



2013 SENATE BILL 516

January 24, 2014 – Introduced by Senators GUDEx and GROTHMAN, cosponsored by Representatives SCHRAA, THIESFELDT, BIES, A. OTT, KRUG, BERNIER and SPIROS. Referred to Committee on Economic Development and Local Government.

- 1 **AN ACT** *to amend* 114.136 (2) (a) of the statutes; **relating to:** local airports and
2 the process for enacting aerial approach ordinances.

Analysis by the Legislative Reference Bureau

Under current law, any county or city, village, or town (municipality) in this state may own and operate airports or airport facilities, such as landing fields or take-off strips, or spaceports or spaceport facilities (collectively “airports”), either within or outside the limits of the county or municipality. A county or municipality that owns an airport may protect the aerial approaches to the airport by adopting an ordinance regulating, restricting, and determining the use, location, height, number of stories, and size of buildings and structures and objects of natural growth in the vicinity of the airport (within three miles of an airport or five miles of a spaceport). To initiate the adoption of an aerial approach ordinance, one of the following must hold at least one public hearing after giving the public notice and formulate a tentative ordinance: 1) if a county owns the airport, the county park commission or, if the county has a county executive or county administrator, the county park manager, except that if there is no such commission or manager, a committee of the governing body of the county; 2) if a city or village owns the airport, the city or village plan commission or, if there is no such commission, a committee of the governing body of the city or village; or 3) if a town owns the airport, a committee of the governing body of the town.

Under this bill, an aerial approach ordinance is always initiated by a committee of the governing body of the county or municipality that owns the airport, which, as under current law, must hold at least one public hearing after giving notice and formulate a tentative ordinance.

