

PART 30: CONDUCT OF PERSONS USING THE AIRPORT

30.01 Commercial Aviation

30.01-1 Every Scheduled Air Carrier seeking to conduct business and aircraft operations at the Airport shall execute a Use and Lease Agreement, a license or a permit authorizing it to conduct business at the Airport. Itinerant Air Carriers shall be required to notify DEN Airport Operations and forward in advance their operating certificate, insurance certificate, and payment of forecasted fees and charges in accordance with Part 120.

30.02 Business and Concessions

30.02-1 No Person shall conduct any business, concession or commercial activity at the Airport or within or on any of the buildings, structures, land, parking facilities, walkways, roadways or other facilities used or operated in connection with said Airport, without first obtaining a written permit, license or a contract from the CEO.

30.03 Travel in Authorized Areas

30.03-1 No Person shall travel on the Airport other than on roads, walks, or areas provided for that particular class of traffic. No Person shall use the roads, walks, or other areas in such a manner as to hinder or obstruct their use.

30.04 Submission to Screening

30.04-1 No Person, except a law enforcement officer, authorized TSA manager, or DEN Operations Personnel responding to an emergency, may enter a Sterile Area without submitting to the screening of their person and property in accordance with TSA regulations and procedures adopted to control access to the Sterile Area.

30.05 Commercial Picture Taking

30.05-1 No Person shall take pictures or videos of any type on the Airport for commercial purpose without the written permission of the CEO. The CEO may impose reasonable conditions for granting such permission.

30.06 Advertising and Branding

30.06-1 Advertising

- a. No Person shall post, distribute, display, or promote their own or another Person's advertisements, signs, handbills, promotional customer dividend programs (e.g. airline credit card), or similar materials in any format (collectively, "**Advertisements**") on, at, or in the Airport, except either: (1) as expressly authorized pursuant to Part 50; or (2) in accordance with a Use and Lease Agreement, Concession Agreement, or other written agreement between the Person and the City.

30.06-2 Branding

- a. An Airline, Airport Hotel, Commercial Operator, or Concession Operator may post, distribute, display, or promote its respective public image, reputation, or identity (collectively, “**Brand**”) on, at, or in the Airport in accordance with the terms and conditions of: (1) its respective Use and Lease Agreement, Concession Agreement, or other written agreement between the Airline, Airport Hotel, Commercial Operator, or Concession Operator, as applicable, and the City; and (2) the DEN Rules. The term Brand does not include the public image, reputation, or identity of, for example, a financial institution that offers banking services to an Airline’s clients through a promotional customer dividend (e.g. airline credit card) or other similar program.

30.07 Lost Articles

- 30.07-1 Any person finding lost articles in the public areas of the Airport shall immediately deposit them at the DEN Lost and Found office in the Terminal.

30.08 Roller Skates, Bicycles, Etc. Prohibited

- 30.08-1 The use of roller skates, in-line or regular, coasters/hoverboards/scooters (including, but not limited to, those that are self-propelled/self-balancing), bicycles, skateboards, toy vehicles and similar devices is prohibited in public buildings (including the Airport Hotel and Plaza Area and Transit Center) located on the Airport without the approval of the CEO or their designee. Law enforcement officers, authorized paramedic response personnel, and other authorized Airport personnel are exempt. Nothing in this Section 30.08 shall prohibit the use of mobility devices by disabled persons as permitted under Applicable Law.

30.09 Dogs and Other Animals

- 30.09-1 No Person shall enter the Airport Operations Area, the Terminal, or the Concourse with a dog or any other animal, except a Service Animal, therapy dogs specifically permitted by Airport management, an animal that is to be or has been transported by air and in preparation for shipping or receiving, or an animal accompanying a law enforcement agency. Dogs and other animals may be permitted in other outdoor areas of the Airport, such as the pet relief areas, if restrained by leash or confined in such manner as to be under the owner’s control at all times. All animals on Airport premises must be restrained by a leash or otherwise confined so as to be completely under control whether or not such animal is to be or has been transported by air. Individuals may be asked to remove an animal from the Airport premises if the animal is out of control.

30.10 Nonliability of the City

- 30.10-1 The City assumes no responsibility or liability for loss, injury or damage to persons or property on the Airport or using Airport facilities, by reason

of fire, theft, vandalism, wind, flood, earthquake or collision damage, nor does the City assume any liability by reason of injury to persons or property while using the facilities of the Airport.

30.11 Closing Concourses to All Except Ticketed Passengers

- 30.11-1 Concourses will be closed to all except ticketed passengers only when conditions clearly warrant such action.
- 30.11-2 The CEO reserves the right of final decision authority as to when Concourses will be closed to all except ticketed passengers. This action will not be taken without consideration given to its effect, and notification made to the air carriers.
- 30.11-3 All airlines will:
 - a. Request arriving passengers prior to deplaning not to wait at the gate area for people to meet them.
 - b. Airlines will monitor gate areas closely to ensure the elderly, infirm or unaccompanied children are able to find the people who are scheduled to meet them.

30.12 Luggage Carts (Smarte Carte)

- 30.12-1 The Smarte Carte system is a retail system located throughout the Airport for the use and convenience of the traveling public. Smarte Carte baggage carts must remain in public areas of the Terminal at all times. Smarte Carte baggage carts are not permitted on the Concourses or on the Automated Ground Transportation System.
 - a. No Person shall use Smarte Carte baggage carts without paying the appropriate fee through the rental device of the Smarte Carte Management Unit (“CMU”).
 - b. Exception
 - i. Arriving international passengers may use Smarte Carte baggage carts provided by the City in the Federal Inspection Service Facility for the transport of arriving international baggage.
- 30.12-2 No Person, other than the concessionaire(s) authorized by the CEO, shall dispense or otherwise accept payment for the use of Smarte Carte baggage carts.
- 30.12-3 No Person shall make use or permit any other use of the Smarte Carte baggage carts prior to returning it to the CMU.
- 30.12-4 Users of Smarte Carte baggage carts are expected to return carts to the CMU. The concessionaire has primary responsibility to collect Smarte Carte baggage carts not returned by the original user. Persons, other than the original user, may not return Smarte Carte baggage carts to collect the rebate; except that Airport employees may remove Smarte Carte baggage carts from their immediate work area or move carts presenting a hazard.

- 30.12-5 It shall be prohibited for any Person to engage in a commercial or business operation which is based on or includes the collection or return of Smarte Carte baggage carts.

30.13 Smoking Prohibition

30.13-1 Smoking Prohibited

- a. Pursuant to the Mayor's Executive Order No. 99, smoking is prohibited in all indoor public places at the Airport, including bars, restaurants, and food courts. Smoking is prohibited in the tunnels and all restricted access areas.
- b. Smoking on the grounds of City-owned or managed facilities shall be regulated by the CEO in accordance with the Colorado Clean Indoor Air Act, and with an effort made to reduce exposure to second-hand vapor, a by-product of which is an aerosol that may contain harmful toxicants. Smoking on the grounds of the Airport are regulated as follows:
 - i. Smoking is prohibited within 25 feet of any building entrance, outdoor air intakes, and operable windows;
 - ii. Smoking is prohibited within 100 feet of aircraft;
 - iii. Smoking is prohibited within 100 feet of hazardous regions (fueling operations, flammable liquid storage, explosive atmospheres, combustible storage, etc.);
 - iv. Smoking at the Airport is allowed in designated smoking areas as provided for in Section 40.23-1.b.4.; and
 - v. Smoking is prohibited in City-owned vehicles.

30.13-2 Regulation of Smoking in Places of Employment

- a. Employers shall provide a smoke-free work area for every employee requesting not to have to breathe environmental tobacco smoke.
- b. Each employer having an indoor place of employment shall implement, make known, follow, and enforce a written smoking policy which shall:
 - i. State that every employee has a right to work in an area free of environmental tobacco smoke. If a designated smoke-free area does not eliminate environmental tobacco smoke from the employee's work area except in food service establishments, the employer will take steps to eliminate the environmental tobacco smoke. In any dispute concerning the smoking policy, the health of the non-smoker shall take precedence. In food service establishments, employers shall accommodate an employee's request to work in the no-smoking section unless such accommodation is impractical;

- ii. Prohibit smoking in auditoriums, classrooms, conference/meeting rooms, elevators, elevator lobbies, hallways, stairwells, escalators, medical facilities and restrooms; and
- iii. Prohibit smoking in employee cafeterias, lunchrooms, and lounges unless separate facilities are available to non-smokers.
- c. An employer may prohibit smoking throughout an entire place of employment by posting signs required by D.R.M.C. § 24-308.

30.14 Purchase and Delivery of Food and Products from Unlicensed Vendors

- 30.14-1 The purchase of food from unlicensed vendors for delivery to the Airport is prohibited.
- 30.14-2 No Person at the Airport may purchase food, beverages, or other products from vendors not licensed to do business at the Airport.

30.15 Safety Measures

30.15-1 Reflective Clothing in Certain Areas

- a. All DEN employees, contractors, vendors, tenants, licensees, regulators, and visitors must wear, at a minimum, an American National Standards (ANSI) Class II high visibility safety vest/garment while working in or visiting the following areas: the Airport Operations Area, within Airport roadways and parking lots, or any maintenance or construction project. This Section also applies to personnel working within 15 feet of moving vehicles in the baggage tunnels.

30.15-2 Responsibilities of Employees and Supervisors

- a. Each employee shall ensure that their safety vest/garment is kept clean to maintain the reflectivity and visibility the garment is designed to provide. The safety vest/garment must be worn on top of all other clothing, jackets, or garments. No employee shall be allowed to work in the areas described above without the proper safety equipment.
- b. The management of each organization covered by this Section is responsible for providing safety vest/garments to its employees and for the compliance and enforcement of this rule.
- c. Airport vehicles must have extra safety vests/garments stored in them at all times.

30.15-3 Exceptions.

- a. The following classes are exempt from this Section:
 - i. Denver Police, Fire and Paramedic personnel performing normal work functions.
 - ii. Personnel transiting directly and promptly between a legally parked vehicle and a building entrance for the sole purpose of reporting to work or attending a meeting, provided they are not

crossing or entering areas of active vehicle or equipment operation.

- iii. Personnel moving directly between adjacent building entrances or doorways via established pedestrian routes or sidewalks that are clearly separated from operational or traffic areas, and where no maintenance, construction, or vehicle activity is present.

30.15-4 Use of Personal Audio Devices

- a. Tenants, contractors, vendors, and Airport employees are prohibited from using in-ear or over-ear headphones, earbuds, or any other personal audio or electronic devices that may impair situational awareness while operating vehicles, machinery, or equipment in Airport-operated spaces. Exceptions may be granted for essential communication and medical devices approved by DEN Airport Operations.

30.16 Controlled Substances Policy

30.16-1 City Employee Policy

- a. Applicability. In addition to the requirements of Executive Order 94 - City and County of Denver Employees' Alcohol and Drug Policy ("Executive Order 94"), this Section 30.16-1 applies to all City employees with an Airport ID Badge. Any conflict between the terms and conditions of this Section and Executive Order 94 will be resolved in favor of Executive Order 94.
- b. Prohibited Conduct. Any City employee with an Airport ID Badge shall not engage in the following activities while in the performance of their official duties, including, without limitation, while performing duties requiring the use of their Airport ID Badge or City-mandated uniform:
 - i. use, possess, distribute, sell, be under the influence of, be subject to the effects of, or be impaired by any illegal Controlled Substance;
 - ii. report to or remain on duty while under the influence of, subject to the effects of, or impaired by any illegal Controlled Substance;
 - iii. abuse, misuse, or divert any legally prescribed Controlled Substance; or
 - iv. refuse to comply with any Applicable Law regarding Controlled Substances, including, without limitation, Executive Order 94 and the Rules and Regulations.
- c. Marijuana. Notwithstanding anything in Section 30.16-1.d. to the contrary, all City employees with an Airport ID Badge are prohibited from using, possessing, distributing, selling, being under the

influence of, being subject to the effects of, or being impaired by Marijuana while performing their official duties. For the avoidance of doubt, Marijuana is not considered a legally prescribed Controlled Substance for purposes of this Section even if a physician has recommended Marijuana for medical reasons.

- d. Prescriptions. City employees with an Airport ID Badge who operate vehicles or dangerous equipment or perform safety sensitive functions, including, without limitation, those types of safety sensitive functions described in 14 CFR §120.7 and 49 CFR §382.107, as part of their essential duties and who are taking or intend to take prescription medication that is identified as a Controlled Substance, or that may otherwise affect their performance, are prohibited from performing their safety related duties unless and until they have completed the disclosure and clearance process set forth in Executive Order 94, including, without limitation, Section I.B.
- e. Testing Requirements. In accordance with Executive Order 94, the City may require any City employee with an Airport ID Badge found in violation of this Section to undergo testing in accordance with Section II of Executive Order 94, including, without limitation, Sections II.B., C., and D.
- f. Enforcement. The City shall enforce this Section in accordance with Applicable Law, including, without limitation, Section IV of Executive Order 94. In the event a City employee with an Airport ID Badge does not comply with this Section, including, without limitation, in the event the City employee receives a positive test result, the City employee refuses to participate in a required test, there is reasonable belief of the City employee's impairment in violation of this Section, or there is an observed instance of the City employee's possession, use, or distribution of a Controlled Substance in violation of this Section, the City may immediately suspend their Airport ID Badge pending further investigation and disciplinary action. The City's enforcement actions under this Section are independent of personnel actions initiated by the City employee's appointing authority.

30.16-2 General Public Policy

- a. Prohibited Conduct. No Person shall do the following at, in, or on the Airport:
 - i. possess, store, consume, use, display, transfer, distribute, sell, transport, manufacture, or grow any illegal Controlled Substance, including, without limitation, Marijuana;
 - ii. sell, display, or advertise any product bearing the image, likeness, description, or name of any illegal Controlled Substance, including, without limitation, Marijuana, or illegal Controlled

Substance-themed paraphernalia, including, without limitation, Marijuana-themed paraphernalia; or

- iii. advertise any illegal Controlled Substance-related business or establishment, including, without limitation, Marijuana-related business or establishment.

b. Exceptions. Section 30.16-2.a. does not apply to the following:

- i. publications or other commercial, print media products where any illegal Controlled Substance, including, without limitation, Marijuana, or the image, likeness, or description of any illegal Controlled Substance, including, without limitation, Marijuana, is incidental to the principal purpose of the publication or product; and
- ii. non-commercial products containing educational materials relating to any illegal Controlled Substance, including, without limitation, Marijuana.

30.16-3 Definitions

- a. **“Airport ID Badge”** means City-issued Personnel Identification Media for the Airport.
- b. **“Controlled Substance”** has the meaning ascribed to the terms “Controlled Substance” in CRS §18-18-102, “Drug Paraphernalia” in CRS §18-18-426, and “Controlled Substance” in 49 CFR §32.610.

30.17 Prohibited Alcohol

30.17-1 It shall be unlawful to consume, use, transfer, distribute, or sell Powdered Alcohol or Miniature Alcohol Bottles in the Terminal, Concourses, Plaza, Hotel, shops, and restaurants.

30.18 Trespassing

30.18-1 General Rule

- a. Due to the physical limitations of the Terminal, Concourses, Airport Hotel, Plaza, and Transit Center areas, high volumes of passenger traffic, and concern for the general safety, security and welfare of the traveling public at the Airport, the Airport shall remain closed 24 hours per day, 7 days per week, 365 days per year. It shall be unlawful:
 - i. For any person to remain at DEN, unless that person meets one of the exceptions listed in Section 30.18-2.
 - ii. For any person to use or remain in or at the Airport for the purpose of camping. As used in this Section 30.18-1.a., **“camp”** means to reside or temporarily dwell in a place with shelter; **“shelter”** includes, without limitation, any tent, tarpaulin, lean-to, sleeping bag, bedroll, blankets, or any form of cover or protection from the

elements other than clothing; and “**reside**” or “**dwell**” includes, without limitation, conducting such activities as eating, sleeping, laundering garments or the storage of personal possessions, in any area of the Airport not specifically designated for such activities. Any use of the Airport for temporary accommodations is strictly prohibited, except for conditions listed in Section 30.18-2, below.

- iii. To engage in aggressive panhandling, as defined in D.R.M.C. Section 30-100, or continue to panhandle after having been asked to leave or refrain from such activity, at the Airport. Aggressive panhandling is interchangeable with soliciting and means:
 - 1. Requesting an immediate donation of money.
 - 2. Intentionally touching or causing physical contact with another person without that person’s consent in the course of soliciting.
 - 3. Intentionally blocking or interfering with the safe or free passage of a pedestrian or vehicle by any means, including unreasonably causing a pedestrian or vehicle operator to take evasive action to avoid physical contact.
 - 4. Using violent or threatening gestures toward a person solicited.
 - 5. Using profane or abusive language which is likely to provoke an immediate violent reaction from the person being solicited.
 - 6. Approaching or following a person as part of a group of two (2) or more persons, in a manner and with conduct, words, or gestures intended or likely to cause a reasonable person to fear imminent bodily harm or damage to or loss of property or otherwise to be intimidated into giving money or other thing of value.

30.18-2 Exceptions

- a. A person may remain at the Airport if:
 - i. The person has arrived at, is in transit through, or will be departing from the Airport as an airline passenger within twenty-four (24) hours, as evidenced by a valid travel itinerary, ticket, or boarding pass matching the person’s valid identification; or
 - ii. The person is awaiting the arrival of an airline passenger due to arrive within four (4) hours, or the arrival of an airline passenger on a flight that has been unexpectedly delayed or cancelled, and the passenger is expected to arrive within four (4) hours, as evidenced by verifiable flight information; or

- iii. The person is a registered guest or conventioner at the Airport Hotel, or is an attendee at an Airport event, as evidenced by a valid invitation or ticket to the event, or have a legitimate reason to be at the Airport; or
- iv. The person is a City employee, employee of a government entity, employee of an approved business located in or doing business with the City, or any person whose presence in the Terminal is substantially and directly related to the air transportation of passengers or property; and it is within two (2) hours prior to or after the employee's scheduled work shift; or
- v. The person is a ticketed passenger delayed at the Airport as a result of severe weather or other emergency declared by the Airport, which is causing flight cancelations, delays, or other conditions disruptive to Airport activity and beyond its control.

30.18-3 Penalty

- a. All persons who refuse to comply with this Section after being requested to do so by a representative of the Airport or a duly appointed law enforcement officer will be considered a trespasser and shall be subject to Applicable Law.

30.19 Firearms And Contraband

30.19-1 General Rule

- a. It is unlawful for any person to possess or present any Contraband or Loaded Firearm, as defined in Sections 10.17 and 10.29, on or about their person or property whether concealed or not, in the Terminal, Sterile, Secured, or Controlled Areas, or while seeking to enter the Sterile, Secured, or Controlled Areas at the Airport.

30.19-2 Exemption

- a. Persons exempt from prosecution under this Section include any person who, at the time of the offense alleged under Section 30.19-2 are lawfully transporting a weapon in accordance with TSA regulations, was an official or employee of a municipality, or State, or of the United States who is authorized to carry arms in the performance of the person's official duties, and who was, in fact, engaged in the performance of those duties. The CEO reserves the right to grant further exemptions to this rule for security personnel engaged by a carrier to provide security services at the Airport, upon request, in their sole and absolute discretion.
- b. The fact a person did not intentionally and/or knowingly cause the Loaded Firearm to be in their possession or to be presented for entry into the Terminal, Sterile, Secured, or Controlled Areas of the Airport, shall be no exemption to prosecution under this Section.

30.19-3 Proof of Violation

- a. If any person:
 - i. Seeks to pass into the Terminal, Sterile, Secured, or Controlled Areas of the Airport while possessing a Loaded Firearm and/or Contraband on the person or in the person's baggage; or
 - ii. Has entered the Terminal, Sterile, Secured, or Controlled Areas of the Airport in any manner while possessing a Loaded Firearm on the person or in the person's baggage; or
 - iii. Has caused any item of baggage which contains any Loaded Firearm and/or Contraband to be passed through a security checkpoint; or
 - iv. Otherwise has possession or control over any item of baggage which contains any Loaded Firearm and/or Contraband, and seeks to pass the checkpoint, or enter the Sterile, Secured, or Controlled Areas of the Airport.

These circumstances shall be prima facie evidence of violation of this Section 30.19.

30.20 Compliance with Laws

- 30.20-1 All Persons shall (and cause their agents, contractors, employees, and invitees to) comply with all applicable federal, state, and local laws, statutes, ordinances, and other governmental orders, rules or regulations, including, without limitation, court orders, writs, injunctions and decrees and the DEN Rules, now in force or that may be enacted, ordered, or amended from time-to-time (collectively, "**Applicable Law**").