

ORDINANCE NO. _____

1 AN ORDINANCE amending Chapter 27.59 of the Lincoln Municipal Code relating to
2 Airport Zoning Regulations by amending Section 27.59.070 to change the reference to the State
3 Department of Aeronautics to the Division of Aeronautics of the State of Nebraska Department
4 of Transportation based on a merger of the departments effective July 1, 2017; adopting a revised
5 Lincoln Airport Zoning Map; and repealing Section 27.59.070 as hitherto existing.

6 BE IT ORDAINED by the City Council of the City of Lincoln, Nebraska:

7 Section 1. That Section 27.59.070 of the Lincoln Municipal Code be amended to read as
8 follows:

9 **27.59.070 Airport Hazards.**

10 (a) The Building Official shall examine or cause to be examined any structures or
11 trees reported to the Building Official~~him~~ as an airport hazard within the airport hazard area, and
12 if such is found to be an airport hazard as defined in Section 27.59.010, and is not otherwise
13 approved or authorized by this Chapter, it shall be the duty of the Building Official to give the
14 owner of the property where such airport hazard exists written notice thereof, and to take such
15 measures as are necessary and authorized by law to eliminate or alleviate said airport hazard.
16 For the purpose of aiding the Building Official to determine whether the existence of any such
17 reported structures or trees constitutes an airport hazard, the Building Official may in each case
18 request a written report from the Division of Aeronautics of the State of Nebraska Department of
19 Transportation~~State Department of Aeronautics~~ under the provisions of *Neb. Rev. Stat.* §§ 3-108
20 and 3-113 (Reissue 2012) to advise whether or not an airport hazard, as defined in this chapter,
21 exists.

1 (b) Notwithstanding any other provisions of this title, no use may be made of land
2 within any zone established by this ordinance in such a manner as to create electrical interference
3 with radio communication between the airport and aircraft, make it difficult for fliers to
4 distinguish between airport lights and others, result in glare in the eyes of fliers using the airport,
5 impair visibility in the vicinity of the airport, or otherwise endanger the landing, take-off, or
6 maneuvering of aircraft.

7 Section 2. That the Lincoln Airport Zoning Map dated February 15, 2017, as most
8 recently amended by Section 5 of Ordinance No. 20509 be superseded and the Lincoln Airport
9 Zoning Map dated August 11, 2017, a copy of which is attached hereto, is hereby adopted by
10 reference into Chapter 27 and shall constitute the Lincoln Airport Zoning Map referred to in
11 Chapter 27 and in Section 27.050.020 of the Lincoln Municipal Code.

12 Section 3. That Section 27.59.070 of the Lincoln Municipal Code as hitherto existing be
13 and the same is hereby repealed.

14 Section 4. This ordinance shall be published, within fifteen days after the passage hereof,
15 in one issue of a daily or weekly newspaper of general circulation in the City, or posted on the
16 official bulletin board of the City, located on the wall across from the City Clerk's office at 555
17 S. 10th Street, in lieu and in place of the foregoing newspaper publication with notice of passage
18 and such posting to be given by publication one time in the official newspaper by the City Clerk.
19 This ordinance shall take effect and be in force from and after its passage and publication or after
20 its posting and notice of such posting given by publication as herein and in the City Charter
21 provided.

Introduced by:

Approved as to Form & Legality:

City Attorney

Approved this ___ day of _____, 2017: _____ Mayor
