

# MAINE STATE LEGISLATURE

The following document is provided by the  
**LAW AND LEGISLATIVE DIGITAL LIBRARY**  
at the Maine State Law and Legislative Reference Library  
<http://legislature.maine.gov/lawlib>



Reproduced from scanned originals with text recognition applied  
(searchable text may contain some errors and/or omissions)

NEW DRAFT

---

---

EIGHTY-FIFTH LEGISLATURE

---

---

Legislative Document

No. 1013

S. P. 603

In Senate, March 26, 1931.

Reported by Senator Slocum of Cumberland from Committee on Aeronautics and Radio Control and laid on table to be printed under joint rules.

ROYDEN V. BROWN, Secretary.

---

---

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, establish, construct, own, lease, control, equip, improve, maintain and operate airports and landing fields for the use of aircraft within their boundaries or without the limits of such cities and towns with the consent of the city or town where said airport or landing field is to be located, 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 city, town or county.

Sec. 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 Sec. 1 hereof shall and are hereby declared to be acquired, owned, leased, controlled or occupied for public uses.

Sec. 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, provided that no property, rights or easements of a public utility shall be taken without the approval of the public utilities commission after hearing and upon such notice to the public utility affected thereby as said commission may order.

Sec. 4. Air Rights, Easements and Zoning. The provisions of Sec. 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 provide unobstructed air space and safe approaches for the landing and taking off of aircraft using such airports and landing fields, to place and maintain suitable marks and lights for the safe operation thereof and to prevent any use of such adjoining land 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.

Sec. 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 Sec. 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 in-

sofar as possible the uniform field rules for airports adopted pursuant to the United States Air Commerce Act of 1926 as such uniform field 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.

Sec. 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 monies 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.