

Act No. 382  
Public Acts of 2000  
Approved by the Governor  
January 1, 2001  
Filed with the Secretary of State  
January 2, 2001  
EFFECTIVE DATE: January 2, 2001

**STATE OF MICHIGAN**  
**90TH LEGISLATURE**  
**REGULAR SESSION OF 2000**

Introduced by Senator North

# **ENROLLED SENATE BILL No. 764**

AN ACT to amend 1945 PA 327, entitled "An act relating to aeronautics in this state; providing for the development and regulation thereof; creating a state aeronautics commission; prescribing powers and duties; providing for the licensing, or registration, or supervision and control of all aircraft, airports and landing fields, schools of aviation, flying clubs, airmen, aviation instructors, airport managers, manufacturers, dealers, and commercial operation in intrastate commerce; providing for rules pertaining thereto; prescribing a privilege tax for the use of the aeronautical facilities on the lands and waters of this state; providing for the acquisition, development, and operation of airports, landing fields, and other aeronautical facilities by the state and by political subdivisions; providing jurisdiction of crimes, torts, and contracts; providing police powers for those entrusted to enforce this act; providing for civil liability of owners, operators, and others; making hunting from aircraft unlawful; providing for repair station operators lien; providing for appeals from rules or orders issued by the commission; providing for the transfer from the Michigan board of aeronautics to the aeronautics commission all properties and funds held by the board of aeronautics; providing for a state aeronautics fund and making an appropriation therefor; prescribing penalties; and making uniform the law with reference to state development and regulation of aeronautics," 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:*

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

(2) "Airport approach plan" means a plan, or an amendment to a plan, adopted under section 12 of the airport zoning act, 1950 (Ex Sess) PA 23, MCL 259.442.

(3) "Airport layout plan" means a plan, or an amendment to a plan, that shows current or proposed layout of an airport and that is approved by the commission.

Sec. 151. (1) The commission may create and establish a state plan for approach protection areas surrounding airports, landing fields, and other aeronautical facilities, by establishing standards to which any structure or obstruction, whether natural or human-made, may be erected or maintained within a distance from the boundaries of any airport, landing field or other aeronautical facility necessary for the safe landing, take-off or other use of such facilities by aircraft operating within this state.

(2) The airport manager of an airport licensed under this act shall promptly file all of the following with any city, village, township, or county that is located in whole or in part within the approach protection area:

(a) A copy of the airport approach plan for the airport, if any.

(b) A copy of the airport layout plan for the airport, if any.

(c) A registration of the airport's name and mailing address for the purposes of receipt of notice under section 4 of the city and village zoning act, 1921 PA 207, MCL 125.584, section 9 of the county zoning act, 1943 PA 183, MCL 125.209, or section 9 of the township zoning act, 1943 PA 184, MCL 125.279.

(3) The filing under subsection (2) shall be made with the zoning board, zoning commission, or other commission appointed to recommend zoning regulations or, if there is no body exercising the powers of such a commission, with the legislative body of the city, village, township, or county.

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

- (a) Senate Bill No. 765.
- (b) House Bill No. 5036.
- (c) House Bill No. 5037.

This act is ordered to take immediate effect.

*Carol Morey Viventi*

Secretary of the Senate.

*Gay E. Randall*

Clerk of the House of Representatives.

Approved .....

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Governor.