

Council Communication

Office of the City Manager



Date

June 19, 2006

Agenda Item No. 51
Roll Call No. 06-
Communication No. 06-356
Submitted by: Craig Smith, Aviation
Director

AGENDA HEADING:

Repealing sections in Chapter 22 of the Municipal Code of the City of Des Moines regarding sections that are now covered under the International Fire Code or under adopted Airport Board Regulations.

RECOMMENDATION:

Recommend approval to repeal sections 22-166, 22-167, 22-168, 22-169, 22-174, 22-175, and 22-176 of the Municipal Code pertaining to minimum acceptable fire safety standards at the Des Moines International Airport, upon recommendation from the Des Moines International Airport Board with a request to waive readings.

FISCAL IMPACT: NONE

Amount:

Funding Source:

ADDITIONAL INFORMATION:

The Federal Aviation Administration (FAA) administers Federal Regulations that address minimum safety standards at airports serving scheduled passenger air carrier aircraft. The FAA Administrator is responsible to provide guidance and standards to airport operators to meet the requirements of Federal Aviation Regulation 14 CFR Part 139, *Certification of Airports*. 14 CFR Part 139 requires each airport operator implement and maintain minimum fire safety standards acceptable to the FAA Administrator. The guidance and standards required to comply with 14 CFR Part 139 are published by FAA in Orders, Advisory Circulars, Certification Alerts, and other similarly published federal documents. The FAA Administrator's minimum fire safety standards have essentially been regulatory in nature as they once were the minimum acceptable standards by which airports could operate in compliance with 14 CFR Part 139.

In addition to the FAA Administrator's minimum fire safety standards, airport operators were required to adhere to the fire safety standards in place under the airport's local governing fire code. In the event one standard was less restrictive than the other, the most restrictive standard would be imposed.

Many years ago the City Council adopted the FAA Administrator's minimum fire safety standards into the Municipal Code, Chapter 22, *Aviation*. These standards, along with the City's Fire Prevention and Protection Code, served as the basis for the minimum fire safety standards at the Airport. On January 7, 2003, the

Airport Board approved Resolution No. 02-39, which adopted the revised City of Des Moines' Fire Prevention and Protection code standards as those of the Airport. These revised standards were implemented, with the FAA's standards contained in Chapter 22 of the Municipal Code, and have served as the minimum fire safety standards at the Airport since that time.

In November 2005, the FAA Administrator notified all airports that the FAA would no longer require airports to adopt both the FAA's minimum fire safety standards and the fire safety standards of its local governing body. Thus, airports are now required to enforce only the minimum fire safety standards of the local governmental body having jurisdiction over that particular airport.

Approval of this regulation would remove the FAA's minimum fire safety standards from Airport Regulations and replace them with the City of Des Moines' Fire Prevention and Protection code as the single set of standards that apply to Airport operations.

PREVIOUS COUNCIL ACTION(S):

Date: February 20, 2006

Roll Call Number: 06-363

Action: Receipt of Airport Board Regulation No. 06-51 regarding general safety rules. Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Date: February 7, 2006

Resolution Number: A06-20

Action: Approval of First Reading of proposed Airport Regulation No. 06-51 including sections 4-2, 4-3, 4-4, 4-5, 4-6, 4-7 and 4-8 relating to general safety rules at the Des Moines International Airport.

Date: March 7, 2006

Resolution Number: A06-48

Action: Public Hearing and Approval of second reading of proposed Airport Regulation 06-51 including sections 4-2, 4-3, 4-4, 4-5, 4-6, 4-7 and 4-8 relating to general safety rules at the Des Moines International Airport.

Date: April 4, 2006

Resolution Number: A06-58

Action: Approval of third and final reading of proposed Airport Regulation 06-51 including sections 4-2, 4-3, 4-4, 4-5, 4-6, 4-7 and 4-8 relating to general safety rules at the Des Moines International Airport and authorized and directed Assistant City Attorney and Aviation Director to request City Council remove sections 22-166, 22-167, 22-168, 22-169, 22-174, 22-175, and 22-176 of the Municipal Code as these provisions are covered in either the International Fire Code adopted by City Council or in the Airport Board Regulations.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE