

72-10-402 Declaration with respect to airport hazards.

The Legislature finds that:

- (1) an airport hazard endangers the lives and property of users of the airport and of occupants of land in its vicinity;
- (2) an obstruction of the type that reduces the size of the area available for the landing, taking-off, and maneuvering of aircraft tends to destroy or impair the utility of the airport and the public investment in the airport;
- (3) the creation or establishment of an airport hazard is a public nuisance and an injury to the community served by the airport in question;
- (4) it is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of airport hazards be prevented;
- (5) this should be accomplished, to the extent legally possible, by exercise of the police power, without compensation; and
- (6) both the prevention of the creation or establishment of airport hazards and the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards are public purposes for which political subdivisions may raise and expend public funds and acquire land or property interests in land.

Renumbered and Amended by Chapter 270, 1998 General Session