

**HOUSE SUBSTITUTE FOR
SENATE BILL NO. 764**

A bill to amend 1945 PA 327, entitled "Aeronautics code of the state of Michigan," by amending sections 9 and 151 (MCL 259.9 and 259.151), as amended by 1996 PA 370.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 9. (1) "Airport" means any location, either on land or
2 water, that is used for the landing or take-off of aircraft, and
3 includes the buildings and facilities, if any, on that location.

4 (2) "AIRPORT APPROACH PLAN" MEANS A PLAN, OR AN AMENDMENT TO
5 A PLAN, ADOPTED UNDER SECTION 12 OF THE AIRPORT ZONING ACT, 1950
6 (EX SESS) PA 23, MCL 259.442.

7 (3) "AIRPORT LAYOUT PLAN" MEANS A PLAN, OR AN AMENDMENT TO A
8 PLAN, THAT SHOWS CURRENT OR PROPOSED LAYOUT OF AN AIRPORT AND
9 THAT IS APPROVED BY THE COMMISSION.

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1 Sec. 151. (1) The commission may create and establish a
2 state plan for approach protection areas surrounding airports,
3 landing fields, and other aeronautical facilities, by establish-
4 ing standards ~~of height~~ to which any structure or obstruction,
5 ~~of any nature,~~ whether ~~object of nature~~ NATURAL or
6 ~~man-created~~ HUMAN-MADE, may be erected or maintained within a
7 distance from the boundaries of any airport, landing field or
8 other aeronautical facility necessary for the safe landing,
9 take-off or other use of such facilities by aircraft operating
10 within this state.

11 (2) THE AIRPORT MANAGER OF AN AIRPORT LICENSED UNDER THIS
12 ACT SHALL PROMPTLY FILE ALL OF THE FOLLOWING WITH ANY CITY, VIL-
13 LAGE, TOWNSHIP, OR COUNTY THAT IS LOCATED IN WHOLE OR IN PART
14 WITHIN THE APPROACH PROTECTION AREA:

15 (A) A COPY OF THE AIRPORT APPROACH PLAN FOR THE AIRPORT, IF
16 ANY.

17 (B) A COPY OF THE AIRPORT LAYOUT PLAN FOR THE AIRPORT, IF
18 ANY.

19 (C) A REGISTRATION OF THE AIRPORT'S NAME AND MAILING ADDRESS
20 FOR THE PURPOSES OF RECEIPT OF NOTICE UNDER SECTION 4 OF THE CITY
21 AND VILLAGE ZONING ACT, 1921 PA 207, MCL 125.584, SECTION 9 OF
22 THE COUNTY ZONING ACT, 1943 PA 183, MCL 125.209, OR SECTION 9 OF
23 THE TOWNSHIP ZONING ACT, 1943 PA 184, MCL 125.279.

24 (3) THE FILING UNDER SUBSECTION (2) SHALL BE MADE WITH THE
25 ZONING BOARD, ZONING COMMISSION, OR OTHER COMMISSION APPOINTED TO
26 RECOMMEND ZONING REGULATIONS OR, IF THERE IS NO BODY EXERCISING

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1 THE POWERS OF SUCH A COMMISSION, WITH THE LEGISLATIVE BODY OF THE
2 CITY, VILLAGE, TOWNSHIP, OR COUNTY.

3 Enacting section 1. This amendatory act does not take
4 effect unless all of the following bills of the 90th Legislature
5 are enacted into law:

6 (a) Senate Bill No. 765.

7 (b) House Bill No. 5036.

8 (c) House Bill No. 5037.