

## TOWN OF VINALHAVEN

### AIRCRAFT LANDING AND LAUNCHING ORDINANCE

#### Section 1: Purpose

The purpose of this Ordinance is to restrict the landing and launching of aircrafts within the incorporated boundaries of the Town of Vinalhaven.

#### Section 2: Definitions

- a. Aircraft - Any device carrying or capable of carrying one or more persons through the air, including airplanes, gliders, helicopters, balloons and other lighter aircraft, parachutes and any other similar device.

#### Section 3: Prohibited Acts

- a. No person shall land, or cause to be landed, launch or cause to be launched, any aircraft as defined herein anywhere in the incorporated Town of Vinalhaven except:
  1. In the case of an emergency.
  2. At a location, time and date authorized by the receipt of a special event permit issued by the Manager and Selectboard of the Town of Vinalhaven at its sole discretion.
- b. This section is not intended to apply to aircraft owned or operated by a federal or state governmental agency.

#### Section 4: Emergency Landings by Specified Agencies

- a. Landings or takeoffs may occur at any time for emergency purposes at specified locations, with appropriate notification to Emergency Management Personnel. Such landings shall be on an emergency basis only.
- b. Aircraft landings and takeoffs associated with public safety training exercises shall be allowed anywhere with prior notification to the Emergency Management Personnel.
- c. An exception may be made for Flying Santa Claus with the prior notification of Emergency Management Personnel.

Section 5: Violations

- a. Any person who violates any provision of this ordinance shall
  - 1. Be deemed guilty of a municipal infraction and be subject to a fine of up to five thousand dollars (\$2,500.00) with each landing; and
  - 2. Be deemed guilty of a municipal infraction and be subject to a fine of up to five thousand dollars (\$2,500.00) with each launching; and

Section 6: Conflict with Other Regulations

Where a conflict exists between any of the provisions of this Ordinance and any other applicable regulations, the more stringent provision shall govern and prevail.

Section 7: Severability

In the event that any section, subsection or any portion of this Ordinance shall be declared by any court of competent jurisdiction to be invalid for any reason, such decision shall not be deemed to effect the validity of any other section, subsection or other portion of this Ordinance; to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 8: Effective Date

Notwithstanding the provisions of 1 M.R.S.A. Section 302 or any other law to the contrary, this Ordinance shall apply to any applications for permits or approvals required under the prior provisions of Title XVII or any other ordinance or code that were not pending before any officer, board, or agency of the Town as of Vinalhaven.

Enacted (Month) (Day), 20(XX), Effective (Month) (Day), 20(XX)