

Chapter 17

AIRPORT OVERLAY ZONE (AOZ)

16-17-060 Permitted Uses and Use Restrictions.

1. On-airport: On-airport uses shall *generally* conform to those uses falling within the purview of "Aeronautical Activity," which is "any activity that involves, makes possible, or is required for the flight or ground operation of any aircraft, or which contributes to or is required for the safety of such operation." Within this general guideline, specific activities shall be either "Permitted," or "Conditional Use" activities, as is outlined below:
 - a. Non-Commercial Aeronautical Activity: Any use falling within this category shall be a "Permitted Activity." (Examples would include the erection and occupancy of privately owned aircraft hangars; the basing, operation, and maintenance of personally owned aircraft, etc.) No private aircraft owner shall be prohibited from performing, on their own equipment, those specific preventative maintenance routines as are outlined in Appendix A of FAR Part 43, whether such performance is within a privately owned hangar, or on a ramp or tiedown Private hangar owners may maintain and/or store in their hangars such non-aeronautical equipment as boats, travel/utility trailers, automobiles, etc., provided such use of that hangar is only incidental and secondary to its primary use as an aircraft maintenance and/or storage facility.
 - b. Commercial Aeronautical Activity: No person shall conduct a Commercial Activity of any nature that is based on or operated from the Morgan County Airport, unless conduct of that activity has been approved by the Morgan County Council. Any Aeronautical Activity that is conducted as a "Commercial Activity or Enterprise." [Examples of such activity would include: Fixed Base Operator (FBO), air taxi and charter operation, pilot training, aerial photography and surveying, aerial application of chemicals, aerial advertising, aircraft sales and service, aircraft parking and storage, sales of aviation petroleum products, maintenance and repair of aircraft, sales of aircraft parts, etc.] Any use falling under this category shall be conducted under the terms of both an appropriate Conditional Use Permit, and a Business License. Every person conducting any form of Commercial Activity on or from the Morgan County Airport must maintain a public liability insurance policy, of type and amount approved by the Morgan County Council.
 - c. Non-Aeronautical Activity: Certain commercial activities of a nature other than "Aeronautical Activity" may be permitted upon the airport, provided that such activities are not in any way inimical to any Aeronautical Activity, and that the activity is of a type generally "service orientated" toward Aeronautical activities (e.g., an airport food-service facility). Any such activity shall be conducted under the terms of both an appropriate Conditional Use Permit, and a Business license.
2. Off-airport: Off-airport permitted and conditional uses within the AOZ shall conform to the nature of current zoning or such future re-zoning as may be petitioned for and approved, with the additional requirement that any development within 1/2 mile laterally from the runway centerline and extended centerline out to the periphery of the Horizontal Surface, will require the execution of Avigation and Hazard Agreements by all affected persons (within the legal meaning of person), with all such Agreements to "run with the land."
3. Prohibited Use: No on or off-airport use is permitted that would create an interference with radio signals between an aircraft and the airport, impair flight visibility in the vicinity of the airport, or would in any other way create a hazard to, or endanger the takeoff, landing, or airport-vicinity maneuvering of any aircraft.
4. Penalty Provisions: Any person who, after being formally charged with the violation of any provision of Chapter 17 of the LUMC, and is subsequently found guilty on such charges, shall be deemed guilty of a Class B misdemeanor, punishable as provided by law or by provisions found in the LUMC.