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Miami Dade Aviation Department  
P.O. Box 025504  
Miami, Fl. 33102-5504  
<http://www.miami-airport.com>

**OPERATIONAL DIRECTIVE NO. 99-02**

**Last Amended: January 8, 2001**

**Effective: May 24, 2023**

**SUBJECT: OPERATIONAL DIRECTIVES (ODs)**

**PURPOSE:** To establish uniform policies and procedures for the development, establishment, modification, and maintenance of the Aviation Department Operational Directives.

**BACKGROUND:**

Chapter 25, Aviation Department Rules and Regulations, authorizes the Aviation Director to promulgate rules and regulations for the operation of the airports. Chapter 25 has undergone several revisions since its inception. The first major revision took place in December 1975 with the adoption of Ordinance 75-113. The Ordinance created Operational Directives as:

...an order issued by the Director bearing the designation of 'Operational Directive' and requiring specific operational procedures or prohibiting specific operations or types of operations, onto or from an Airport; or establishing designated and restricted uses of various areas of the Airport.

In May 1988, Ordinance 88-37 added clarification as to the Aviation Department's authority to issue Operational Directives by adding:

The Aviation Department, through its Director, or his authorized designee, may from time to time cause to be issued operational directives applicable to any Airport. If any operational directive contains a requirement that fees or charges be paid for any operation on or use of the Airport, as defined in such operational directive, the board shall separately establish such fees and charges.

In May 1995, Ordinance 95-41 revised Chapter 25 to its current status. The revisions eliminated the Aviation Director's authority to delegate authority to authorize Operational Directives, and established the requirement that Operational Directives be in writing. The Ordinance also established Operational Directives as Rules and Regulations by stating that:

'Rules and Regulations' shall mean the Dade County Aviation Department Rules and Regulations, as codified in Chapter 25, Code of Metropolitan Dade County, Florida, including Operational Directives issued thereunder.

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The current test of the relevant sections of the County Code is set forth below in Section I.

Historically, Operational Directives were promulgated by operating divisions of the Aviation Department and revised as required. Copies of the Operational Directives were maintained by the operation Divisions. Operational Bulletins were also issued; however, there does not appear to have been any difference between Operational Directives or Operational Bulletins. Reorganization of the Department resulted in the Operational Directives being maintained by Security and Safety Office of the Facilities Management Division. As of February 1999, the changes in authorization requirements mandated in Ordinance 95-41 had not been fully implemented. Also, as there are no provisions for sunset review, the Operational Directives issued in the 1970's remains in force.

**I. AUTHORITY:**

The authority for Operational Directives is Chapter 25 of the Miami-Dade County Code, Aviation Department Rules and Regulations which in part states:

**A. Section 25-1.1 of Definitions**

(30) 'Operational Directive' shall mean a written order issued by the Director bearing the designation "Operational Directive" and requiring specific operational procedures or prohibiting specific operations or types of operations, onto or from an Airport; or establishing designated and restricted uses of various areas of an Airport, and enforceable under Section 21-1.2(c).

(37) 'Rules and Regulations' shall mean the Dade County Aviation Department Rules and Regulations, as codified in Chapter 25, Code of Metropolitan Dade County, Florida, including Operational Directives issued thereunder.

**B. Section 25-1.2 Applicability of rules and regulations; Operational Directives**

Any permission granted a person by the Board, Department or Director, directly or indirectly, expressly or by implication, to enter upon or use an Airport or any part thereof, is conditioned upon compliance with these rules and regulations and Operational Directive and the payment of any fees or charges established or authorized by the Board, or, if authorized by the Director, and payable to the County for use on an Airport or any facility located thereon, including any such fees or charges established by the Director and payable to a lessee, management contractor, concessionaire, permittee, or franchise holder of the County, or an approved authorized subcontract thereof, for services rendered to such persons; and entry upon or into an Airport by any person shall be

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deemed to constitute an agreement by such a person to comply with such rules and regulations and to pay such fees and charges.

It shall be unlawful for any person to do or commit any act forbidden by or to fail to perform any act required by these rules and regulations or to fail to pay any fees established and payable pursuant to subsection 25-1.2 hereof.

The Department, through its Director, may from time to time cause to be issued Operational Directives applicable to any Airport. If any such Operational Directive contains a requirement that fees or charges be paid for any operation on or use of an Airport as defined in the Operational Directive, such fees and charges shall be established in accordance with the provisions of subsection 25-1.2(a) hereof (Ord. No 88-37, § 2, 5-3-88; Ord. No. 95-41 §36, 37, 3-7-95).

**C. Chapter 2 Article I, Administration**

*Section 2-3. Rules and Regulations of County Agencies – Filed with Clerk of Circuit Court*

Every officer, board, commission, department, or other agency authorized to adopt, promulgate and enforce rules and regulations shall file a copy of all such rules and regulations and amendments thereto in the Office of the Clerk of the Circuit Court as Clerk of the County Commission. (Ord. 58-3. §1, 2-12-58).

*Section 2-4. Same – Not effective until filed*

No rule or regulation adopted on or after July 1, 1958, shall take effect or be enforceable, except as herein provided, until fifteen (15) days after the filing thereof as required by Section 2-3. No rule or regulation adopted before July 1, 1958, shall be effective or enforceable after July 1, 1958, until it shall be filed with the Clerk of the Circuit Court as Clerk of the County Commission. (Ord. 58-3. § 2, 2-12-58).

**II. POLICY:**

**A. Operational Directives**

It is the policy of the Aviation Department that existing ODs and Operational Bulletins promulgating rules and regulations for the operation of the airports be reviewed for applicability, revised as necessary, be signed by the Director, and filed in accordance with the County Code. All new ODs will:

1. be signed by the Director,

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2. contain an effective date and severability,
3. contain a sunset provision, if applicable,
4. be updated on an as-needed basis and maintained as an electronic document to be viewed on line by the Department Information Systems users, and
5. be filed with the Clerk of the Circuit Court as Clerk of the County Commission, as required by Sections 2-3 and 2-4 of the County Code.

**B. Precedence of Laws and Directives**

All ODs will be written to comply with Federal law, Florida Statutes, and Miami-Dade County Ordinances, Resolutions, and Orders. Conflicts will be resolved in favor of the superior directive as listed below in descending order of precedence:

1. Federal Laws
2. State Laws
3. County Ordinances
4. County Resolutions
5. County Rules
6. County Orders
7. County Procedures
8. Aviation Department Operational Directives
9. Department Standard Operating Procedures
10. Director's Written Directives (departmental memoranda)
11. Subordinate Standard Operating Procedures
12. Subordinate Written Directives (memoranda)

**III. PROCEDURES:**

**A. Preparing Operational Directives**

ODs will be prepared by the Division or staff element having the primary responsibility for the activity to be regulated in draft using the standard format contained in this OD.

**B. Draft Copy**

A draft copy of the OD will be provided to the Aviation Regulatory Compliance and Audit (ARCA) Division of the Director's Office for staff review. After initial review, ARCA will:

1. review for conflicts with existing written directives,

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2. recommend changes if appropriate,
3. distribute the draft for comments to the Deputy Director, Assistants, Associate Directors, and technical and management staff having a direct material interest in the proposed OD,
4. collect, analyze and synthesize staff comments, and make appropriate changes,
5. prepare final copy on departmental letterhead,
6. forward to the Director for signature,
7. record the document bearing the Director's original signature with the Clerk of the Circuit Court,
8. return the recorded document with the effective date to the originating division, and
9. keep the most current version of the OD for inclusion in the Departmental Manual.

### C. Public Dissemination

The originator of the OD will make proper distribution of the official document and will also provide an electronic file copy to the Information Systems Division to be posted in an application providing public dissemination of the OD.

### D. Routine Revisions

1. ODs shall be reviewed and updated as need arises. Revisions must also be submitted to the ARCA Division for the same review process indicated in B above.
2. The number assigned to the original OD will remain unchanged but the effective date will be 15 days after the new recording with the Clerk's Office.
3. The responsibility for public dissemination remains with the originating Division as indicated in C above.

### E. Format

- OPERATIONAL DIRECTIVE No. (right aligned at top)
- Effective: (right aligned below and left blank)
- SUBJECT: (title of the document)
- PURPOSE: (the purpose of the OD is a statement of general coverage and must clearly and briefly summarize what the OD is to accomplish)
- BACKGROUND: (if applicable)
- I. AUTHORITY: (official document/s empowering the Director to issue the OD)
- II. DEFINITIONS: (if applicable)
- III. POLICY:
- IV. GUIDELINES OR PROCEDURES:

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- V. AMENDMENTS
- VI. REVOCATION
- VII. SEVERABILITY:
- VIII. SUNSET PROVISION: (if applicable)
- IX. CROSS REFERENCE
- Signature Block and date

**IV. AMENDMENTS:**

The Department reserves the right to amend this operating policy at any time based on current law, Miami-Dade County policies and operating needs.

**V. REVOCATION:**

Revocations and removal of established Department policies requires written justification by requesting division management for review and concurrence by the Department's Aviation Regulatory Compliance and Audit Division. Upon written concurrence, the revocation request will be submitted, by the Aviation Regulatory Compliance and Audit Division, for approval by the Aviation Director. Should the written directive be an Operational Directive, the authorized revocation justification will be sent to the Clerk of the Board for filing with the original Operational Directive under revocation. All approved revocation justification memoranda shall be posted to the Department's Written Directives Log to identify why the directive has been revoked to maintain ongoing operational accountability.

**VI. SEVERABILITY:**

If any court of competent jurisdiction determines that any provision in this policy is illegal or void, that provision shall be nullified and the remainder of this policy shall continue in full force and effect. If such court rules that any charge, fee, or security deposit requirement is illegal or void, the Aviation Director is authorized and directed to impose a charge, fee, or security deposit requirement that complies with the court order or applicable provisions of law, which shall become effective on the date of imposition and shall continue until modified by the Miami-Dade County Board of County Commissioners.

**VII. CROSS REFERENCES:** None

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**VIII. EFFECTIVE DATE:**

This operational directive shall become effective 15 days subsequent to its filing with the Clerk of the Circuit Court as Clerk of the County Commission. This operational directive shall remain in effect until revoked or amended.

Approved By:



Ralph Cutié, Aviation Director

Date: 5/8/23