Resolution

**PREPARED BY:** Jeffrey S. McKee, Airport Maintenance Superintendent

**SUBMITTED BY:** Karen Ramsdell, Airport Director

**APPROVED BY:** City Administrator's Office

ORDINANCE COMMITTEE DRAFT  
JUNE 7, 2011  
SHOWING CHANGES FROM EXISTING CODE

AN ORDINANCE OF THE COUNCIL OF THE  
CITY OF SANTA BARBARA AMENDING TITLE  
18 OF THE SANTA BARBARA MUNICIPAL  
CODE PERTAINING TO OPERATIONS AT THE  
SANTA BARBARA AIRPORT.

THE CITY COUNCIL OF THE CITY OF SANTA BARBARA DOES ORDAIN  
AS FOLLOWS:

SECTION 1. Chapter 18.04 of Title 18 of the Santa Barbara  
Municipal Code is amended to read as follows:

**18.04.010 Definitions Generally.** The following ~~For the purpose of this title certain~~ words and phrases, ~~terms are~~ whenever used in this Title, shall have the meaning and be construed as defined in this section ~~as follows in this chapter~~.

**A. 18.04.020 Aircraft.** ~~"Aircraft" means a~~ Any machine or device capable of flight including, but not limited to, Airplanes, Helicopters, Gliders and Ultralights.

**B. 18.04.030 Airfield.** ~~"Airfield" means t~~ That area on the Aircraft operation side of the Airport security perimeter fence including, but not limited to, baggage handling areas, Aircraft parking areas, hangars, ~~gasoline~~ fuel storage areas, perimeter roads, and all areas separated from roadways, sidewalks, buildings and highways by means of fencing, no trespassing signs or lack of evidence of provision of proper facilities for convenient, safe and easy entrance into and around subject land sections and areas, any other specific areas designated by the Airport Director as Airfield ~~field areas~~, or any other area on the Airport not otherwise defined in this chapter.

**C. 18.04.040 Air Operations Area.** ~~"Air operations area" means~~ All portions of the Airport used or intended for use by Aircraft landing, taking-off and surface maneuvering including, but not limited to, Controlled Movement Area, ramps and adjacent ~~unpaved adjacent~~ areas. The Air Operations Area does not include the Secure Area.

~~D. 18.04.050~~ **Airplane.** ~~"Airplane" means a~~ A fixed-wing machine or device capable of flight.

~~E. 18.04.060~~ **Airport.** ~~"Airport" means all of t~~ The area comprising the Santa Barbara Municipal Airport, as the same may exist from time to time. The boundaries of the Airport are shown on the Airport Layout Plan adopted by resolution of the City Council as amended from time to time.

F. **Airport-Authorized Escort.** A person who has been authorized in writing by the Airport Director to accompany a person in a Restricted Area of the Airport.

~~G. 18.04.070~~ **Airport Director.** ~~"Airport Director" means t~~ The head of the Airport Department . ~~The Airport Director shall be responsible to and under the direction of the City Administrator. The Airport Director shall also assist the Airport Commission in the performance of its duties to the City Council and shall keep the Airport Commission advised of the affairs of the Airport.~~

~~H. 18.04.080~~ **Airport Traffic Control Tower.** ~~"Air Traffic Control Tower" means~~ a An Airport traffic control service operated by appropriate authority to promote the safe, orderly and expeditious flow of air traffic on or in the vicinity of the Airport.

I. **Authorized Person.** Any individual who has been issued Personnel Identification Media by the Airport Department which allows that individual to gain access to a Restricted Area.

~~J. 18.04.090~~ **Controlled Movement Area.** ~~"Controlled Movement Area" means~~ The runways, taxiways, and other areas of ~~that portion of the~~ the Airfield which are used for taxiing, takeoff, and landing of aircraft, not including aircraft parking areas. ~~where all movements are directed by the Air traffic control tower, when in operation, including all runways, taxiways and adjacent areas.~~

~~K. 18.04.100~~ **Glider.** ~~"Glider" means a~~ An unpowered heavier-than-air Aircraft, that is supported in flight by the dynamic reaction of the air against its lifting surfaces. ~~and whose free flight does not depend principally on an engine.~~

L. **Hang Glider.** A Glider capable of being carried, foot launched and foot landed solely by the energy and use of the pilot's legs, including but not limited to, paragliders.

~~M.18.04.110~~ **Helicopter.** ~~"Helicopter" means any~~ A rotary-wing machine or device capable of flight.

~~N.18.04.120~~ **Motor Vehicle.** ~~"Motor Vehicle" means any~~ A self-propelled land conveyance that does not run on rails.

O. **Personnel Identification Media.** A badge, credential, card, or other media that is issued by the Airport Director to an individual for purposes of allowing an individual to gain access to a Restricted Area.

~~P.18.04.130~~ **Restricted Area.** ~~"Restricted area" means any~~ An area posted to indicate that ~~to which~~ access is limited to persons authorized by the Airport Director ~~and so posted~~ or under Airport-Authorized Escort. A Restricted Area includes, but is not limited to, a Secure Area, Air Operations Area, Security Identification Area, and Sterile Area.

Q. **Secure Area.** A portion of the Airport in which certain security measures specified in 49 C.F.R Part 1542 are in effect and where aircraft operators and foreign aircraft operators which have a security program under 49 C.F.R. Part 1544 or 1546 enplane and deplane passengers or sort or load baggage, including any adjacent areas which are not separated by adequate security barriers or measures.

R. **Security Device.** A mechanical or electronic device designed to detect, deter or prevent unauthorized access into a Restricted Area.

~~S.18.04.140~~ **Security Identification Display Area** ~~(SIDA).~~  
~~"Security Identification Display Area" means any~~ An area identified by the Airport Director where each person within the area is required to continuously display Personnel Identification Media ~~Airport Authorized identification,~~ or be accompanied by an ~~unless the person is under~~ Airport-Authorized Escort. This includes all Restricted Areas around the airline terminal used for boarding and servicing of Aircraft ~~of~~ scheduled commercial airlines or used for the loading or sorting of baggage.

T. **Security Vulnerability.** An unanticipated change to any system, measure, or procedure relating to Airport security that would diminish the Airport Department's ability to deter or detect unauthorized access to Restricted Areas.

U. **Sterile Area.** A portion of the Airport to which access is generally controlled by the TSA, or by an aircraft operator under 49 C.F.R. Part 1544, or by a foreign air carrier under 49 C.F.R. Part 1546, through the screening of persons and property.

V. **TSA.** The federal Transportation Security Administration of the Department of Homeland Security.

W. **Ultralight.** An Aircraft or device which satisfies the definition of an ultralight vehicle found in Title 14 of the Code of Federal Regulations.

SECTION 2. Chapter 18.08 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

**18.08.010 Hours for Public Use.**

**A. AIRFIELD HOURS OF OPERATION.** The Airfield shall be open for public aviation use twenty-four (24) hours of the day. The Airport Director may restrict use of the Airfield due to the condition of the runway, inclement weather or other ~~like~~ causes in the interest of public safety.

**B. AIRLINE TERMINAL HOURS OF OPERATION.** The Airline Terminal shall be open for public use one hour before the first departing commercial airline flight and throughout the day until one hour after the last arriving commercial flight. The Airport Director may restrict the use of the Airline Terminal in the interest of public safety.

**18.08.020 Solicitationing.**

**A. UNLAWFUL SOLICITATION IN AIRLINE TERMINAL.** It shall be unlawful for any person to solicit and receive funds inside the Airline Terminal at the Airport.

**B. UNLAWFUL SOLICITATION IN PARKING AREAS.** It shall be unlawful for any person to solicit and receive funds in the parking areas at the Airport.

**C. UNLAWFUL SOLICITATION ON SIDEWALKS.** It shall be unlawful for any person to solicit and receive funds on the sidewalk adjacent to the Airline Terminal or the sidewalk adjacent to the parking areas at the Airport.

**D. LAWFUL DISTRIBUTION AND SOLICITATION.** Subdivisions A, B, and C apply only if the solicitation and receipt of funds is conducted by a person to or with passers-by in a continuous or repetitive manner. Nothing herein is intended to prohibit the

distribution of flyers, brochures, pamphlets, books, or any other printed or written matter so long as such distribution is not made with the intent of immediately receiving funds, as defined in Subdivision E, at the locations referred to in Subdivision A, B, or C.

**E. DEFINITIONS.** For the purpose of this Section, the term "solicit and receive funds" means any written or oral request for (1) the donation of money, alms, property, or anything else of value, or, (2) the pledge of a future donation of money, alms, property, or anything else of value, or, (3) the sale or offering for sale of any property upon the representation, express or implied, that the proceeds of such sale will be used for a charitable or religious purpose.~~It is unlawful for any person to peddle or solicit upon the Airport the sale or lease, or take orders for sale or lease, at retail or wholesale, of goods, wares, merchandise, publications, or anything whatsoever, or for services, without the approval of the Airport Director and without complying with all applicable ordinances of the City.~~

#### **18.08.030 Business Activity.**

It shall be unlawful ~~No person~~ for any person to engage in any business or commercial activity or provide any service on the Airport unless such person has a fixed place of business or a specific operating area assigned by the Airport Director on the Airport which is occupied by virtue of a lease, operating permit, license, or rental agreement with the City of Santa Barbara permitting such activity, as recommended by the Airport Commission, and as required, and approved, if necessary, by the City Council. ~~Sales of aviation equipment made by a person not regularly engaged in the activity of selling aviation equipment shall be exempt from the provisions of this section if the equipment was purchased by such person primarily for his own personal use.~~

#### **18.08.040 Advertising.**

~~No person~~ It shall be unlawful to erect, repair, alter, relocate or maintain any ~~post, distribute or display signs, commercial advertisements or circulars at~~ within the Airport, or to direct or authorize another person to do so, except pursuant to a sign permit obtained in accordance with Chapter 22.70 of the Santa Barbara Municipal Code unless the sign is specifically exempted from the permit requirements as provided in Chapter 22.70. Signs which are exempt from the permit requirements as provided in Chapter 22.70 and which are located within the Air



Operations Area and which face towards the Airfield, must be approved in writing by the Airport Director prior to their installation. ~~and with the approval of the Airport Director.~~

#### 18.08.050 Business Tax Not Approval.

The issuance ~~payment~~ of a City business license certificate ~~tax~~ or the granting of a City ~~a~~ building or sign permit shall ~~by the City does not~~ constitute City approval to ~~for~~ solicit or do ~~ing, doing~~ business, ~~engaging~~ in commercial activity, or ~~advertiseing~~ on the Airport.

#### 18.08.060 Off-Airport Car Rental Agencies.

**A. OFF-AIRPORT RENTAL AGENCY PERMITS. ~~GENERALLY~~** Any business entity not having a fixed place of business on the Airport and which offers motor vehicles for rent (or which arranges to rent motor vehicles) to the general public at the Airport may only do so after having obtained an "Off-Airport Rental Agency Permit" from the City (hereinafter such a business entity shall be referred to as an "Off-Airport Rental Agency" or "Agency"). Such permits shall be in a form acceptable to the Airport Director and City Attorney and approved by the City Council.

**B. PAYMENT OF PERMIT FEE TO THE CITY.** The Off-Airport Rental Agency Permit shall require the Rental Agency holding such a Permit to pay a monthly fee to the City based on a percentage of the gross receipts generated by the Agency from its operations at the Airport.

**C. OPERATING CONDITIONS.** Every Off-Airport Rental Agency shall conduct its business in compliance with all of the terms and conditions of the Off-Airport Rental Agency Permit.

#### 18.08.065 ~~Vehicles for Hire~~ Commercial Ground Transportation Program.

**A. RULES AND REGULATIONS.** The City Council may adopt such rules and regulations, as recommended by the Airport Commission, which may be necessary to govern the conduct and operation of all commercial ground transportation providers on the Airport. Such rules and regulations shall be called the "Santa Barbara Airport Commercial Ground Transportation Program." For purposes of this Section, the term "Commercial Ground Transportation Providers" includes, but is not limited to, taxicabs, limousines, buses, courtesy shuttles and courier operators (for purposes of this Chapter, "courier operators" shall mean any person transporting property, baggage, or parcels

for business purposes on Airport property and not for use or consumption on Airport property excluding persons transporting property, baggage, or parcels incidental to transporting Airport passengers, commercial air freight, and governmental entities providing ground transportation services at the Airport). The Airport Director shall administer the day-to-day operations of the Santa Barbara Airport Commercial Ground Transportation Program. The Airport Director has the discretion to make minor operational adjustments to the Program as needed for the effective operation of the Program. Substantive revisions to the Santa Barbara Airport Commercial Ground Transportation Program shall be made by the Airport Commission based upon recommendation of the Airport Director. ~~(a) No person shall operate a vehicle that is carrying passengers for hire from the Airport unless he is the holder of a permit authorizing same by the Airport Director. Permit holders must obtain a business license as required under Section 18.08.030, and will conduct business activity at all times in designated areas assigned by the Airport Director and in accordance with the terms and conditions of the permit.~~

~~(b) Except for discharging passengers, no person shall park, on the Airport, a vehicle used for the purpose of carrying passengers for hire unless he is the holder of a permit authorizing same by the Airport Director.~~

**B. SANTA BARBARA AIRPORT COMMERCIAL GROUND TRANSPORTATION PROGRAM PERMITS.** The Santa Barbara Airport Commercial Ground Transportation Program may include a requirement that all Commercial Ground Transportation Providers obtain a permit issued by the Airport Director and pay fees in the amounts established by resolution of the City Council. The procedure for the review and approval or rejection of the permit, if required, shall be set forth in the Santa Barbara Airport Commercial Ground Transportation Program.

**C. FAILURE TO COMPLY WITH SANTA BARBARA AIRPORT COMMERCIAL GROUND TRANSPORTATION PROGRAM.** The Airport Director, in his or her discretion, may deny, suspend, or terminate a Commercial Ground Transportation Provider permit for failure to comply with the Santa Barbara Airport Commercial Ground Transportation Program rules and regulations or any City, state or federal law. Written notification of the Airport Director's decision to deny, suspend, or terminate a Commercial Ground Transportation Provider permit shall be provided to the Provider at the address stated in the Provider permit application and shall state the date upon which the Provider's permit shall be denied, suspended or terminated. The decision of the Airport Director to deny, suspend, or terminate a Commercial Ground Transportation Provider permit may be appealed

to the Airport Commission. A written notice of appeal shall be filed with the City Clerk within ten (10) days of the date of the Airport Director's written notification to the Provider of the permit denial, suspension or termination. The written appeal filed with the City Clerk shall state the grounds for appeal. The decision of the Airport Commission acting on the appeal shall be final.

**D. NO SOLICITATION.** ~~(c) No person~~ It shall be unlawful for any person on the Airport to ~~,~~ solicit or invite any person to ride in a vehicle used for the purpose of carrying passengers for hire, either by driving slowly past a loading entrance of the terminal building or by any other act or utterance calculated to induce that person to engage the vehicle, except that operators of properly permitted vehicles for hire may enter the airline terminal and display a passenger's name or affiliation on an otherwise blank sign no larger than one hundred (100) square inches to assist in identifying a passenger that has made a reservation, in advance, with the operator for ground transport services.

#### 18.08.090 Approval of Airport Director for Aviation Demonstrations.

~~No person shall:~~

**A. AVIATION DEMONSTRATION.** It shall be unlawful for any person to conduct a public Aircraft ~~(a) give a flight, or ground or aerial demonstration on the Airport, (b) conduct the flight of unlicensed Aircraft on the Airport or (c) bring an Aircraft to the Airport for an aerial~~ demonstration or exhibition on the Airport ~~on the Airport~~ without the prior written approval of the Airport Director.

**B. UNREGISTERED AIRCRAFT.** It shall be unlawful for any person to operate an unregistered Aircraft on the Airport, except unregistered Aircraft with temporary authorization required under 14 CFR Part 47.31(b) and Aircraft of the United States Armed Forces. ~~This section does not apply to air carriers or Aircraft sales demonstrations.~~

#### 18.08.100 Airplane~~craft~~ Equipment and Operation Rules.

**A. OPERATIONAL AIRPLANE BRAKES.** ~~(a)~~ Except when authorized by the Airport Director, ~~no person~~ it shall be unlawful to ~~shall~~ operate any Airplane~~craft~~ on the Airport unless it has an operational tail or nose wheel and wheel brakes.

**B. AIRPLANE TAXIING.** ~~(b)~~ If the pilot of an Airplane~~craft~~ that does not have adequate brakes is authorized by the Airport Director to taxi the Airplane~~craft~~, the pilot

shall taxi it in such a manner so as not to endanger any persons, buildings, fixtures or other Aircraft.

**18.08.130 Removal of Wrecked, ~~or~~ Damaged or Disabled Aircraft.**

Aircraft ~~or Helicopter~~ owners, their pilots or agents, shall be responsible for the prompt removal of any wrecked, ~~or~~ damaged or disabled Aircraft ~~or Helicopter~~, or parts thereof, from any runway or taxiway or areas adjacent to runways or taxiways on the Airport. In the event of an unsafe or emergency condition, the Airport Director may cause the removal of a wrecked, ~~or~~ damaged or disabled Aircraft ~~or Helicopter~~ or any of its parts ~~associated wreckage~~, from any runways or taxiways or areas adjacent to runways or taxiways at the owner or agent's expense and without liability for damage that may result from such move. ~~without concern for the further damage thereto.~~

**18.08.140 Preservation of Property.**

~~No person shall:~~

~~(a)~~ **A. UNLAWFUL DESTRUCTION OF AIRPORT PROPERTY.** It shall be unlawful for any person to ~~D~~destroy, injure, deface or disturb any building, sign, equipment, marker, or other structure, tree, flower, lawn or other public property on the Airport. ~~+~~

**B. UNLAWFUL ALTERATION OF AIRPORT BUILDING.** It shall be unlawful for any person to ~~(b)~~ ~~A~~alter or add to any building on the Airport without first obtaining the express written approval of the Airport Director and all other required permits and approvals. ~~+~~

**C. UNLAWFUL DUMPING ON AIRPORT PROPERTY.** It shall be unlawful for any person to ~~(c)~~ ~~M~~make an excavation, or dump any material on the Airport without express written approval of the Airport Director. ~~+~~

**D. UNLAWFUL INTERFERENCE WITH AIRPORT PROPERTY.** It shall be unlawful for any person to ~~(d)~~ ~~I~~interfere or tamper with, or injure any part of the Airport or its equipment. ~~+~~

**E. UNLAWFUL ABANDONMENT OF PERSONAL PROPERTY.** It shall be unlawful for any person to ~~(e)~~ ~~A~~abandon any personal property or litter on the Airport.

**18.08.150 Area Uses.**

~~No person shall:~~

**A. UNLAWFUL OBJECTS ON AIRPORT PROPERTY.** It shall be unlawful for any person to ~~(a)~~ ~~O~~ ~~or~~ place, store or leave unattended any object, ~~including but not limited to, ladders,~~

~~chairs or other equipment,~~ on a road, walkway or Aircraft tie-down or other area on the Airport without approval of the Airport Director.

~~**B. UNLAWFUL DEMONSTRATIONS ON AIRPORT PROPERTY.** (b) Walk in a picket line as a picket or take part in a labor or other public demonstration on any part of the Airport except a place specifically assigned by the Airport Director so as not to interfere with normal Airport operation or business activity, and in the interest of public safety.~~

**B. UNLAWFUL UNCOVERED TRASH CONTAINERS.** It shall be unlawful for any person to ~~(e)~~ keep uncovered trash containers on the Airport.

**C. UNLAWFUL HAULING.** It shall be unlawful for any person to ~~(d)~~ operate a vehicle for hauling trash, dirt, or any other material on the Airport unless the vehicle is equipped to prevent its contents from dropping, sifting, blowing, leaking or otherwise escaping.

**D. UNLAWFUL CAMPING ON AIRPORT PROPERTY.** It shall be unlawful for any person to ~~(e)~~ sleep or camp (as that term is defined in Santa Barbara Municipal Code section 15.16.060) or sleep which means, for the purpose of this provision, sleeping on the Airport, including, but not limited to, the Airfield, leased buildings, Motor Vehicles, Aircraft, Helicopters or in field areas for a period of not less than two (2) consecutive hours, without the express written consent of the Airport Director.

~~(f) Enter or exit a field area without properly securing vehicle and/or pedestrian gates.~~

**E. UNLAWFUL STORAGE OF PERSONAL PROPERTY.** It shall be unlawful for any person to ~~(g)~~ store items of personal property, including, but not limited to, boats, motorhomes and semi-trailers on the Airport without the express written consent~~permission~~ of the Airport Director.

#### 18.08.155 Duty to Notify.

In addition to all other local, state or federal reporting requirements, in the event of a release or threatened release of hazardous materials or other contaminants into the environment relating to or arising out of a person's use or occupancy of the Airport or in the event of any claim, demand, action or notice made against any person regarding a failure or alleged failure to comply with any environmental laws on the Airport, the person shall immediately notify the Airport Director and shall provide the Airport Director with copies of any written claims, demands, notices or actions so made.

#### 18.08.160 Interfering or Tampering with Aircraft.

It shall be unlawful to ~~No person shall~~ interfere or tamper with an Aircraft on the Airport or put the engine in motion, or use any Aircraft, aircraft parts, radios, instruments or tools on the Airport, without the permission of the owner of the Aircraft.

#### 18.08.170 Animals.

**A. ANIMALS PROHIBITED IN AIRPORT AIRLINE TERMINAL AND ON AIRFIELD.** It shall be unlawful to enter the Airport airline terminal or Airfield with a domestic or wild animal except for domestic animals allowed in Section 18.08.170.D herein or without the permission of the Airport Director.

**B. HUNTING AND FISHING ON AIRPORT PROPERTY PROHIBITED.** It shall be unlawful to hunt or fish on the Airport property.

**C. HORSE RIDING ON AIRPORT PROPERTY PROHIBITED.** It shall be unlawful to ride or walk a horse on the Airport property except as necessary to transport such animal by air.

**D. PERMITTED DOMESTIC ANIMALS.**

1. Animals Permitted in Airline Terminal or Airfield. Domestic animals may be allowed in the Airline Terminal and on the Airfield in the following circumstances:

- (i) an assistance animal for a disabled person;
- (ii) a person entering the Airline Terminal for the purpose of air travel with a domestic animal that is confined within an approved pet transport;
- (iii) a person entering the Air Operations Area, for the purpose of air travel via a private or charter Aircraft, with a domestic animal that is restrained by a leash or is otherwise confined so as to be completely under control; or
- (iv) an animal accompanying a law enforcement officer.

2. Domestic Animals Permitted on the Airport Property Except Airline Terminal and Airfield. Domestic animals may be allowed on the Airport property in the following circumstances:

- (i) domestic animals, if the keeping of domestic animals is specifically permitted by an agreement entered into between the City of Santa Barbara and a person or entity for the rental or other occupancy of the Airport property. Such domesticated animals must be at all times restrained by a leash or confined in a kennel or other appropriate enclosure; or
- (ii) domestic animals kept in accordance with Section 6.08.020 of the Municipal Code.

**E. PROPER DISPOSAL OF ANIMAL WASTE.** All animal waste must be immediately removed from the Airport property and disposed of properly.

**F. ANIMALS MAY BE PROHIBITED BY AIRPORT DIRECTOR.** Animals determined by the Airport Director, in his or her absolute discretion, to be an annoyance or a risk to the health and safety of the public shall be immediately and permanently removed from the Airport property.

**18.08.180 Commercial Photography.**

It ~~No person~~ shall be unlawful for any person to take still or motion photography on the Airport for commercial purposes without first obtaining the express written consent ~~permission~~ from the Airport Director, as well as obtaining all required permits from the City of Santa Barbara, and paying the appropriate fees, ~~if any,~~ as established by a resolution of the Council of the City of Santa Barbara.

**18.08.190 Prohibited Uses of Airspace.**

It shall be unlawful for any ~~No person~~ except an employee of the United States performing his official duties, or a person who has the permission of the Airport Director, to ~~shall~~ prepare to operate, operate or release a kite, parachute, balloon, model aircraft, rocket or other non-aeronautical airborne objects on the Airport.

**18.08.200. ~~Noise Abatement~~ Controlled Movement Area.**

~~Recognizing that the Airport must continue to be a good neighbor to Santa Barbara and adjoining communities, it is a firm policy that aviation activities on the Airport, Aircraft or Helicopter approaching, departing or flying in the pattern, and in addition, Aircraft or Helicopters operating so as to expose noise sensitive areas of these communities to noise or sonic boom (whether or not they use the Airport) shall generate the absolute minimum perceived noise consistent with air safety and effective use of the Airport facilities. To this end:~~

~~— (a) Aircraft taxiing and running up engines shall be operated to minimize noise generation;~~

~~— (b) Departing turbojet Aircraft making a straight climb-out should reach at least two thousand five hundred feet (2,500') mean sea level, using approved noise abatement procedures;~~



~~(c) Power and flap setting for each type of Aircraft for take off and climb out should be such as to produce the least noise consistent with good operating practice;~~

~~(d) Aircraft landing should maintain minimum power possible (using gear and flap setting to avoid "low drag in") and use maximum glide slope practical;~~

~~(e) Straight in approaches to Runway 25 and straight out departures on Runway 7 shall be avoided except when unusual weather or other conditions so require;~~

~~(f) Over the water approaches and departures shall be used as much as possible;~~

~~(g) Aircraft and Helicopters engaged in training and practice flying must adhere strictly to low noise procedures;~~

~~(h) Turboprop and piston Aircraft pleasure and practice flying (including ground reference maneuvers) shall not be conducted below four thousand feet (4,000') above noise sensitive areas in the vicinity of the Airport or the City;~~

~~(i) Turbojet Aircraft pleasure and practice flying shall not be conducted below five thousand feet (5,000') above noise sensitive areas in the vicinity of the Airport or the City;~~

~~(j) Under no circumstances shall turbojet or turboprop Aircraft conduct, or be cleared to conduct, a series of practice instrument landing system approaches, whether or not landing is included.~~

~~(k) Helicopter training activities shall not be conducted on the Airport without approval of the Airport Director. (Ord. 5203, 2001; Ord. 4242, 1983; Ord. 3480 §2(part), 1971.)~~

**A. COMMUNICATION EQUIPMENT WITHIN CONTROLLED MOVEMENT AREA.**

All persons entering or within the Controlled Movement Area shall comply with either of the following requirements:

1. Be equipped with an operating two-way radio capable of communicating on the Airport's Common Traffic Advisory Frequency and ground control frequency; or

2. be escorted by a person with this capability.

**B. AIRPORT TRAFFIC CONTROL TOWER APPROVAL.** At those times when the Airport Traffic Control Tower is operational, except as needed to avoid danger, no person shall enter or move within the Controlled Movement Area without receiving approval from the Airport Traffic Control Tower.

**C. AFTER-HOURS ACCESS TO CONTROLLED MOVEMENT AREA.** At those times when the Airport Traffic Control Tower is not operational, all persons entering into or on the Controlled Movement Area must use the Common Traffic Advisory Frequency, shall announce all intended movements and shall perform all movements only when it is safe to do so.



### 18.08.210 City Responsibilities.

The City, its agents or employees operating the Airport, assume no responsibilities for damage to property stored thereon or property thereon of persons using the Airport facilities, by reason of fire, theft, vandalism, windstorm, flood, earthquake, collision or other cause, nor does it assume any liability by reason of injury to persons while on the Airport or while using the Airport facilities.

SECTION 3. Title 18 of the Santa Barbara Municipal Code is amended by repealing Section 18.08.070 ("Access to Restricted Areas") and Section 18.08.075 ("Security Identification") and Section 18.08.080 ("Display of Security Identification").

~~18.08.070 Access to Restricted Areas. Except as otherwise provided in this Code, no person shall, without permission of the Airport Director, enter any restricted area on the Airport, except:~~

- ~~(a) A person assigned to duty at that place;~~
- ~~(b) An authorized representative of the United States Department of Transportation;~~
- ~~(c) A passenger who is escorted by an authorized person to embark or disembark an Aircraft or Helicopter;~~
- ~~(d) Any other person authorized by the Airport Director to enter restricted or field areas, or by a tenant to enter an area occupied by said tenant. (Ord. 5203, 2001; Ord. 3480 §2(part), 1971.)~~

~~18.08.075 Security Identification.~~

~~The issuance of Airport authorized security identification is at the sole discretion of the Airport Director, and such badges shall remain the property of the Airport and shall be surrendered upon demand or upon termination of the need for access to the Restricted Area(s). (Ord. 5203, 2001.)~~

~~18.08.080 Display of Security Identification.~~

~~A. All persons entering the Security Identification Display Area (SIDA) are required to continuously display on their outermost garment valid Airport authorized security identification, except those persons under the supervision of an Airport authorized escort.~~

~~B. Persons escorting individuals onto the Security Identification Display Area (SIDA) are responsible for the conduct of the escorted person. Escorts shall:~~

- ~~1. Continuously display on their outermost garment valid Airport authorized security identification; and~~

~~2. Have immediate control of the escorted person at all times. (Ord. 5203, 2001.)~~

SECTION 4. Title 18 of the Santa Barbara Municipal Code is amended by adding Chapter 18.10 which reads as follows:

**18.10.010 Airport Restricted Areas.**

**A. AIRPORT RESTRICTED AREAS; GENERALLY.** The City Council may adopt by Resolution such rules and regulations as deemed necessary to control access to and conduct within the Airport Restricted Area. Failure to comply with the Restricted Area Rules and Regulations adopted by the City Council shall constitute a violation of this Code and be unlawful.

**B. ACCESS TO AIRPORT RESTRICTED AREAS.** Except as otherwise provided in this Code, it shall be unlawful for any person to enter into or to be present inside any Airport Restricted Area without the prior express permission from the Airport Director unless such person is accompanied by Airport-Authorized Escort. Any person given permission by the Airport Director to enter an Airport Restricted Area must enter and exit the Restricted Area through a designated entrance or exit point.

**C. PASSING, THROWING, OR CARRYING OBJECTS INTO AN AIRPORT RESTRICTED AREA.** It shall be unlawful for any person to pass, throw, or carry any object into an Airport Restricted Area except objects that are carried through a designated entrance or exit by an Authorized Person or by a person under Airport-Authorized Escort.

**D. VEHICLE ACCESS.** Vehicles driven, parked, or stationed in an Airport Restricted Area must have prior authorization granted by the Airport Director or be supervised by an Airport-Authorized Escort. The Airport Director, or the Airport Director's designee, may remove non-authorized vehicles from the Restricted Area at the vehicle owner's expense.

**18.10.020 Personnel Identification Media.**

**A. ISSUANCE OF PERSONNEL IDENTIFICATION MEDIA.** The issuance of Personnel Identification Media is at the sole discretion of the Airport Director. Such media shall remain the property of the Airport and shall be surrendered to the Airport Department upon demand or upon termination of the need for access to the area for which the identification was issued.

**B. MISUSE OF PERSONNEL IDENTIFICATION MEDIA.** It shall be unlawful to falsify, forge, counterfeit, alter, or tamper with any Airport issued Personnel Identification Media.

**C. USE OF PERSONNEL IDENTIFICATION MEDIA ISSUED TO ANOTHER PERSON.** It shall be unlawful to use or attempt to use the Personnel Identification Media issued to another person for entry into, exit from, or while inside a Restricted Area.

**D. EXPIRED PERSONNEL IDENTIFICATION MEDIA.** It shall be unlawful to use or attempt to use an expired Personnel Identification Media for entry into, exit from, or while inside a Restricted Area. Each person in possession of expired Personnel Identification Media shall immediately surrender it to the Airport Director.

#### **18.10.030 Tampering with Security Device**

It shall be unlawful to tamper with, or attempt to tamper with, or in any way hamper the effective operation of a Security Device.

#### **18.10.040 Custody of Keys or Other Means of Access.**

Only persons authorized by the Airport Director shall have custody of, access to, or use of keys or other means of access used to lock and secure a Restricted Area. Authorized Persons shall not duplicate or distribute keys or other means used for access to a Restricted Area to anyone without written authorization from the Airport Director.

#### **18.10.050 Unattended Baggage.**

It shall be unlawful for any person to leave any bag, luggage, box, or container unattended in any public Airline Terminal areas of the Airport unless authorized by the Airport Director. An item shall be deemed unattended if the item is out of the line of sight or more than thirty five (35) feet away from the person who had possession of the item before it was left unattended. This section does not apply to items left in a baggage claim area by airline or baggage service personnel in the ordinary course of business.

SECTION 5. Title 18 of the Santa Barbara Municipal Code is amended by repealing Chapter 18.12.

#### **~~18.12.010 Federal Air Traffic Rules.~~**

~~—The applicable air traffic and flight rules of the Federal Aviation Administration contained in Title 14 of the Code of Federal Regulations governing the operation of Aircraft in the City, as the same are currently in effect or as hereafter amended or as modified herein, are adopted by reference and made a part of the air traffic and flight rules of the City as fully as if the same and each and all of them were set forth herein. (Ord. 5203, 2001; Ord. 4242, 1983; Ord. 3480 §2(part), 1971.)~~

**~~18.12.020 Adherence.~~**

~~—Strict adherence to the federal air traffic rules and regulations adopted in this title is required. Variance is permitted only when directed by the Air Traffic Control Tower. (Ord. 5203, 2001; Ord. 3480 §2(part), 1971.)~~

**~~18.12.030 Traffic Patterns.~~**

~~—Unless otherwise directed or approved by the Air Traffic Control Tower, traffic patterns will be as designated by the segmented circle. (Ord. 5203, 2001; Ord. 3480 §2(part), 1971.)~~

**~~18.12.040 Altitudes.~~**

~~—Altitudes in the traffic pattern will be: one thousand feet (1,000') for small aircraft on downwind leg and fifteen hundred feet (1,500') for large aircraft on downwind leg. As used in this section, the terms "small aircraft" and "large aircraft" are as such terms are defined in Title 14 of the Code of Federal Regulations. (Ord. 5203, 2001; Ord. 3480 §2(part), 1971.)~~

**~~18.12.050 Entry and Exit.~~**

~~—Entry to and exit from the traffic pattern shall conform to the traffic pattern diagram or conform to noise abatement procedures for the runway in use. Safe distances shall be maintained between all Aircraft in the pattern and in landing and taking off. (Ord. 5203, 2001; Ord. 3480 §2(part), 1971.)~~

SECTION 6. Chapter 18.16 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

**~~18.16.010 Cockpit and Engine Run-ups~~Checks.**

All ~~cockpit and engine run-ups~~checks shall be made in ~~the designated run-up areas prior to taxiing into position for take off.~~

**~~18.16.020 Competent Operator Must be at Controls.~~**

No person shall start or run an engine in an Aircraft on the Airport unless there is a person trained as a pilot or Aircraft mechanic ~~person~~ in the Aircraft at the engine controls. ~~and blocks have been placed in front of the wheels or the Aircraft has adequate parking brakes to prevent movement of the Aircraft.~~

**~~18.16.030 Caution in Starting Engines.~~**

**A. STARTING ENGINES.** ~~(a) No person shall~~ It shall be unlawful for any person to start an engine of an Aircraft parked on the Airport in a manner that damages any other property, or Aircraft, or persons, or that blows paper, dirt or other material across taxiways or runways, so as to endanger the

safety of operations on the Airport.

**B. FOREIGN OBJECT DEBRIS.** ~~(b)No person~~ It shall be unlawful for any person to use any material (such as oil absorbents or similar material) in such a manner that creates a hazard of personal injury or property damage when picked up, swirled or blown about by the blast from an Aircraft engine.

~~18.16.040 Clearance of Base Legs and Final Approach Legs.~~

~~—Unless the Air Traffic Control Tower is in operation, before taxiing any Aircraft into position on the runway for take off, the runway base legs and final approach legs shall be clear and, if the Air Traffic Control Tower is being operated, the pilot shall have received clearance from the Air Traffic Control Tower.~~

**18.16.050 Take-offs from End of Runway.**

Take-offs shall be made from the end of the runway unless the Airport Traffic Control Tower is in operation and has directed otherwise.

**18.16.070 Landings - Fixed-Wing Aircraft.**

All landings shall be confined to the hard surface runways and shall be made on the runway designated by the Airport Traffic Control Tower or the proper runway for safe operation as indicated by wind and weather conditions when the tower is not in operation.

**18.16.080 Landings - Helicopter and Autogyro.**

~~Helicopters shall avoid flying over the active runways.~~ Helicopters may land in an area designated by the Airport Director or as directed by the Airport Traffic Control Tower, exercising due care with respect to other aircraft and/or people. Autogyros shall land and take-off on the active runway and taxi to the parking area as do fixed-wing Aircraft.

**18.16.090 Common Traffic Advisory Frequency.**

In the interest of aviation safety during the hours that the Airport Traffic Control Tower is not in operation, all pilots conducting flight operations shall use the ~~eCommon~~ ~~tTraffic~~ ~~aAdvisory~~ ~~fFrequency~~.

**18.16.095 Take-offs and Landings Prohibited Outside of the Santa Barbara Municipal Airport - Exceptions.**

~~(1)~~ **A. LANDINGS OUTSIDE AIRPORT PROHIBITED.** It shall be unlawful for any person to take-off from or land any Aircraft within the limits of the City of Santa Barbara outside of the Santa Barbara Municipal Airport, except under the following circumstances:

~~(a)~~1. In emergency situations where it is impossible or impractical for the Aircraft to remain in the air and landing is necessary to avoid greater danger;

~~(b)~~2. When special permission has been secured from the City Administrator, or other person designated by the City Council of the City of Santa Barbara to grant such permission, in which event such landing and taking-off shall be solely in the area and under the conditions imposed by such public official;

~~(c)~~3. Helicopters landing at officially designated heliports;~~;~~

~~(d)~~4. Aircraft while engaged in firefighting, rescue operations or responding to a medical emergency;~~;~~

~~(2) For the purpose of this section, the term "Aircraft" does not include:~~

~~(a)~~5. Parachute or other contrivance used primarily as safety equipment;

~~6. Unpowered Aircraft or device, commonly known as Hang Gliders or paragliders, whose ability to remain in flight is generated by natural air currents only;~~

~~(c)~~7. Military aircraft;

~~(d)~~8. Law enforcement aircraft.

**18.16.100 Motorless Aircraft ~~— Airport Director's Permission.~~**

No motorless Aircraft shall land or take-off at the Airport without prior permission from the Airport Director.

**18.16.110 Towing Objects from Aircraft.**

~~No person shall~~ It shall be unlawful to take-off in an Aircraft towing any object or device, including but not limited to, Gliders and banners, without prior written permission from the Airport Director.

**18.16.120 Turbojet and Turboprop Touch and Go Landings Prohibited.**

Operators of turbojet and turboprop Aircraft are prohibited

from conducting a series of touch and go practice landings at the Airport without the prior consent of the Airport Director.

**18.16.130 Local Helicopter Training Operations.**

Local Traffic (for purposes of this Section "Local Traffic" means Helicopters conducting training operations operating in the traffic pattern, within sight of the tower, or Helicopters known to be departing or arriving from flight in local practice areas) Helicopter training operations shall not be conducted on the Airport without the prior written consent of the Airport Director.

SECTION 7. Chapter 18.18 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

~~18.18.010 Definitions.~~

~~(1) "Hang glider as used in this chapter shall beis any unpowered Aircraft or device including, but not limited to, those devices commonly known as hang gliders or paragliders, whose ability to remain in flight is generated by natural air currents only.~~

~~(2) "Inhabited areas used in this chapter shall be any area of land within one hundred feet (100') of any building used as a residence.~~

~~(3) "Ultralight as used in this chapter shall beis any Aircraft or device that satisfies the definition of an ultralight vehicle found in Title 14 of the Code of Federal Regulations.~~

**18.18.01~~20~~ Prohibited~~ion~~ of Operations of Ultralights and Hang Gliders.**

~~No person operate an Ultralight over the Airport or within the City of Santa Barbara.~~

~~No person~~ It shall be unlawful to operate a hHang gGlider or Ultralight over the Airport or below an altitude of one hundred feet (100') over within one hundred feet (100') of any building used as a residence ~~inhabited area~~ within the City of Santa Barbara.

SECTION 8. Chapter 18.20 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

**18.20.010 ~~Privately Owned~~ Aircraft Parking.**

~~Privately owned~~ Aircraft shall be parked only in ~~the~~ a prescribed tie-down area or in a hangar unless otherwise instructed by the Airport Director. ~~No person~~ It shall be unlawful to park an Aircraft so as to restrict the flow of traffic within tie-down areas or on taxiways.

**18.20.020 Proper Tie-Down.**

It shall be unlawful to ~~No person shall~~ leave an Aircraft unattended unless it is properly secured or placed in a hangar.

**18.20.030 Repair Areas.**

It shall be unlawful to ~~No person shall~~ repair an Aircraft, engine, propeller, or apparatus on the Airport unless the area has been designated for that purpose by the Airport Director; except Aircraft owners may personally perform preventative maintenance on their own Aircraft in their assigned tie-down areas or hangars. Preventative Maintenance as used in this section is defined as those activities identified as preventative maintenance in Federal Aviation Regulation Part 43, Appendix A, except the spray application of paints and other similar decorative or protective coatings is prohibited. Aircraft owners personally performing preventative maintenance to their Aircraft must prevent the release of lubricants and other contaminants into the environment and ensure proper disposal of all wastes resulting from Aircraft maintenance activities.

**18.20.040 Dismantled, Inoperable~~Disabled~~, Parked Aircraft or Parts Thereof.**

~~(a)~~ **A. REMOVAL OF INOPERABLE AIRCRAFT.** ~~In compliance with Federal Aviation Administration recommendations,~~ The owner of dismantled or inoperable~~disabled~~ Aircraft, or parts thereof, parked within the Airport, but excluding wrecked, damaged or disabled Aircraft located on or adjacent to a runway or taxiway, ~~that degrade the appearance of the Airport, or tend to give the impression that aviation is inherently unsafe,~~ must remove such Aircraft, or parts thereof, from the Airport within seven (7) days of receipt of written notice from the Airport Director requesting such removal. ~~except that such~~ The Aircraft, or parts thereof, may be removed to a non-public leased facility ~~ies~~ and out of public view subject to approval of the Airport Director.



~~(b)~~ **B. REQUIREMENT TO MOVE PARKED AIRCRAFT.** At the request ~~discretion~~ of the Airport Director, in the interest of public safety and to preserve all necessary accesses, the operator, owner or pilot of any Aircraft on the Airport must ~~shall~~ move the Aircraft from the place where it is parked or stored to any other designated place on the Airport. If the owner, pilot or operator refuses to comply with this direction, the Airport Director may move the Aircraft at the owner's expense and without liability for damage that may result from such ~~moveing~~.

SECTION 9. Chapter 18.24 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

**18.24.010 Complying with Orders.**

Each person operating an Aircraft on a part of the Airport that is not under the direction of the Airport Traffic Control Tower shall comply with orders, signals, and directions of ~~an~~the authorized representative of the Airport Director.

**18.24.020 Engine Blast.**

It shall be unlawful to ~~No person shall~~ taxi any Aircraft on the Airport in a place where exhaust blast is likely to cause injury to persons or property. If Aircraft cannot be taxied without violating this section, the operator must have the Aircraft towed to the desired location on the Airport.

~~18.24.030 Movement of Helicopters.~~

~~—It shall be unlawful to No person shall move a Helicopter at a place on the Airport while its rotors are turning unless there is a clear area of at least fifty feet (50') from the outer tip of each rotor blade.~~

~~18.24.040 Caution.~~

~~—Pilots shall taxi their Aircraft slowly on the taxiways and parking aprons and exercise extreme caution at all times.~~

**18.24.050 Taxiing Into and Out of Hangars Prohibited.**

It shall be unlawful to operate an ~~—No Aircraft shall be operated—~~in, or taxied into or out of a hangar.

SECTION 10. Chapter 18.28 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

**18.28.010 General Regulations.**

~~(a)~~ **A. UNLAWFUL OPERATION OF MOTOR VEHICLES ON AIRPORT.** It shall be unlawful for any person to operate a Motor Vehicle on the Airport in violation of any provision of this Code, any rule or regulation adopted by resolution of the City Council, or any rule or regulation adopted by the Airport Director pursuant to authority granted under this Code.

~~(b)~~ **B. MOTOR VEHICLE RULES AND REGULATIONS.** The Airport Director is authorized to adopt rules and regulations governing the operation of Motor Vehicles on the Airport consistent with the provisions of this Code.

~~(c)~~ **C. OPERATION OF MOTOR VEHICLES ON ROADS.** It shall be unlawful to operate a Motor Vehicle ~~shall be operated~~ on the Airport except on roadways, parking areas and other hard surfaces that are designated for such vehicles, except service vehicles authorized in writing by the Airport Director and emergency vehicles.

~~(d)~~ **D.** ~~Only vehicles equipped with operating two way radios tuned to ground control frequencies shall be permitted to enter the Controlled Movement Area of the Airfield unless prior permission has been obtained from the Airport Director. Vehicles without two way radios tuned to ground control frequencies must arrange for an escort by a vehicle with ground control communications before permission will be granted to enter the Controlled Movement Area by the Airport Director.~~

~~(e)~~ **SERVICE VEHICLE IDENTIFICATION.** All authorized service vehicles operating within the Air Operations Area of the Airport must have company identification displayed on both sides of the vehicle, visible and legible from a distance of one hundred (100) feet.

~~(f)~~ ~~Motor Vehicles must have clearance from the Air Traffic Control Tower prior to driving on any runway or taxiway.~~

~~(g)~~ **E. DESIGNATION OF CONSTRUCTION VEHICLES.** All construction vehicles operating within the Air Operations Area shall display an orange and white checkered flag of not less than nine (9) square feet and shall obtain clearance from the Airport Traffic Control Tower when operating within one hundred (100) feet of a runway or taxiway.

~~(h)~~ **F. NIGHTTIME VEHICLE DESIGNATION.** All vehicles operating on the Air Operations Area from sunset to sunrise shall operate a rotating amber light beacon or strobe on the roof of the vehicle.

### 18.28.020 Accident Reporting.

Each operator of a Motor Vehicle involved in an accident between that vehicle and an Aircraft or another vehicle on the Airport shall report such accident fully to the Airport Director as soon as possible after the accident. The report shall include to the greatest extent possible: the date, time and location of the accident; a description of all vehicles or Aircraft involved in the accident, including license or tail numbers; the name of the owners of the vehicles or Aircraft; the names of the vehicle or Aircraft operators and their license numbers; the owners' and operators' insurance carriers; the circumstances of the accident; and a list of any injuries or damages.

### 18.28.030 Parking.

~~(a)~~ **A. PAID PARKING AREAS.** It shall be unlawful to: ~~No person shall~~ 1. ~~p~~ Park a Motor Vehicle on the Airport in an area requiring payment for parking unless ~~he pays~~ the required amount is paid. ~~or~~

2. ~~p~~ Park a Motor Vehicle in such a manner as to occupy parts of two (2) marked spaces, unless approved by the Airport Director.

~~(b)~~ **B. NO ABANDONED VEHICLES.** It shall be unlawful to ~~No person shall~~ abandon a Motor Vehicle on the Airport.

~~(c)~~ **C. OBEY SIGNS AND MARKINGS.** ~~No person shall~~ It shall be unlawful to park or stand a Motor Vehicle at any place on the Airport in violation of any sign or pavement marking posted by the Airport Director.

~~(d)~~ **D. NO PARKING WITHIN FIFTEEN FEET OF FIRE HYDRANT.** It shall be unlawful to ~~No person shall~~ park or stand a Motor Vehicle within fifteen feet (15') of a fire hydrant on the Airport.

~~(e)~~ **E. PARKING IN AIR OPERATIONS AREA.** ~~No person shall~~ It shall be unlawful to park a Motor Vehicle in the Air Operations Area or in any Aircraft tie-down area unless authorized by the Airport Director. The Airport Director may authorize an ~~O~~owners or operators of an Aircraft stored in a hangar on the Airport to ~~may~~ park ~~at~~ the Motor Vehicle used to access the Aircraft in an ~~the~~ aircraft hangar while using the Aircraft.

~~(f)~~ **F. PARKING ONLY IN DESIGNATED AREAS.** ~~No person shall~~ It shall be unlawful to park a Motor Vehicle on the Airport anywhere other than on an hard ~~surfaced~~ area that has been designated for parking by the Airport Director.

~~(g)~~ **G. REMOVAL OF UNAUTHORIZED VEHICLES.** The Airport Director or his or her designee ~~agent~~ may remove, at the owner's expense, any vehicle parked on the Airport in violation of this Ttitle,

and the vehicle shall be subject to a lien for the cost of removal.

#### **18.28.040 Fire Gates and Equipment.**

Motor Vehicles shall be kept clear of gates, entrances and fire equipment at all times.

#### **18.28.060 Reckless Operation.**

~~(a)~~ **A. MOTOR VEHICLE OPERATION ON AIRPORT.** It shall be unlawful to ~~No person shall~~ operate a Motor Vehicle on the Airport in a negligent or reckless manner or in excess of twenty-five (25) miles per hour or as otherwise posted.

~~(b)~~ **B. MOTOR VEHICLE OPERATION IN AIR OPERATIONS AREA.** ~~No person shall~~ It shall be unlawful to operate a Motor Vehicle in the Air Operations Area in a negligent or reckless manner or in excess of fifteen (15) miles per hour or as otherwise posted.

#### **18.28.070 Yield Right-of-Way.**

Motor Vehicles on the Airfield shall yield right-of-way to taxiing Aircraft.

#### **18.28.080 Pass to Rear of Aircraft.**

Motor Vehicles on the Airfield shall pass to the rear of Aircraft if the Aircraft's engine ~~, the engine of which~~ is running.

#### **18.28.090 Blocking Taxiway.**

Gasoline tenders shall not be operated or parked so as to restrict taxiing Aircraft.

#### **18.28.100 Rapid Removal of Gas Tenders.**

Gasoline tenders shall not be so positioned as to prevent their rapid removal.

#### **18.28.110 Repairs to Motor Vehicles.**

Except as authorized in writing by the Airport Director, or to make minor repairs necessary for the prompt removal of the Motor Vehicle, it shall be unlawful to ~~no person shall~~ clean or make repairs to Motor Vehicles anywhere on the Airport other than designated shop areas, ~~except minor repairs necessary for prompt removal to a proper location.~~

### 18.28.120 Obedience to Traffic Control Devices.

~~Pursuant to sections 21107.8 and 21108 of the California Vehicle Code, a~~ All roads and parking lots on the Airport are subject to public traffic regulations and control. ~~No pedestrian or person~~ It shall be unlawful to operateing a Motor Vehicle in violation of ~~shall fail to obey~~ any sign, signal or other traffic control device on the Airport. ~~This provision shall not be effective unless appropriate signs giving notice hereof are posted on the roads and in the parking lots.~~

SECTION 11. Chapter 18.32 of Title 18 of the Santa Barbara Municipal Code shall be amended to read as follows:

### 18.32.010 Smoking.

~~No person shall~~ It shall be unlawful to smoke in any place on the Airport where smoking is prohibited by state law or City ordinance. In addition, it shall be unlawful to ~~no person shall~~ smoke within any baggage claim pavilion, the Security Identification Display Area, any hangar or within one hundred (100) feet of any Aircraft.

### 18.32.020 Storage.

~~(a)~~ **A. FIRE HAZARDS PROHIBITED.** ~~No person shall~~ It shall be unlawful to store or stack material or equipment on the Airport in any manner that constitutes a fire hazard.

~~(b)~~ **B. FLAMMABLE MATERIALS.** ~~No person shall~~ It shall be unlawful to keep or store any flammable liquid, gas signal flare, or other similar material in a hangar or other building on the Airport, except that such material may be kept in an Aircraft in proper receptacles, in rooms or areas or in safety cans as approved by the City Fire Chief.

~~(c)~~ **C. STORAGE IN HANGARS.** ~~Each lessee of a~~ All hangars ~~(or its sub-lessee)~~ on the Airport must be equipped with ~~shall provide~~ suitable metal receptacles, with self-closing covers, for storageing of waste, rags and other rubbish, and all rubbish shall be ~~responsible for the removal of all rubbish~~ from the hangar ~~leased area~~.

### 18.32.030 Cleaning Fluids.

~~No person shall~~ It shall be unlawful to use a flammable liquid having a flash point of less than one hundred ten degrees Fahrenheit (110 F) to clean an Aircraft or other engine, propeller or appliance on the Airport, unless it is done in the open air or in a room specifically set aside for that purpose. If a room is used, it must be a properly designed, fireproof and ventilated room or building, equipped with automatic sprinklers and adequate and readily accessible fire extinguishing apparatus, and in which all lights, wiring, heating, ventilation equipment, switches, outlets and fixtures are explosion proof, spark proof and vapor proof.

### 18.32.040 Apron Surface Areas and Floor Surfaces.

Each person to whom a space on the Airport is leased, assigned, or made available for use, shall keep the space free and clear of weeds, oil, grease or other foreign materials that could cause a fire hazard or a slippery or otherwise unsafe condition.

### 18.32.050 Doping Materials.

~~(a)~~ A. DOPING MATERIAL PROHIBITED EXCEPT AS PROVIDED HEREIN. ~~No person shall~~ It shall be unlawful to apply a doping material on the Airport except in a properly designed, fireproof and ventilated room or building in which all lights, wiring, heating, ventilation equipment, switches, outlets and fixtures are explosion proof, spark proof and vapor proof, and in which room or building all windows and doors are easily opened.

~~(b)~~ B. NO ENTRY INTO AREA WHERE DOPING MATERIAL BEING APPLIED. ~~No person shall~~ It shall be unlawful to enter or work in a room where doping materials are being used unless the person ~~he~~ is wearing spark proof shoes.

### 18.32.060 Fueling Operations.

~~(a)~~ A. AIRCRAFT FUELING RESTRICTIONS. ~~No person shall~~ Except as provided in the National Fire Protection Association (NFPA) 407 "Standards for Aircraft Fuel Servicing," it shall be unlawful to fuel or defuel an Aircraft on the Airport while:

- ~~(1)~~ 1. The Aircraft ~~its~~ engine is running;
- ~~(2)~~ 2. The Aircraft ~~it~~ is in a hangar or enclosed place;
- ~~(3)~~ 3. Passengers are in the Aircraft, unless a passenger loading ramp is in place at the cabin door, the door is open, and a cabin attendant is at or near the door;

~~(4)~~4. Operating a radio transmitter or receiver, or operating electrical switches.

~~(b)~~**B. FUELING PRECAUTIONS.** ~~No person shall~~ It shall be unlawful to start the engine of an Aircraft on the Airport if there is any gasoline or other flammable liquid on the ground underneath.

~~(c)~~**C. BONDING.** During the fueling of an Aircraft, the dispensing apparatus and the Aircraft must ~~both~~ be bonded grounded in accordance with the most current version of the National Fire Protection Association (NFPA) 407 "Standards for Aircraft Fuel Servicing." ~~orders and instructions of the Airport Director.~~

~~(d)~~**D. OVERFLOW PREVENTION.** Each person engaged in fueling or defueling shall exercise care to prevent the overflow of fuel, and must have readily accessible adequate fire extinguishers.

~~(e)~~**E. NO SMOKING.** During the fueling or defueling of an Aircraft no person shall, within one hundred feet (100') of that Aircraft, smoke or use any material that is likely to cause a spark or be a source of ignition.

~~(f)~~**F. FUELING EQUIPMENT MAINTENANCE.** Each hose, funnel or apparatus used in fueling or defueling an Aircraft must be maintained in a safe and non-leaking condition and must be properly grounded to prevent ignition of flammable liquids.

~~(g)~~**G. FUELING PROCEDURES.** Each person fueling or defueling an Aircraft on the Airport shall comply with the fire safety requirements and the fuel spill procedures set forth presented in the applicable and current version of the Airport Minimum Standards. ~~document adopted by City Council Resolution Number 98-098 and as amended from time to time.~~

#### **18.32.070 Fire Apparatus.**

Each occupant ~~tenant~~ on the Airport shall supply and maintain adequate and readily accessible fire extinguishers, approved by fire underwriters for the hazard involved, that the Airport Director considers necessary.

SECTION 12. Chapter 18.36 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

#### **18.36.010 Rates and Fees.**

Rates and fees charged by the City of Santa Barbara for landing, Airline Terminal use and public parking at the Airport shall be established ~~from time to time~~ by resolution of the City Council after consideration of the recommendations of the Airport Commission.

SECTION 13. Chapter 18.40 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

#### **18.40.010 Powers of Airport Director.**

The Airport Director shall be responsible for the enforcement of the provisions of this Title.

#### **18.40.020 Issuance of Citations.**

~~For the purposes of enforcing this title,~~ The Airport Director, and those employees of the Airport Department charged by the Airport Director with enforcement duties, are authorized to issue written notices to appear as provided in Chapter 1.20 of this Code, of Section 853.6 of the California Penal Code, and to issue notices of illegal parking as provided in Section 40202 of the California Vehicle Code.

#### **18.40.030 Carrying Firearms.**

The Patrol Supervisor and Airport Patrol Officers may carry firearms while engaged in the performance of their duties. ~~Provided, however, that~~ prior to carrying ~~any~~ firearms, the Patrol Supervisor and all Airport Patrol Officers must ~~first~~ satisfactorily complete a course of training in the carrying and use of firearms which meets the minimum standards prescribed by the Commission on Peace Officers Standards and Training. ~~Not less than once every ninety (90) days, the Patrol Supervisor and all Airport Patrol Officers shall demonstrate their competency in handling firearms in a manner satisfactory to the Chief of Police. Upon being determined to be competent, said Patrol Supervisor and Officers shall be so certified by the Chief of Police for the succeeding ninety (90) day period.~~ The purpose and intent of the authorization to carry firearms provided in this section is to provide a means of self-defense or defense of others ~~only~~. The use and handling of such weapons shall comply in all respects with all applicable polices, rules and regulations. ~~promulgated by the Airport Commission or City Council.~~

#### **18.40.040 Penalty.**

The violation of any provision of this Title is a misdemeanor and upon conviction thereof shall be punishable by a fine not to



exceed the sum of one thousand ~~five hundred~~ dollars (\$1000~~500~~.00), or by imprisonment for a period not exceeding six (6) months, or by both such fine and imprisonment.

SECTION 14. Chapter 18.44 of Title 18 of the Santa Barbara Municipal Code is amended to read as follows:

**18.44.010 Establishment.**

There is hereby created and established an Airport Commission for the City of Santa Barbara.

**18.44.020 Membership.**

The Commission shall consist of seven regular (7) members who shall be appointed and serve as follows:

~~(a)~~ **A. REGULAR MEMBER INTERVIEWS.** Prior to the appointment of a regular member, the prospective member shall be interviewed by members of the City Council at a public meeting attended by not less than a quorum of the City Council.

~~(b)~~ **B. APPOINTMENT BY CITY COUNCIL.** The seven regular members of the Commission shall be appointed by the City Council. They shall be subject to removal by motion of the City Council adopted by the affirmative votes of a majority of the total membership thereof. The regular members ~~thereof~~ shall serve for terms of four years and until their respective successors are appointed and qualified. The terms for new and existing regular members shall be staggered so that the number of terms on the Commission expiring in any year shall not differ by more than one from the number of terms expiring in any other year. Such terms shall expire on January first of the appropriate year. A vacancy occurring before the expiration of a term shall be filled by appointment for the remainder of the unexpired term.

~~(c)~~ **C. COMPOSITION OF COMMISSION.** No less than four<sup>4</sup> regular members appointed by the City Council to serve on the Commission shall be residents and electors of the City.

**18.44.040 Compensation of Members.**

The City Council may by resolution provide for remuneration of Commissioners.

**18.44.050 Officers, Record, Quorum.**

The Airport Commission shall annually elect one (1) of its

regular members as chairperson, one (1) of its regular members as vice chairperson, and such other officers as it may desire. The chairperson shall not serve more than two (2) consecutive terms of one (1) year each. The Commission shall cause to be kept a complete record of all its proceedings. A majority of the regular members of the Commission shall constitute a quorum for the transaction of all business of the Commission. In the event the City Council delegates the power to approve the execution of any agreement, lease, contract or the expenditure of funds to the Airport Commission, four regular member (4) votes shall be required to pass any action exercising such authority.

#### **18.44.060 Meetings.**

The Airport Commission shall meet regularly once a month and at such other times as deemed necessary by the Commission.

#### **18.44.070 Powers and Duties.**

The Airport Commission shall have the power and duty to advise the City Council regarding the following:

**1A. APPOINTMENT OF AIRPORT DIRECTOR.** The selection and appointment of an Airport Director for the management of the Airport.

**2B. CONTRACTS, AGREEMENTS AND LEASES.** The terms and conditions of all contracts and agreements pertaining to the operation of the Airport, and those leases which have terms for periods of longer than five (5) years or which involve special circumstances as defined in Section 18.44.075 C. Any matter required to be accomplished by ordinance of the City Council under the City Charter shall not be binding upon the City until the effective date of the ordinance adopted by the City Council.

**3C. RULES AND REGULATIONS.** The promulgation of rules and regulations related to operation and maintenance of the Airport, including the fixing of rates, tolls, fees, rents, charges, or other payments to be made or received in connection with operation of the Airport.

**4D. FINANCIAL PLANS AND BUDGETS.** The preparation of the financial plan and the budget for the operation of the Airport.

**5E. AIRPORT DEVELOPMENT PLANS.** The preparation and submission for approval of the development plans of the Airport.

**6F. AIRPORT RESOLUTIONS.** The preparation of resolutions regarding matters pertaining to the Airport.

#### **18.44.075 Airport Commission Authority.**

**A. AUTHORITY OF AIRPORT COMMISSION TO APPROVE AND AIRPORT DIRECTOR TO EXECUTE LEASES.** Pursuant to the authority of Charter Section 812, the Airport Commission shall have the authority to review and approve on behalf of the City, and the Airport Director shall have the authority to execute, those leases, lease amendments, lease extensions, ~~and~~ lease assignments and aeronautical permits ~~of~~ for Airport-owned property or aviation activity which have a ~~lease~~ term of not longer than five (5) years or which do not involve Special Circumstances as defined in Subsection C hereof.

**B. APPEAL.** A prospective lessee under a lease or prospective aeronautical permit holder under an aeronautical permit that is denied by the Airport Commission may appeal the action of the Airport Commission denying the lease to the City Council. The procedures for such an appeal shall be as provided in Santa Barbara Municipal Code Section 1.30.050.

**C. SPECIAL CIRCUMSTANCES.** The term "Special Circumstances" as used in this Section 18.44.075 shall mean those leases which, in the discretion of the Airport Director or the Airport Commission, involve issues of public interest, including, but not limited to, environmental, land use, or other issues that may be of concern to the general public.

#### **18.44.080 Delegation of Authority by City Council.**

The Airport Commission shall have the duty and power in its discretion to submit to the City Council requests for the delegation of authority regarding any or all matters referenced in Section 18.44.070 above.

#### **18.44.090 Continuation of Existing Arrangements.**

After the effective date of this ordinance, services provided by City departments and offices to the Airport shall continue to be provided under existing arrangements until such time as the City Council does approve other arrangements.

RESOLUTION NO. \_\_\_\_

A RESOLUTION OF THE COUNCIL OF THE CITY  
OF SANTA BARBARA ADOPTING RULES AND  
REGULATIONS PERTAINING TO RESTRICTED  
AREAS IN THE SANTA BARBARA AIRPORT.

**A. AUTHORITY FOR ADOPTION OF RULES PERTAINING TO RESTRICTED  
AREAS WITHIN THE SANTA BARBARA AIRPORT; DEFINITIONS.**

**1. AUTHORITY.** Chapter 18.10 of the Santa Barbara Municipal Code authorizes the City Council to adopt by resolution such rules and regulations as may be necessary to control access to and conduct within those areas of the Santa Barbara Airport designated as Restricted Areas.

**2. DEFINITIONS.** The definitions set forth in Santa Barbara Municipal Code Chapter 18.04 are incorporated herein by reference as though set forth in full.

**B. RESTRICTED AREAS.** Restricted Areas within the Santa Barbara Airport are areas that are posted to indicate that access is limited to persons authorized by the Airport Director or under Airport-Authorized Escort. Restricted Areas include, but are not limited to, Secure Areas, Air Operations Areas, Security Identification Display Areas and Sterile Areas.

**1. PERMISSION TO ENTER RESTRICTED AREAS.** The Airport Director may grant a person unlimited access to a Restricted Area or may grant a person limited access to a specific portion of a Restricted Area. A person who is granted access to all or a part of a Restricted Area shall comply with all of the following restrictions:

a. A person who is granted access to a limited portion of a Restricted Area shall not travel outside the boundary established by the Airport Director for that person.

b. A person shall not leave open, prop open or leave unsecured any door, gate or electronically controlled access point leading to or from a Restricted Area unless a person with Personnel Identification Media for that area continuously monitors the access point. A person's Personnel Identification Media must be utilized to activate the access point for additional time, if needed.

c. A person, unless conducting an Airport-Authorized Escort, shall not allow other persons to enter or gain access to a Restricted Area.

d. Personnel Identification Media, or an authorized key, must be utilized to gain access into a Restricted Area.

## **2. AIRPORT-AUTHORIZED ESCORTS IN RESTRICTED AREAS.**

Airport-Authorized Escorts in Restricted Areas shall:

a. Continuously accompany and monitor the escorted person while within the Restricted Area to ensure that the escorted person is engaged in activities for which escorted access was granted.

b. Immediately report to law enforcement any unauthorized activity engaged in by an escorted person.

c. The Airport-Authorized Escort shall at all times while within a Restricted Area have a valid Personnel Identification Media that authorizes the Airport-Authorized Escort entry into the area where the person under escort is being escorted.

d. The Airport-Authorized Escort may only escort persons into a Restricted Area if the person under escort has employment, business or other reasons, as approved by the Airport Director, for entry into the Area.

**3. ESCORT INTO SECURITY IDENTIFICATION DISPLAY AREAS.** No Airport-Authorized Escort shall escort a person in a Security Identification Display Area if the person under escort has been issued Personnel Identification Media that is valid and that allows access by the escorted person into the Security Identification Display Area to which access is sought.

**C. PERSONNEL IDENTIFICATION MEDIA**

**1. USE OF PERSONNEL IDENTIFICATION MEDIA.** A person issued Personnel Identification Media by the Airport Director that grants access to a Restricted Area, whether escorted or unescorted, must comply with all requirements of the Santa Barbara Municipal Code and these Rules.

**2. DISPLAY OF PERSONNEL IDENTIFICATION MEDIA.** A person issued Personnel Identification Media by the Airport Director granting access to a Restricted Area shall continuously display such media when within a Restricted Area in a prominent and visible manner on the person's outermost garment and above his or her waist.

**3. LENDING PERSONNEL IDENTIFICATION MEDIA TO OTHER PERSONS.** No person shall permit another person to use or attempt to use his or her Personnel Identification Media within a Restricted Area or to gain entry into, or exit out of, a Restricted Area.

**4. PRESENTATION OF PERSONNEL IDENTIFICATION MEDIA ON DEMAND FROM AUTHORIZED PERSONS.** A person within a Restricted Area in possession of a Personnel Identification Media shall present it for inspection upon request of any peace officer or other Authorized Person.

**D. SUSPECTED SECURITY VIOLATIONS AND VULNERABILITIES; REPORTING.**

Authorized persons shall promptly report to the Airport Director or law enforcement agency any suspected Airport security violation or Airport Security Vulnerability that they have knowledge of or observe.

**E. PROCEDURES FOR CONFISCATION, SUSPENSION AND REVOCATION OF PERSONNEL IDENTIFICATION MEDIA.**

**1. CONFISCATION.**

a. The Airport Director may confiscate a person's Personnel Identification Media if the Airport Director has reason to believe that any of the following circumstances to exist:

i. Confiscation is necessary to protect the health, safety or welfare of the public.

ii. Personnel Identification Media has been or could be used to commit or facilitate the commission of a crime.

iii. An undisclosed disqualifying offense pursuant to Transportation Security Regulations, as amended from time to time, exists.

iv. Failure to present Personnel Identification Media upon request by law enforcement or other Authorized Persons.

v. The need for unescorted access no longer exists.

b. Following the confiscation of Personnel Identification Media, the Personnel Identification Media shall be suspended or revoked in accordance with the procedures set forth in E 2 or E 3, respectively, and the holder of the Media shall be notified in accordance therewith by the Airport Director.

c. Once the Personnel Identification Media is confiscated, it shall not be returned to the holder of the Personnel Identification Media unless any of the following occur: (i) the Airport Director reconsiders the grounds for confiscation and rescinds the notice to suspend or revoke and restores the Personnel Identification Media to the holder, (ii) the confiscated Personnel Identification Media is suspended as provided in Subsection E 2 herein and the term of the suspension expires, or (iii) the confiscated Personnel Identification Media is suspended as provided in E 2 or revoked as provided in E 3 and the holder of the Personnel Identification Media files a timely appeal and the appeal is upheld by the Airport Commission.

## **2. SUSPENSION.**

a. The Airport Director may suspend a person's Personnel Identification Media, or the privilege granted to a person by the Airport Director to use the Personnel Identification Media, if the Airport Director has reason to believe that any of the following circumstances to exist:

i. The person knowingly made any false, misleading or fraudulent statement of a material fact in an application for issuance of the Personnel Identification Media or in any report or record required to be filed pursuant to the Municipal Code.



ii. The person issued the Personnel Identification Media violated a provision of the Municipal Code or these Rules.

iii. If the person issued the Personnel Identification Media has been issued three or more Notices of Violation in accordance with the Airport Security Enforcement Policy which have been sustained by the Airport Director in the preceding 12 months.

iv. The Personnel Identification Media has either been confiscated by the Airport Director or, based upon the grounds for confiscation set forth in Subsection D 1, could have been confiscated, pursuant to the provisions of Subsection D 1.

b. Upon determining that the grounds for suspension of the Personnel Identification Media exist, the Airport Director shall mail or personally deliver a written notice of intent to suspend to the holder of the Personnel Identification Media within 24 hours of the determination to suspend, excluding weekends and holidays, and shall include the following information:

i. The grounds for suspension of the Personnel Identification Media or the privilege to use the media.

ii. The name, address and telephone number of the agency providing the notice.

iii. A statement that the holder of the suspended Personnel Identification Media or the privilege to use the media may appeal the Airport Director's determination to suspend the Personnel Identification Media or the privilege to use the media in accordance with the appeal procedures provided in Subsection 4 herein.

c. The suspension shall become effective five (5) calendar days after the date of the notice of intent to suspend is given as provided above. Within such five-day period, the holder of the Personnel Identification Media may submit a written request for reconsideration of the intent to suspend to the Airport Director. The written request for reconsideration may provide the grounds for reconsideration in writing or it may request a meeting with the Airport Director or the Director's designee. The Airport Director shall consider any such evidence, whether written or oral, and shall either rescind the notice of intent to suspend or impose the suspension on or before the effective date of the suspension. A request for Airport Director reconsideration of the suspension must be filed and denied prior to filing an appeal of the suspension pursuant to Section 4.

d. The length of time of the suspension shall be determined by the Airport Director in his or her sole discretion.

### **3. REVOCATION.**

a. The Airport Director may revoke a person's Personnel Identification Media, or the privilege granted to a person by the Airport Director to use the Personnel Identification Media, if the Airport Director has reason to believe any of the following circumstances to exist:

i. The Personnel Identification Media has either been confiscated by the Airport Director or, based upon the grounds for confiscation set forth in Subsection E 1, could have been confiscated in accordance therewith.

ii. If the person issued the Personnel Identification Media has been issued four or more Notices of Violation in accordance with the Airport Security

Enforcement Policy which have been sustained by the Airport Director in the preceding 12 months.

b. Upon determining that the grounds for revocation of the Personnel Identification Media exist, the Airport Director shall mail or personally deliver a written notice of intent to revoke to the holder of the Personnel Identification Media within 24 hours of the determination to revoke, excluding weekends and holidays, and shall include the following information:

i. The grounds for revocation of the Personnel Identification Media or the privilege to use the media.

ii. The name, address and telephone number of the agency providing the notice.

iii. A statement that the holder of the revoked Personnel Identification Media or the privilege to use the media may appeal the Airport Director's determination to revoke the Personnel Identification Media or the privilege to use the media in accordance with the appeal procedures provided in Subsection 4 herein.

c. The revocation shall become effective immediately after the notice of intent to revoke is given as provided above. Within five calendar days of the date of the notice of intent to revoke, the holder of the Personnel Identification Media may submit a written request for reconsideration of the intent to revoke to the Airport Director. The written request for reconsideration may provide the grounds for reconsideration in writing or it may request a meeting with the Airport Director or the Director's designee. The Airport Director shall consider any such evidence, whether written or oral, and shall either rescind the notice of intent to revoke or impose the

revocation. A request for Airport Director reconsideration of the revocation must be filed and denied prior to filing an appeal of the revocation pursuant to Section 4.

d. The holder of the revoked Personnel Identification Media shall be eligible to reapply to the Airport Director for issuance of Personnel Identification Media one year after the date of the revocation of the Personnel Identification Media.

**4. APPEAL.** A decision by the Airport Director to suspend or revoke Personnel Identification Media pursuant to this Resolution shall be appealable to the Airport Commission. Any such appeal must be filed in writing with the Airport Director within five (5) calendar days of the date that the Airport Director rules on a request for reconsideration submitted in accordance with E 2 or E 3, respectively. Unless the Personnel Identification Media has been confiscated, or the Airport Director determines that immediate suspension or revocation of the Personnel Identification Media, or the privilege to use the media, is necessary for the immediate preservation of the public health, safety or welfare, the suspension or revocation shall be stayed while the appeal is pending.. The appeal shall be filed in writing and shall specify all of the grounds for the appeal. The Airport Commission shall provide the appellant with an opportunity to present evidence on his/her behalf. Formal rules of evidence or procedure need not be followed. The decision of the Airport Commission on the appeal shall be final. If the appeal is denied, the suspension or revocation shall become effective immediately.

**F. COMPLIANCE.** A person granted access into the Restricted Areas must comply with all provisions of the Santa Barbara Municipal Code, these Rules and Regulations, as may be amended from time to time, and all current and future security directives issued under federal law. A person failing to comply with the Municipal Code

or these Rules and Regulations shall be subject to prosecution for violation of the Municipal Code as provided therein. Such person may also be subject to prosecution under federal and state law.