

Stricken language would be deleted from and underlined language would be added to law as it existed prior to the 82nd General Assembly.

1 State of Arkansas  
2 82nd General Assembly  
3 Regular Session, 1999  
4

As Engrossed: H3/4/99 H3/19/99 S3/29/99

# A Bill

Act 1278 of 1999  
HOUSE BILL 1704

5 By: Representatives R. Smith, Glover  
6 By: Senator Bisbee  
7

## For An Act To Be Entitled

10 "AN ACT TO PROTECT THE USERS OF PUBLIC AIRPORTS BY  
11 ESTABLISHING A MINIMUM DISTANCE BETWEEN TOWERS AND  
12 RUNWAYS. "

### Subtitle

15 "AN ACT TO PROTECT THE USERS OF PUBLIC  
16 AIRPORTS BY ESTABLISHING A MINIMUM  
17 DISTANCE BETWEEN TOWERS AND RUNWAYS. "

18  
19  
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
21

22 SECTION 1. Title 27, Chapter 117, Subchapter 1 of the Arkansas Code is  
23 amended to add the following section to be appropriately numbered by the  
24 Arkansas Code Revision Commission:

25 "(a) For purposes of this section an 'aeronautical facility' is any  
26 public airport or military airport which has a hard surface runway.

27 (b) No structure in excess of one hundred feet (100') in height may be  
28 constructed within twenty-five hundred (2,500) feet from either side of a  
29 runway centerline running the full length of that runway, including the runway  
30 protection zone and runway safety area, extending outward from the approach  
31 end of any runway for seven (7) nautical miles, and rising upward from that  
32 runway end surface at a slope of sixty-five (65) feet horizontally to one (1)  
33 foot vertically for the seven (7) nautical miles of any aeronautical facility  
34 used by the public unless a permit for such construction has been issued by  
35 the governing body responsible for operations at the aeronautical facility.

36 (c) The governing body of an aeronautical facility may levy a fine not

1 to exceed one thousand dollars (\$1,000) per day against the owner of any  
2 structure constructed in violation of this act. The fine may be levied for  
3 each day until the structure is removed.

4 (d) This section does not apply to any structure existing on March 26,  
5 1999 nor to any structure which has construction in progress on March 26,  
6 1999."

7  
8 SECTION 2. All provisions of this act of a general and permanent nature  
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code  
10 Revision Commission shall incorporate the same in the Code.

11  
12 SECTION 3. If any provision of this act or the application thereof to  
13 any person or circumstance is held invalid, such invalidity shall not affect  
14 other provisions or applications of the act which can be given effect without  
15 the invalid provision or application, and to this end the provisions of this  
16 act are declared to be severable.

17  
18 SECTION 4. All laws and parts of laws in conflict with this act are  
19 hereby repealed.

20 /s/ R. Smit

APPROVED: 4/9/1999h