

# Chapter 1

## General Provisions

- Sec. 1-1. Title.
- Sec. 1-2. Intent.
- Sec. 1-3. Scope.
- Sec. 1-4. Definitions.
- Sec. 1-5. Headings of Sections.
- Sec. 1-6. Severability.
- Sec. 1-7. Culpable Mental State.
- Sec. 1-8. Adoption of Code.
- Sec. 1-9. Penalty, Continuing Violations.

### **SEC. 1-1. TITLE.**

The rules and regulations adopted in this and the following chapters shall constitute and be designated “The Code of Rules and Regulations of the Dallas-Fort Worth International Airport Board”. It is referred to herein as “this Code”.

### **SEC. 1-2. INTENT.**

It is the intent of this Code to establish certain rules and regulations necessary to the maintenance and promotion of the peace, health, good government and welfare of the Dallas-Fort Worth International Airport, to provide for the best performance of the functions thereof, for the security of persons using the Dallas-Fort Worth International Airport and to provide by such rules and regulations and by concurrent ordinances of the Cities adopting this Code, for suitable penalties for the violation of its provisions.

### **SEC. 1-3. SCOPE.**

The provisions of this Code shall constitute a special enactment of effect only within the boundaries of the Dallas-Fort Worth International Airport, pursuant to

Transportation Code Section 22.082 and adopted in cooperation and concert with the Cities of Dallas and Fort Worth. This Code shall not be construed to waive or set aside any provisions contained in other Dallas-Fort Worth International Airport Board approved rules or regulations not expressly repealed hereby or other existing ordinances of the Cities of Dallas and Fort Worth applicable to the Dallas-Fort Worth International Airport or any law of the State of Texas applicable to the Dallas-Fort Worth International Airport. To the extent of any conflict between this Code and the existing or future general ordinances of any city other than the Cities of Dallas and Fort Worth, this Code shall prevail within the boundaries of the Dallas-Fort Worth International Airport.

#### **SEC. 1-4. DEFINITIONS.**

The definition of a term in this chapter shall apply to the entire Code. A word importing the masculine gender only shall extend and be applied to include females and to firms, partnerships and corporations as well as to males.

**AIR OPERATIONS AREA** or **“AOA”** shall mean the area of the Dallas-Fort Worth International Airport bounded by a fence or to which access is otherwise restricted and which is primarily used or intended to be used for landing, taking-off or surface maneuvering of aircraft. The AOA does not include those leasehold areas within or having direct access to the AOA which are subject to security requirements imposed on the lessee or tenant under appropriate federal regulations or agreement incorporated in a signed lease.

**AIRPORT** shall mean all of the land, improvement, facilities and developments within the boundaries of the Dallas-Fort Worth International Airport.

**AIRPORT BOARD** or **BOARD** shall mean the Dallas-Fort Worth International Airport Board.

**AIRPORT ROADWAY** means any portions of a street, roadway, or highway within the boundaries of the Airport.

**CEO** shall mean the Chief Executive Officer of the Dallas-Fort Worth International Airport.

**DPS** shall mean the Dallas-Fort Worth International Airport Board Department of Public Safety.

**PERMIT** shall mean an official written instrument granting a special privilege and issued by the Airport Board.

**PERSON** shall mean any individual or other legal entity.

**RESTRICTED AREA** shall mean any area locked or posted by the Airport to either prohibit or limit entry or access to specific authorized persons.

**SEC. 1-5. HEADINGS OF SECTIONS.**

Headings of the sections of this Code are intended merely to indicate general contents of the section and for index or search convenience, and shall not be construed as a substantive part of any section.

**SEC. 1-6. SEVERABILITY.**

The sections, subsections, sentences, clauses and phrases of this Code are severable, and if any phrase, clause, sentence, paragraph, subsection or section of this Code shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, subsections and sections of this Code, since the same would have been enacted without the incorporation in this Code of any such unconstitutional phrase, clause, sentence, paragraph, subsection or section.

**SEC. 1-7. CULPABLE MENTAL STATE.**

- (a) A culpable mental state is not required for the commission of an offense under this code or another city ordinance that is punishable by a fine not exceeding \$500, unless the provision defining the conduct expressly requires a culpable mental state.
- (b) In accordance with Section 6.02 of the Texas Penal Code, and notwithstanding any code or ordinance provision to the contrary, a culpable mental state is required for the commission of an offense under this code or another city ordinance that is punishable by a fine exceeding \$500.
- (c) When a culpable mental state is required for the commission of an offense under this code or another city ordinance, a person must have acted knowingly or with knowledge, unless the provision defining the conduct expressly requires a different degree of culpability.
- (d) A person acts knowingly, or with knowledge, with respect to the nature of his conduct or to circumstances surrounding his conduct when he is aware of the nature of his conduct or that the circumstances exist. A person acts knowingly, or with knowledge, with respect to a result of his conduct when he is aware that his conduct is reasonably certain to cause the result.

**SEC. 1-8. ADOPTION OF CODE.**

- (a) The Board may from time to time adopt certain additional resolutions, rules, regulations and orders which it deems to be necessary to the maintenance and promotion of the peace, good government and welfare of the Airport, for

the performance of the functions thereof, for the order and security of its inhabitants, users and visitors, and to protect the peace, lives, health and property of such inhabitants, users and visitors, and prescribed suitable penalties for the violation thereof, all in the manner prescribed by Transportation Code Chapter 22, and such rules, regulations and orders shall not be construed as an attempt to waive or set aside any provisions contained in the existing ordinances of any city or in any law of the State of Texas. To the extent of any conflict between the existing or future general ordinances of any city, such rules, regulations and orders of the Board shall prevail and be effective within the boundaries of the Airport, but not otherwise.

- (b) Duly certified copies of all rules, regulations and orders of the Board pertaining to the subjects mentioned in SEC. 1-8(a), and prescribing penalties for violations, shall be forwarded by the Executive Director to the chief administrative officer of the Cities of Dallas and Fort Worth to adopt the Code; and the duly authorized and commissioned peace officers or other enforcement officers of the Board shall thereafter be authorized to file cases arising thereunder in such municipal courts, in addition to any other convenient and proper forum.

**SEC. 1-9. PENALTY, CONTINUING VIOLATIONS.**

- (a) The violation of any provision of this Code where an act or a failure to act is made unlawful or is otherwise prohibited, shall be punishable by a fine:
  - 1) not to exceed \$500.00;
  - 2) not to exceed \$2,000.00 if the provision violated governs fire safety, or public health and sanitation, including dumping of refuse; or
  - 3) fixed by State law if the violation is one for which the State has fixed a fine.
- (b) A person violating a provision of this Code is guilty of a separate offense for each day or part of a day during which the violation is committed, continued, or permitted, unless otherwise provided.