

ORDINANCE NO. 090-052

AN ORDINANCE OF THE TOWN OF ADDISON, DALLAS COUNTY, TEXAS, AMENDING CHAPTER 2.1, AIRPORTS AND AVIATION, OF THE CODE OF ORDINANCES, TOWN OF ADDISON, TEXAS, TO PROHIBIT TRESPASS; TO PROVIDE FOR REPEAL; TO PROVIDE FOR SEVERABILITY; TO PROVIDE PENALTIES; AND TO PROVIDE AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

SECTION 1. That Section 2.1-1 of the Code of Ordinances, Town of Addison, Texas, is hereby amended to read as follows:

Sec. 2.1-1. Trespass prohibited.

a. It shall be unlawful and an offense for any person to enter or remain on landing, take-off, taxiing and safety zone areas or any other Restricted Airport Property on the Addison Municipal Airport without Effective Consent where such person had Notice that the Entry was forbidden or where such person received Notice to depart but failed to do so.

b. For purposes of this section:

(1) "Airport Operator" means the entity with whom the Town of Addison has contracted to manage and operate the airport.

(2) "Effective Consent" means permission given by authorized Federal Aviation Administration ("FAA") personnel, authorized personnel employed by the Airport Operator or authorized personnel employed by the City.

(3) "Entry" means the intrusion of the entire body.

(4) "Notice" means

(a) oral or written communication by authorized personnel employed by the FAA, the

Air Traffic Control Tower, the Airport Operator, or the Town of Addison;

(b) fencing or other enclosure obviously designed to exclude intruders; or

(c) a sign or signs posted on the property which sign or signs is reasonably likely to come to the attention of intruders and which indicates that Entry is forbidden.

(5) "Restricted Airport Property" means all paved and unpaved areas of the Addison Municipal Airport which areas are specifically reserved for use of the actual operators of licensed aircraft, the aircraft crews, incoming and outgoing passengers in aircraft, employees of the Town of Addison or Airport Operators, and such other persons as may be authorized to enter thereon by reason of their official duties in connection with the maintenance, inspection and operation of the aircraft and the airport.

c. It is a defense to prosecution under this section that a person has received permission to enter Restricted Airport Property from authorized FAA, Airport Operator, Air Traffic Control Tower, or Town of Addison personnel.

SECTION 2. That all ordinances of the City in conflict with the provisions of this ordinance be, and the same are hereby repealed and all other ordinances of the City not in conflict with the provisions of this ordinance shall remain in full force and effect.

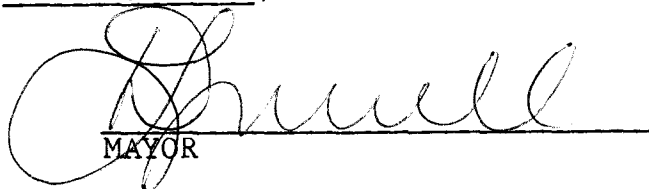
SECTION 3. That should any paragraph, sentence, subdivision, clause, phrase or section of this ordinance be adjudged or be held to be unconstitutional, illegal or invalid, the same shall not affect the validity of this ordinance as a whole or any part or provision thereof other than the part so decided to be invalid, illegal, or unconstitutional.

SECTION 4. Any person, firm or corporation violating any of

the provisions of this Ordinance, shall upon commission be deemed guilty of a misdemeanor, and shall be subject to a fine not to exceed the sum of Five Hundred and no/100 Dollars (\$500.00) for each offense, and each day such violation continues shall constitute a separate offense.

SECTION 5. This ordinance shall take effect and be in force from and after its adoption as provided by law.

DULY PASSED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS, this 13th day of November, 1990.


MAYOR

ATTEST:


CITY SECRETARY

C11-Tres

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