

MAINE STATE LEGISLATURE

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EIGHTY-FIFTH LEGISLATURE

Legislative Document

No. 251

S. P. 275

In Senate, Feb. 3, 1931.

Referred to Committee on Aeronautics and Radio Control and 500 copies ordered printed. Sent down for concurrence.

ROYDEN V. BROWN, Secretary.

Presented by Senator Crosby of Penobscot.

STATE OF MAINE

IN THE YEAR OF OUR LORD ONE THOUSAND NINE
HUNDRED AND THIRTY-ONE

AN ACT authorizing cities, towns and counties to acquire and operate airports and landing fields.

Be it enacted by the People of the State of Maine, as follows:

Section 1. Municipal airports authorized. Cities and towns separately and cities or towns jointly with one another or with counties are hereby authorized to accept, acquire, establish, construct, own, lease, control, equip, improve, maintain and operate airports and landing fields for the use of aircraft within or without the limits of such cities and towns, and may use for such purpose or purposes any land suitable therefor that is now or may at any time hereafter be owned or controlled by any such city, town or county.

Sect. 2. Declaration of public uses. All lands acquired, owned, leased, controlled or occupied by such cities, towns or counties for the purpose or purposes enumerated in Sect. 1 hereof shall and are hereby declared to be acquired, owned, leased, controlled or occupied for public uses.

Sect. 3. Acquisition of land. Private property needed by a city, town or county for an airport or landing field or for the expansion of an airport or landing field may be acquired by gift, purchase, lease or other means if such city, town or county is able to agree with the owners on the terms thereof,

and otherwise such cities or towns may take such land as a matter of public exigency in the manner prescribed for the taking of parks, squares and playgrounds, and counties may take such land as a matter of public exigency in the manner prescribed for the taking of land for highways.

Sect. 4. Air Rights, Easements and Zoning. The provisions of Sect. 3 of this Act shall apply to the acquisition of air rights and easements over private property adjoining such airports and landing fields in order, to prevent or remove obstructions interfering with safe approaches thereto, to place and maintain suitable marks and lights for the safe operation thereof and to prevent any use of such adjoining lands as would hinder the proper development or use of such airports and landing fields. Cities and towns may enact zoning ordinances applicable to such airports, landing fields and adjoining lands situated within the limits of such cities and towns.

Sect. 5. Maintenance, operation and regulation. Cities or towns and counties which have established or may hereafter establish airports or landing fields or which acquire, lease or set apart land for such purpose or purposes in accordance with this Act, may exercise the powers granted in Sect. 1 hereof or may delegate all or part of such powers to an officer, board or commission of such city, town or county. The expenses of construction, improvement, equipment, maintenance and operation shall be a city, town or county charge as the case may be. Cities, towns or counties may lease such airports or landing fields or any part thereof to any individual or corporation desiring to use the same for the purpose of operating an airport, landing field or for other purposes incident thereto subject to such conditions and regulations as may be provided for the protection of the public. Cities or towns and counties may adopt regulations and establish charges and fees for the use of such airports and landing fields, which regulations shall conform to and coincide with insofar as possible the uniform field rules for airports adopted pursuant to the United States Air Commerce Act of 1926 as such uniform rules may be amended from time to time, and may fix penalties for violations of said regulations. Cities and towns are hereby specifically granted the same police powers over airports or landing fields outside the limits of

such cities or towns as they may now exercise or may hereafter be authorized to exercise within such limits.

Sect. 6. Appropriations, bond issues and taxation. The purchase price or award for land acquired for an airport or landing field may be paid for by appropriation of moneys available therefor or wholly or partly paid for from the proceeds of sale of bonds of the city, town or county as the proper officers of the city, town or county shall determine, subject, however, to the adoption of a proposition therefor if required by law as a prerequisite to the issuance of bonds of such cities, towns or counties for public purposes generally. Cities, towns and counties are hereby authorized to appropriate or cause to be raised by taxation or otherwise in such cities, towns or counties sums sufficient to carry out the provisions of this Act.