

DIVISION 4. - HEIGHT AND HAZARD REGULATIONS

Sec. 14-130. - Short title.

This division shall be known and may be cited as the City of Pittsburg, Kansas, Atkinson Municipal Airport Height and Hazard Regulations.

(Ord. No. G-1161, § 1, 2-28-2012)

Sec. 14-131. - Definitions.

As used in this division, unless the context otherwise requires:

Abandonment means any item which has ceased to be used for its designed and intended purpose. The factors used in determining whether or not an item has been abandoned, include, but are not limited to, the following:

- (1) Present operability and functional utility;
- (2) The date of last effective use;
- (3) The condition of disrepair or damage;
- (4) The last time an effort was made to repair or rehabilitate;
- (5) The status of registration or licensing;
- (6) The age and degree of obsolescence;
- (7) The cost of rehabilitation or repair of the item when compared to its market value; or
- (8) The nature of the area and location.

Airport, *the* means the Atkinson Municipal Airport, for which the City of Pittsburg is the airport sponsor.

Airport airspace administrator ("the administrator") means the City of Pittsburg staff person assigned by the City to administer these regulations. The airspace administrator is also the Airport Manager.

Airport airspace protection area map means the map depicting the airspace airport hazard area and attached to the ordinance from which this division derives as exhibit A, and made a part hereof.

Airport Airspace Protection Commission means the Airport Advisory Commission appointed by the City and its partner jurisdictions to conduct the public hearing and recommend adoption of the height and hazard regulations.

Airport board of appeals means the City of Pittsburg Airport Advisory Board acting in its capacity as the appeals board for these regulations.

Airport elevation means the highest point of the airport's usable landing area measured in feet above sea level.

Airport hazard means any structure or tree or use of land which obstructs the airspace required for the flight of aircraft in landing or taking off or permanently raises the published or planned approach minimums of the airport or is otherwise hazardous to such landing or taking-off of aircraft.

Airport hazard area means any area of land or water upon which an airport hazard might be established—including any which may permanently raise the published or planned approach minimums of the airport—if not prevented as provided in this division and as depicted on the "Airport Airspace Protection Area Map" adopted by and made a part of the ordinance from which this division derives; and including the FAA part 77 Civil Airport Imaginary Surfaces, which consist of the horizontal surface, conical surface, primary surface, approach surface, and transitional surface; and the terminal instrument procedures surfaces (TERPS) and the vertically guided approach surfaces (VGAS) for the airport as referenced on the Kansas Department of Transportation (KDOT) "Kansas Airspace Awareness Tool" at <http://www.ksdot.org/airspaceatool>.

Airport layout plan (ALP) means a plan adopted by the City Commission that depicts existing airport facilities and proposed developments as determined from the airport planners' review of the aviation activity forecasts, facility requirements, and alternatives analysis.

Airport Manager means the administrative staff assigned to manage the Atkinson Municipal Airport.

Approach minimums means the minimum ceiling or visibility under which an aircraft may be landed with the use of a published approach procedure. It also means planned nonprecision or precision instrument approach minimums so indicated on an approved airport layout plan or any other planning document.

Approach surface means a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach zone height limitation slope set forth in section 14-133. In plan the perimeter of the approach surface coincides with the perimeter of the approach zone.

Approach, transitional, horizontal, and conical zones means the zones that are set forth in section 14-132.

Atkinson Municipal Airport ("the airport") means the public-use airport owned and operated by the City of Pittsburg, Kansas, as the "airport sponsor."

City Commission means the Governing Body for the City of Pittsburg, Kansas.

City of Pittsburg ("the City") means, unless otherwise in an alternative context, the City of Pittsburg, Kansas.

Conical surface means a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 feet horizontally to each foot vertically (20:1) for a horizontal distance of 4,000 feet.

County means Crawford County, Kansas.

FAA means the Federal Aviation Administration, a division of the Federal Department of Transportation.

Hazard to air navigation means an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Height means, for the purpose of determining the height limits in all zones set forth in this division and shown on the Atkinson Municipal Airport airspace map, the datum shall be mean heights as measured from the elevations of PTS runways 16-34 and 04-22 unless otherwise specified.

Horizontal surface means a horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

Larger than utility runway means a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft (PTS runways 16-34 and 04-22).

Nonconforming use means any preexisting structure, object of natural growth, or use of land which is inconsistent with the provisions of this division or an amendment thereto.

Nonprecision instrument runway means a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in nonprecision instrument approach procedure has been approved or planned. (PTS runways 16-34 and 04-22, existing and ultimate)

Obstruction means any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in section 14-133.

Partner jurisdictions means Crawford County and the City of Frontenac, cooperating with the City of Pittsburg, Kansas.

Person means an individual, firm, partnership, corporation, company, association, joint stock association or government entity; includes a trustee, a receiver, an assignee, or a similar representative of any of them.

Primary surface means a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in section 14-132. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

PTS means the three-letter identifier assigned by the Federal Aviation Administration to the public-use airport owned and operated by the City of Pittsburg, Kansas, as a "location identifier" for airport navigation aid, weather station, and manned air traffic control facility in air traffic control, telecommunications, computer programming, weather reports, and related services.

Runway means a defined area on an airport prepared for landing and taking off of aircraft along its length (PTS runways 16-34 and 04-22).

Structure means an object, including a mobile object, constructed or installed by man, including, but without limitation, buildings, towers, cranes, smokestacks, earth formations, and overhead transmission lines.

Terminal instrument procedures surfaces (TERPS) means surfaces that are constructed from the electronic signals transmitted by ground-based and satellite-based air navigation electronic equipment, which are the instrument procedures that aircraft pilots use to fly between airports and land on runways.

Transitional surfaces means these surfaces extend outward at 90 degree angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically (7:1) from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerline.

Tree means any object of natural growth.

Vertically guided approach surfaces (VGAS) means satellite-based approach surfaces which are established to protect instrument approach procedures (IAP) that provide vertical guidance and lower approach minima. Examples of landings systems protected by VGAS include instrument landing system (ILS) based approaches and GPS based procedures utilizing a wide area augmentation system (WAAS) with localizer performance with vertical guidance (LPV); and which can improve airport capacity when ground-based systems are out of service, and provide accurate, reliable access to more airports previously not served by precision approaches.

(Ord. No. G-1161, § 2, 2-28-2012)

Sec. 14-132. - Airport zones recommended.

Prior to establishing the zones that are set forth in this division there shall be submitted to the City Commission reports and recommendations by the Atkinson Municipal Airport Airspace Protection Commission, which commission shall:

- (1) Recommend the boundaries of the various zones that are set forth.
- (2) Recommend the height and hazard regulations to be adopted therefor.
- (3) Make a preliminary report which considers:
 - a. The character of the flying operations currently conducted and expected to be conducted at the airport,
 - b. The nature of the terrain within the airport hazard area,
 - c. The character of the neighborhood in and surrounding the airport hazard area, and
 - d. The uses to which the property to be regulated is put and adaptable.
- (4) Hold a public hearing on the recommended regulations and submit a final report and recommendations to the City Commission.

The airport height and hazard regulations shall apply to the airport hazard areas as recommended by the Airspace Protection Commission and adopted by the City Commission. The airport hazard areas, wherein the height and hazard regulations apply, include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, conical surfaces and any other territory surrounding the Atkinson Municipal Airport divided into zones, as depicted on the Atkinson Municipal Airport Airspace Protection Area Map, which is a regulatory graphic made a part hereof and attached to this division, created from the Kansas Department of Transportation (KDOT) "Kansas Airspace Awareness Tool" at <http://www.ksdot.org/airspaceawareness>. The map is provided an attachment to this division for illustrative purposes, only, in order to generally show where these regulations apply; and it is not to be relied upon as a regulatory tool. For administrative purposes, when applying these regulations on a case-by-case basis, the standard FAA procedures for determining compliance of proposed structures with height and hazard standards should be relied upon as the starting point for interpreting the applicability of these regulations.

An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

- (1) *FAR part 77 Surfaces, subpart C Civil Airport Imaginary Surfaces Zones.* The horizontal surface, conical surface, primary surface, approach surface, and transitional surface as designated by the FAA:
 - a. *Runway larger than utility with a visibility minimum greater than $\frac{3}{4}$ mile nonprecision instrument approach zone.* The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway. (PTS runways 16-34 and 04-22, existing and ultimate)
 - b. *Transitional zone.* The transitional zones are the areas beneath the transitional surfaces.
 - c. *Horizontal zone.* The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet for all others from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.
 - d. *Conical zone.* The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet.
- (2) *Runway approach minimum zones* The approach zones to the runways, the minimum ceiling or visibility under which an aircraft may be landed with the use of a published approach procedure; and the planned nonprecision or precision instrument approach minimums so indicated on the approved airport layout plan (ALP) or the airport airspace protection area map, which depicts the terminal instrument procedures surfaces (TERPS) and the vertically guided approach surfaces (VGAS) for the airport as referenced on the KDOT "Kansas Airspace Awareness Tool" at <http://www.ksdot.org/airspaceawareness>.
- (3) *Terminal instrument procedures surfaces (TERPS) zones,* which can extend ten nautical miles from a runway, constructed from the electronic signals transmitted by ground- and space-based air navigation electronic equipment. These are the instrument procedures that aircraft pilots use to fly between airports and land on runways.
- (4) *Vertically guided approach surfaces (VGAS) zones,* which provide lower minima for approach procedures that do not rely on ground based navigational systems, including instrument landing system (ILS), to improve airport capacity when ground-based systems are out of service—for better access to runways with terrain or airspace constraints using curved RNAV legs and narrower protected surfaces; and for improved safety by eliminating circling maneuvers and providing laterally and vertically guided approaches not available through conventional ground-based navigational aid (NAVAID) procedures or through existing area navigation (RNAV) procedures.

(Ord. No. G-1161, § 3, 2-28-2012)

Except as otherwise provided in this division, no structure shall be erected, altered, or maintained, and no tree shall be allowed to grow in any zone created by this division to a height in excess of the applicable height herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

- (1) *FAR part 77 Surfaces, sub-part C Civil Airport Imaginary Surfaces Zones.* The horizontal surface, conical surface, primary surface, approach surface, and transitional surface as designated by the FAA:
 - a. *Runway larger than utility with a visibility minimum greater than 3/4 mile nonprecision instrument approach zone* slopes 34 feet outward for each foot upward (34:1) beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended centerlines of each runway (PTS runways 16-34 and 04-22).
 - b. *Transitional zones* slope seven feet outward for each foot upward (7:1) beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the elevations each runway. In addition to the foregoing, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface of each runway, and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.
 - c. *Horizontal zone* —Established at 150 feet above the airport elevations (PTS runways 16-34 and 04-22).
 - d. *Conical zone* slopes 20 feet outward for each foot upward (20:1) beginning at the periphery of the horizontal zone and at 150 feet above the airport elevations and extending to a height of 350 feet above the airport elevations.
- (2) *Runway approach minimum zones.* The slopes established by the minimum ceiling or visibility under which an aircraft may be landed with the use of a published approach procedure; and by the planned nonprecision or precision instrument approach minimums so indicated on an approved airport layout plan or any other planning document.
- (3) *Terminal instrument procedures surfaces (TERPS) zones.* The slopes established by the electronic signals transmitted by ground- and space-based air navigation electronic equipment, which instrument procedures aircraft pilots use to fly between airports and land on runways, and as referenced on the KDOT "Kansas Airspace Awareness Tool" <http://www.ksdot.org/airspace tool>.
- (4) *Vertically guided approach surfaces (VGAS) zones.* The surface which is longitudinally centered on the extended runway centerline beginning at the runway threshold and extending outward and upward at a slope of 40:1 (2.5%) for a horizontal distance of 20,200 feet. The surface is 2,000 feet wide (1,000 feet either side of centerline) at the runway threshold and expands to a width of 8,000 feet at 10,200 feet from threshold. From 10,200 to 20,200 feet the surface is 8,000 feet wide (4,000 feet either side) and parallel to the runway centerline extended; as referenced on the KDOT "Kansas Airspace Awareness Tool" <http://www.ksdot.org/airspace tool>.

(Ord. No. G-1161, § 4, 2-28-2012)

Sec. 14-134. - Supplemental notice of construction requirements.

In order to comply with section 14-132, Airport zones; and section 14-133, Airport zone height limitations in this division, this section is established to require notice of construction or alteration to any object(s) that potentially affects the navigable airspace of the Pittsburg Atkinson Airport. Any application for a permit directed to the City Commission that potentially affects the navigable airspace of the Pittsburg Atkinson Airport must be supplemented by a completed and submitted Federal Aviation Administration (FAA) form 7460-1 (2-99), Notice of Proposed Construction or Alteration.

(Ord. No. G-1161, § 5, 2-28-2012)

Sec. 14-135. - Use restrictions.

Notwithstanding any other provisions of this division, no use may be made of land or water within any zone established by this division in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport. Furthermore, no use may be made of the land or water within any zone established by this division that would result in permanently raising the published or planned approach minimums.

(Ord. No. G-1161, § 6, 2-28-2012)

Sec. 14-136. - Nonconforming uses.

- (a) *Regulations not retroactive.* The regulations prescribed in this division shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this division [February 28, 2012], or otherwise interfere with the continuance of a nonconforming use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this division [February 28, 2012], and is diligently prosecuted.
- (b) *Marking and lighting.* Notwithstanding the preceding provision of this section, the owner of any existing nonconforming structure is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary by the Airport Airspace Administrator, in consultation with the Airport Manager to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of the Atkinson Municipal Airport and hence, the City Commission of Pittsburg, Kansas.
- (c) *Nonconforming uses abandoned or destroyed.* Whenever the Airport Airspace Administrator, in consultation with the Airport Manager, determines that a nonconforming tree or structure has been abandoned or more than 51 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the height and hazard regulations; except that, private residences that are not closer than 4,200 feet from the end of a runway in an approach or transitional zone shall be exempt from nonconforming use restrictions.

(Ord. No. G-1161, § 7, 2-28-2012)

Sec. 14-137. - Permits.

- (a) *Permits required when.* Permit applications shall be submitted for proposed structures in any of the zones or surfaces except as specifically provided in subsection (b), hereunder. Each permit application shall be submitted on forms required by the City to determine whether the resulting use, structure, or tree would conform to these regulations. If such determination is in the affirmative, the permit shall be granted. The fee for the airspace permit is \$25.00.
- (b) *No permit required when.* No permit shall be required for structures shorter than 75 feet or trees less than 25 feet; provided that, in an approach or transitional zone the proposed structure or tree is more than 4,200 feet from the end of a runway; provided further that, this permit exception shall not be construed as permitting any construction, or alteration of any structure, or growth of any tree in excess of any of the height limits established by this division.
- (c) *Permit conditioned on FAA form 7460-1, "Notice of Construction".* Any proposed construction, alteration or repair requiring a permit must have filed an FAA form 7460-1 (FAA 77.13 Construction or Alteration Requiring Notice) with the appropriate FAA regional office. No construction, alteration or repair work may commence until the determination is received from the FAA and said determination is reviewed by the Airport Airspace Administrator.
- (d) *Existing uses.* No permit for a use inconsistent with the provisions of this division shall be granted, or for a use that would allow the establishment or creation of an airport hazard or permit a nonconforming structure to be made or become

higher or become a greater hazard to air navigation than it was when the applicable regulation was adopted or than it is when the application for a permit is made; unless a variance has been approved in accordance with subsection (f).

- (e) *Nonconforming uses abandoned or destroyed.* No permit shall be granted that would allow a nonconforming structure to be reconstructed in any way that exceeds the applicable height limit or otherwise deviates from the height and hazard regulations once it has been determined that the nonconforming structure has been abandoned or more than 51 percent torn down, physically deteriorated, or decayed; except that, private residences that are not closer than 4,200 feet from the end of a runway in an approach or transitional zone shall be exempt from nonconforming use restrictions.
- (f) *Variances.* Any person desiring to erect or increase the height of any structure, or permit the growth of any tree, or use of property, not in accordance with the regulations prescribed in this division, may apply to the Airport Board of Appeals for a variance from such regulations; provided, that any variance may be subject to any reasonable conditions that the City of Pittsburg, as the political subdivision owning, controlling and operating the airport, may deem necessary to effectuate the purposes of these regulations. The application for variance shall be accompanied by a determination from the FAA as to the effect of the proposal on the published or planned approach minimums, operation of air navigation facilities, and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in necessary hardship and relief granted, will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this division. Additionally, no application for variance to the requirements of this division may be considered by the Airport Board of Appeals unless a copy of the application has been furnished to the Airport Airspace Administrator for advice as to the aeronautical effects of the variance. If the Airport Airspace Administrator does not respond to the application within 21 days after receipt, the Airport Board of Appeals may act on its own to grant or deny said application.
- (g) *Obstruction marking and lighting.* Any permit or variance granted may be so conditioned, if such action is deemed advisable, to effectuate the purpose of this division and be reasonable in the circumstances, as to require the owner of the structure in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Pittsburg City Commission, upon directives from KDOT or the FAA, this condition may be modified to require the owner to permit the City Commission of Pittsburg, at its own expense, to install, operate, and maintain the necessary markings and lights.

(Ord. No. G-1161, § 8, 2-28-2012)

Sec. 14-138. - Administration and enforcement.

It shall be the duty of the Airport Airspace Administrator ("the Administrator") of the Atkinson Municipal Airport to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the administrator upon a form published for that purpose. Applications required by this division to be submitted to the administrator shall be granted or denied within 30 calendar days. In the event the applying party receives what they determine to be an adverse decision, the party shall have the right to apply to the Airport Board of Appeals for review of the decision.

(Ord. No. G-1161, § 9, 2-28-2012)

Sec. 14-139. - Appeals.

- (a) Any person aggrieved, or any taxpayer affected, by any decision of the Airport Airspace Administrator of the Atkinson Municipal Airport, made in the administration of the division, may appeal to the Airport Board of Appeals. The fee for the airspace appeal is \$50.00.
- (b) All appeals hereunder must be taken within a reasonable time as provided by the rules of the Airport Board of Appeals, by filing with the Administrator a notice of appeal specifying the grounds thereof. The administrator shall transmit to the Airport Board of Appeals all the papers constituting the record of the appeal.
- (c) An appeal shall stay all proceedings in furtherance of the action appealed from unless the administrator certifies to the Airport Board of Appeals, after the notice of appeal has been filed with it that by reason of the facts stated in the certificate a stay would cause, in the opinion of the administrator, imminent peril to life or property. In such case,

proceedings shall not be stayed except by order of the Airport Board of Appeals or notice to the administrator and on due cause shown.

- (d) The Airport Board of Appeals shall fix a reasonable time for hearing appeals, give public notice and due notice to the parties in interest, and decide the same within a reasonable time. Upon the hearing, any party may appear in person or by agent or by attorney.
- (e) The Airport Board of Appeals may, in conformity with the provisions of this division, reverse or affirm, in whole or in part, or modify the order, requirement, decision, or determination appealed from and may make such order, requirement, decision, or determination as may be appropriate under the circumstances.

(Ord. No. G-1161, § 10, 2-28-2012)

Sec. 14-140. - Review by the Airport Board of Appeals.

- (a) The Airport Board of Appeals, shall have the following powers:
 - (1) To hear and decide appeals from any order, requirement, decision or determination made by the Airport Airspace Administrator in the enforcement of this division,
 - (2) To hear and decide special exceptions to the terms of this division upon which such Airport Board of Appeals under such regulations may be required to pass; and
 - (3) To hear and decide specific variances.
- (b) All members of the Airport Board of Appeals shall serve to review appealed decisions of the Airport Airspace Administrator; however, no such review shall have been completed without first receiving and considering findings of fact from the Airport Manager, and, if in other than the corporate limits of the City of Pittsburgh, from the partner jurisdiction where the applicant is located. Meetings of the Airport Board of Appeals for the purposes of this division and the review of appealed decisions by the Airport Airspace Administrator shall be at a regularly scheduled meeting of the Airport Advisory Board, unless a special meeting is called. The Airport Board of Appeals shall keep minutes of its proceedings showing the vote of each member upon each question; or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall immediately be filed in the office of the City Clerk of the City of Pittsburgh.
- (c) The Airport Board of Appeals shall make written findings of facts and conclusions of facts upon which it acted, including consideration of the findings of fact from the Airport Manager, and, if in other than the corporate limits of the City of Pittsburgh, from the partner jurisdiction where the applicant is located; and giving its conclusions from such facts in reversing, affirming or modifying any order, requirement, decision or determination which comes before it under the provisions of this division.
- (d) The concurring vote of a majority of the members present as provided by the rules of the Airport Board of Appeals shall be sufficient to reverse any order, requirement, decision or determination of the Airport Airspace Administrator or decide in favor of the applicant on any matter upon which it is required to pass under this division or to effect variation to this division.
- (e) Any person aggrieved, or any taxpayer affected, by any decision of the Airport Board of Appeals shall be entitled to a judicial review of said decision as set forth below.

(Ord. No. G-1161, § 11, 2-28-2012)

Sec. 14-141. - Judicial review.

Any person aggrieved, or any taxpayer affected, by any decision of the Airport Board of Appeals, may appeal to the District Court of Crawford County.

(Ord. No. G-1161, § 12, 2-28-2012)

Sec. 14-142. - Penalties.

Each violation of this division or of any regulation, order, or ruling promulgated thereunder shall constitute a misdemeanor and shall be punishable by a fine as set by the City Commission or its partner jurisdictions; and each day a violation continues to exist shall constitute a separate offense.

(Ord. No. G-1161, § 13, 2-28-2012)



