

Chapter 8.08

**AIRCRAFT LANDINGS<sup>2</sup>**

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**8.08.010 Definitions.**

For the purposes of this Chapter, the following words shall have the meanings ascribed hereto:

- A. "Aircraft" means any contrivance now known or hereafter invented, used or designed for navigation of, or flight in the air including, but not limited to, airplanes, helicopters, gliders, hot air balloons and dirigibles.
- B. "Person" means any individual, firm, partnership, corporation, company or any other organization that operates, causes the operation or otherwise authorizes the operation of an Aircraft.

(Ord. 2009-M-13 § 1; Ord. 1978-M-49 § 1; Ord. 1976-M-54 § 1; prior code § 28.017a (I).)

**8.08.020 Restriction on landing.**

It is unlawful for any Person to cause or permit Aircraft to land or otherwise make any physical touching with the ground or navigable waters: (a) within the corporate limits of the City; and (b) within three (3) miles of the corporate limits of the City, provided that said ground or navigable waters is not within the corporate limits of another municipality.

(Ord. 2009-M-13 § 1; Ord. 1976-M-54 § 2; prior code § 28.017a (II).)

**8.08.030 Exemptions.**

- A. The prohibition set forth herein shall not apply to any Person with a valid permit issued pursuant to the Illinois Aeronautics Act or similar statute.
- B. The prohibition set forth herein shall not apply to any public entity, including, but not limited to, the government of any state, the United States of America and any department, agency or subdivision thereof.
- C. The prohibition set forth herein shall not apply to any Aircraft primarily used for responding to emergency incidents.
- D. In addition to the foregoing, the prohibition set forth herein shall not apply to any Person operating an Aircraft with the written approval of the City. Said approval shall be granted only upon the following:
  - 1. The Person shall notify the City in writing of the proposed landing or other physical touching no less than thirty (30) days prior to the same. Said notice shall include the date and time, the location and the amount of time necessary; and,
  - 2. The Person shall secure and maintain liability insurance by a carrier that is legally able to conduct business in the State of Illinois and is rated "A-" or better and of a class size "X" or higher by the A.M. Best Company. Said insurance shall name the City, its elected and appointed officers, officials, employees and agents as additional insured parties and shall otherwise be deemed satisfactory by the City Administrator and the City Attorney; and,

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3. The Person shall execute an agreement indemnifying the City, its elected and appointed officers, officials, employees and agents, in a form deemed satisfactory by the City Administrator and the City Attorney.

The requirements of this Section 8.08.030(C) shall be in addition to any other Requirements imposed by the City code or any other statute or law.

(Ord. 2009-M-13 § 1; Ord. 1984-M-17 § 1; Ord. 1982-M-11 § 1; Ord. 1980-M-36 § 1; Ord. 1978-M-49 § 3; Ord. 1976-M-54 § 3; Ord. 1985-M-58; prior code § 28.017a (III).)

### **8.08.040 Violation - Penalty.**

Any Person who violates this Chapter shall be fined not less than fifty dollars (\$50) nor more than seven hundred fifty dollars (\$750) for each offense with each landing or physical touching constituting a separate offense.

(Ord. 2009-M-13 § 1; Ord. 1978-M-49 § 4; Ord. 1976-M-54 § 4; prior code § 28.017a (IV).)

### **8.08.050 Severability.**

If any section, subsection, sentence, clause, phrase or portion of this Chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof.

(Ord. 2009-M-13 § 1; Ord. 1978-M-49 § 5; Ord. 1976-M-54 § 5; prior code § 28.017a (V).)