

Senate Bill 326

By: Senator Beach of the 21st

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 2 of Chapter 3 of Title 6 of the Official Code of Georgia Annotated,  
2 relating to powers of local governments as to air facilities, so as to provide for a definition;  
3 to prohibit the construction, alteration, or growth of structures or trees within a certain area  
4 of an airport; to classify such activity as a public nuisance and to authorize abatement; to  
5 require the adoption of local land use and zoning ordinances; to provide for related matters;  
6 to repeal conflicting laws; and for other purposes.

7 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

8 **SECTION 1.**

9 Article 2 of Chapter 3 of Title 6 of the Official Code of Georgia Annotated, relating to  
10 powers of local governments as to air facilities, is amended by adding a new Code section  
11 to read as follows:

12 "6-3-20.2.

13 (a) As used in this Code section, the term 'civil airport imaginary surface' means, in  
14 accordance with standards set forth in 14 C.F.R. 77.19, the imaginary areas in space and  
15 on the ground established in relation to an airport and its runways.

16 (b) Except as necessary for the operation of an airport, no structure or tree shall be  
17 constructed, altered, or allowed to grow within a civil airport imaginary surface. When  
18 more than one civil airport imaginary surface may be applicable, the more restrictive  
19 limitation shall be apply. Any structure or tree located within a civil airport imaginary  
20 surface shall constitute a public nuisance and may be abated as provided for in Title 41.  
21 (c) Any county, municipality, or other political subdivision with an airport located within  
22 its jurisdiction shall adopt local land use or zoning ordinances equal to or more restrictive  
23 than the minimum requirements set forth in this Code section."

24 **SECTION 2.**

25 All laws and parts of laws in conflict with this Act are repealed.