



CONNECTING GLOBALLY

North Central Texas General Aviation and Heliport System Plan

Vertical Flight: Sample Ordinances

August 2009



VERTICAL FLIGHT SAMPLE ORDINANCES

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VERTICAL FLIGHT SAMPLE ORDINANCES

A. GLOSSARY

This section defines acronyms and abbreviations used throughout the document.

Term	Description
AC	Advisory Circulars
EA	Environmental Assessment
EHLF	Emergency Helicopter Landing Facilities
FAA	Federal Aviation Administration
FDOT	FLORIDA DEPARTMENT OF TRANSPORTATION
HAI	Helicopter Association International
NFPA	National Fire Protection Agency
System Plan	North Central Texas General Aviation and Heliport System Plan
U.S.	United States



B. INTRODUCTION

As part of the research component of the North Central Texas General Aviation and Heliport System Plan (System Plan), a random review of various ordinances that regulate zoning, noise, and design of vertical flight facilities, on both a local and state level, was conducted. While it is the responsibility of local municipalities to establish regulations for the health, safety, welfare and overall quality of life for its citizens, they may or may not address in specificity aviation-related matters. Study indicates that some states have codes in place. Several cities have ordinances addressing “vertical flight” facilities through references to heliports and helistops. The following is a representative sampling of regulations and ordinances, grouped by subject.

C. AIRSPACE

FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)

Florida Statutes, Chapter 333, Airport Zoning Florida Administrative Code, Chapters 14 – 60, Airport Licensing and Airspace Protection

Florida Statutes, Date: 1945.

Florida Administrative Code, Date: October 10, 2004.

These laws provide for protection of national airspace in Florida through prevention of airport hazards or uses of land in the vicinity of military and public-use facilities contrary to public interest. They also provide FDOT with the responsibility and authority to issue Airspace Obstruction Permits for any proposed structure, within a 10 nautical-mile radius of the facility, which exceeds the federal obstruction standards as determined by a Federal Aviation Administration (FAA) aeronautical study. The statute allows for airspace obstruction jurisdiction to be transferred to a county or local municipality as each have been given the authority to enact local ordinances, consistent with Chapter 333 of the Florida Statutes. State laws also address the location and construction of a solid waste disposal facility that may attract birds to the vicinity of aviation facilities.

Available online at:

http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&URL=Ch0333/titl0333.htm

Available online at:

<https://www.flrules.org/gateway/ChapterHome.asp?Chapter=14-60>

CITY OF MESQUITE, TEXAS

Ordinance No. 426

Date: June 7, 1962.

This ordinance requires that the approach areas to and from the landing area are reasonably clear of obstructions, there must be a path that will allow for forced landings in the event of a power failure, and should be sufficiently fenced or protected to prevent public access during operations.

Available online at: http://www.cityofmesquite.com/city_secweb/ordinances/0426.pdf



D. FIRE PROTECTION

CITY OF GRAND RAPIDS, MICHIGAN

2003 International Fire Code, Chapter 11

The ordinance includes the following provisions:

1. A permit is required to operate a rooftop heliport or helistop.
2. A permit is required for the use of a building for aircraft servicing and/or repair and aircraft fuel-servicing vehicles.

Available online at: http://www.grand-rapids.mi.us/index.pl?page_id=5456

CITY OF LAS VEGAS, NEVADA

City of Las Vegas Fire Code, Section 21.3 (page 41)

Date: February 2, 2004.

Heliport construction and protection must comply with National Fire Protection Agency (NFPA) 418.

Available online at:

http://www.lasvegasnevada.gov/files/CLV_FIRE_CODE_2003_as_amended050405.pdf

NATIONAL FIRE PROTECTION AGENCY

2006 NFPA 418

The standards specify the minimum requirements for fire protection for heliports and rooftop hangars. It details specifications for structural support, construction materials, means of egress, fire-fighting access, fire protection, standpipes, fire alarms and extinguishers, method of construction, drainage, water/foam supply, and lighting and electrical systems.

Available online at:

<http://www.nfpa.org/aboutthecodes/AboutTheCodes.asp?DocNum=418&cookie%5Ftest=1>

E. LAND USE

HAINES BOROUGH, ALASKA

Code, Chapter 18.20

The definition of a heliport falls within the "Industrial, heavy" zoning which is defined as a use that has potential for significant negative impact on adjoining uses.

Available online at: <http://www.codepublishing.com/AK/HainesBorough/>



STATE OF CALIFORNIA

California Public Utilities Code, Section 21670

Date: 1980s.

Each county in California that has an airport served by a scheduled airline, or operated for the benefit of the general public, is required to establish an “airport land use commission”. The state’s legislative intent is to “protect public health, safety, and welfare by ensuring the orderly expansion of airports and the adoption of land use measures that minimize the public’s exposure to the extent that these areas are not already devoted to incompatible uses.” The commission’s main function is to prepare and enforce a land use plan for the area surrounding each airport in its jurisdiction.

Many of these counties extend the enforcement of land use to the public use heliports within their jurisdiction.

Available online at: <http://caselaw.lp.findlaw.com/cacodes/puc/21670-21679.5.html>

VACAVILLE, CALIFORNIA

A Codification of the General Ordinances of the City of Vacaville, California, Chapter 14.09.134.110

Date: September 9, 2008.

Heliports and helistops may be constructed only within the city limits as long as the location is within a zoning district that allows for such construction, an airport states it is compatible with the airport’s Land Use Compatibility Plan, or it is specifically mentioned in a Policy Plan or Specific Plan area. Conditional Use approval may contain additional conditions such as setbacks from adjoining properties, operational hours, flight patterns, noise mitigation, and other measures intended to reduce impact to the area. The ordinance also specifies construction regulations, dimensions of approach zones and touchdown areas, and safety precautions. If the operator wishes to have more than 10 operations (landings and takeoffs combined) per day, approval must be granted by the Community Developer Director or the Planning Commission of the City.

Available online at:

<http://www.codepublishing.com/Ca/vacaville/vacaville14/Vacaville1409134.html>

KANE COUNTY, ILLINOIS

Zoning Ordinance, Section 15.3-1 (page 29)

Date: 1976.

Landing facilities, including heliports that are designated as restricted landing areas, must adhere to all federal and state regulations as well as local regulations. The facilities cannot be located within one and one-half mile of any incorporated city or within 2,000 feet of an unincorporated area with more than 200 dwellings, within five miles of a public use airport, or in a location that is inconsistent with the plans, policies, and ordinances of Kane County.

Available online at:

http://www.co.kane.il.us/Development/Subdivision_Zoning/zoning_ordinance.pdf



CITY OF FORT WORTH, TEXAS

City Code, Chapter 3, Article VI, Division 4, Section 3-265, (b)

Date: February 3, 2009.

Heliports, helistops, and other facilities utilized by helicopters are allowed with the airport development zone, but may not be located within 1,000 feet of a church, library, or public park unless approved by the city council.

Available online at:

http://www.municode.com/resources/gateway.asp?pid=10096&ekmense=c582fa7b_21_0_btnlink

F. LIGHTING

CITY OF LOS BANOS, CALIFORNIA

Ordinance No. 1027

Date: April 6, 2005.

This ordinance states that lighting used exclusively for aviation purposes is exempt from the requirements of the Los Banos Municipal Code and that all heliport lighting shall be turned off when the heliport is not in use.

Available online at: http://www.losbanos.org/pdf/Ord_1027.pdf

G. MINIMUM STANDARDS

STATE OF CALIFORNIA

California Code of Regulations, Title 21, Sections 3525 through 3560

Date: unknown.

Section 3525 specifies that its rules and regulations are to be used with relevant FAA Advisory Circulars (AC). The term “airport” is applied to heliports as well. The regulations detail the permitting process and minimum design standards.

Available online at: http://www.dot.ca.gov/hq/planning/aeronaut/documents/Reqs_pub.pdf

COUNTY OF RIVERSIDE, CALIFORNIA

Ordinance No. 576

Date: November 14, 1995.

This ordinance provides “minimum standards to safeguard life, limb, property, and public welfare” by regulating and controlling various activities on airfields owned or operated by the County of Riverside. Airfield regulations must be submitted to the Riverside County Airport Commission for review. The commission then forwards the proposed rules to the Board of Supervisors for approval.

Available online at: <http://www.clerkoftheboard.co.riverside.ca.us/ords/500/576.2.pdf>



CITY OF SAVANNAH, GEORGIA

Airports and Aircraft Ordinance No. 3707

Date: unknown.

This ordinance details the design requirements for the construction of a helipad including fencing, dust-proof ground cover, structural integrity if located on top of a building, lighting, and minimum areas of protection. Many of these requirements refer to the FAA minimum design standards. There are additional safety features required by the Chiefs of the Savannah Fire Department and Police Department prior to the approval of a permit. A layout plan must be submitted to the City Manager for examination and determination of whether the plan conforms to any provisions of the existing building code and that necessary permits have been obtained.

Hours of operation are restricted to 7:00 am and 10:00 pm. For heliports within a 200 foot radius of a residentially-zoned district, the hours of operation are restricted to 8:00 am and 6:00 pm.

Available online at:

[http://www.mtas.tennessee.edu/KnowledgeBase.nsf/0/4258e47cb5415a2d85256ba7004f2f72/\\$FILE/savannah%20helicopter%20ordinance.pdf](http://www.mtas.tennessee.edu/KnowledgeBase.nsf/0/4258e47cb5415a2d85256ba7004f2f72/$FILE/savannah%20helicopter%20ordinance.pdf)

ILLINOIS DEPARTMENT OF TRANSPORTATION

Illinois Administrative Code, Title 92, Chapter 1, Subchapter Aeronautics, Part 16, Section 16.120 (page 19)

Date: January 26, 2004.

The state details the minimum standards for the operation of heliports/vertiports, the minimum dimensions of the approach paths, and obstruction clearances. It also details when notification of construction is required beyond the FAA standards. Illinois requires notification when the obstruction penetrates a 25:1 slope for a horizontal distance of 5,000 feet from the nearest heliport/vertiport.

Available online at: <http://www.dot.state.il.us/aero/part16.pdf>

CITY OF YOUNGSTOWN, OHIO

Zoning Ordinance, Article XIII (page 124)

Date: January 2001.

Heliports are allowed in several zoning districts classified under “Special Control.” Few local restrictions are placed on the development of a heliport. Heliports must adhere to the standard requirements for each district such as setback, lighting, minimum area, and drainage. Two notes in the Article are: heliports are subject to all requirements of the FAA and Ohio State Aviation Department; and, the use of the heliport must be approved by the Board of Zoning Appeals.

Available online at:

http://www.cityofyoungstownoh.org/Uploads/2005316154830_ZORD.pdf



PLAINFIELD TOWNSHIP, MICHIGAN

Plainfield Charter Township Zoning Ordinance, Section 27.05, M (page 27-9)

Date: 2006.

This ordinance includes the following provisions:

1. The heliport must be constructed, operated, and maintained in accordance with published rules and regulations of the FAA, Michigan Aeronautic Commission, and NFPA.
2. Applicant must apply for licensing through Michigan Aeronautics Commission
3. Applicant must submit description of the purpose of the heliport and a schedule of activities including the number of monthly operations, hours of operation, and all support activities such as storage, maintenance, and refueling.
4. Applicant must complete an Environmental Assessment (EA) detailing expected noise levels, possible odors, fumes, and dust as well as include a statement of adverse impacts on other properties in the area and the steps that will be taken to minimize those impacts.

Available online at: <http://www.plainfieldchartertp.org/pdf/planning/PCTZoneOrd2006.pdf>

CITY OF HORSESHOE BAY, TEXAS

City Ordinance No. ORD07-06-19C Takeoff and Landing Ordinance

Date: June 19, 2007.

This ordinance details definitions of type of facilities, exceptions to the ordinance, application/permit process and associates fees, prioritization of the facility, renewal of the three-year permit, insurance requirements, standards and markings, noise guidelines, city inspections requirements, and maintenance requirements.

Available online at:

<http://www.horseshoe-bay-tx.gov/website/ordinances/ORD%2007-06-19C%20Takeoff%20and%20Landing.pdf>

H. NOISE

HOOPA VALLEY TRIBE, CALIFORNIA

Division 1. Planning and Zoning, Article 2, Section (f)

Date: March 5, 1998.

Heliports are subject to the Noise Assessment Guidelines manual provided by the U.S. Department of Housing and Urban Development. The tribe must analyze and quantify the current and projected noise contours and levels for highways and arterials, aviation facilities, and local industrial plants.

Available online at:

<http://www.hoopa-nsn.gov/documents/Codes/Title48-LandManagementCommission.pdf>



CITY OF GRAND RAPIDS, MICHIGAN

Chapter 61 – Zoning Ordinance

Article 5.9.12 (Page 152-153)

Date: September 22, 2008.

1. Allows for the use of helistops in the Districts of “City Center” and “Transitional City Center.” Helistops and heliports are allowed in the “Industrial-Transportation” District.
2. Maximum of 15 landings and 15 takeoffs per month with no more than two landings and two takeoffs per a day. Special permission is needed from the City Manager for additional landings and takeoffs when they are in conjunction with special events of community importance.
3. Helicopters cannot exceed the noise limitations established in Chapter 151, Article 5 of the City Code, which is 110 decibels.
4. Helicopters shall not remain in operation on the landing site for more than three minutes.
5. Emergency operations are exempt from these restrictions.

Available online at:

http://www.grand-rapids.mi.us/index.pl?page_id=5831

STATE OF NEVADA

Nevada State Legislation, Chapter 244, Sections 244.414 and 244.416

Date: 2001.

This legislation allows counties whose population is greater than 400,000 to establish an advisory committee on aircraft (including helicopters) noise. It specifies the requirements for the 11 members and provides the power to examine and assess existing laws, promote communication about aircraft noise, and discuss abatement procedures with federal, state, and local officials. The committee has no power over aircraft that are operating as an air ambulance or for law enforcement purposes.

Available online at: <http://www.leg.state.nv.us/nrs/NRS-244.html#NRS244Sec414>

CITY OF BELLEVUE, WASHINGTON

Ordinance No. 5477

Date: September 3, 2003.

This ordinance allows the City to restrict the type of aircraft permitted to land and limits the number of daily operations and hours of operation based on identified noise impacts. The ordinance details a heliport’s design including lighting, size of helipad, markings, fence, and obstructions in the surrounding safety zones as defined by the FAA. A heliport must have flight path access directly to an interstate highway system which does not require flight over any residentially-zoned properties. The ordinance also states that if the FAA determines there is a negative impact to navigable airspace, the permit for the facility will be denied.

Available online at: <http://www.ci.bellevue.wa.us/Ordinances/Ord-5477.pdf>



I. PARKING

MCLEAN COUNTY, ILLNOIS

Zoning Ordinance, Article 9, Section 908 (page 195)

Date: August 15, 2000; amended June 17, 2008.

One parking space is required per heliport or helipad except when the aircraft are accessories to a hospital or other medical institution.

Available online at: http://www.mcleancountyil.gov/build/pdf/Zoning_ordinance.pdf

CITY OF DALLAS, TEXAS

Use Regulations, Transportation Uses, Heliport and Helistop

Date: unknown.

A minimum of four off-street parking spaces are required at a heliport. A minimum of two off-street parking spaces are required at a helistop. This ordinance also restricts scheduled stops and fuel or servicing facilities at a helistop.

Available online at: http://www.dallascityhall.com/zoning/html/transportation_-_heliport.html
http://www.dallascityhall.com/zoning/html/transportation_-_helistop.html

J. PERMITTING / LICENSING

COUNTY OF RIVERSIDE, CALIFORNIA

Countywide Policies of the Riverside County Airport Land Use Compatibility Plan, Section 1.51

Date: January 12, 2009.

Any new airport or heliport, whether for public use or private, requires referral to the Airport Land Use Commission to determine if the facility requires a state airport permit. The commission was established based on the California Public Utilities Code, Section 21670 as described above.

Available online at: <http://law.onecle.com/california/utilities/21661.5.html>

CITY AND COUNTY OF DENVER, COLORADO

Code, Chapter 5, Article III, Sections 5-31 through 5-36

Date: February 23, 2009.

These sections require any person that establishes, maintains, or operates a landing facility to obtain a permit from the director of excise and licenses. Applications must include a statement of the type of helicopter operations, types of helicopters to be used, their maximum gross weight and a scaled plan indicating dimensions of the usable area, the actual landing and takeoff area, and obstructions and emergency landing areas within 1,000 feet. If the heliport is atop a building, a city approved engineering report must be submitted indicating the roof structure is designed to support the concentrated loads of the maximum takeoff weight of the largest helicopter anticipated. No refueling or fuel storage is allowed atop a rooftop heliport.

Available online at: <http://www.municode.com/resources/gateway.asp?pid=10257&sid=6>



CITY OF FORT WORTH, TEXAS

City Code, Chapter 3, Article III, Sections 3-46 and 3-47

Date: February 3, 2009.

Section 3-46 requires FAA approval prior to submitting an application to the City of Fort Worth for a license. According to Section 3-47, any person desiring permission to operate a landing field, which includes heliports, within the City of Fort Worth shall file an application for a landing field license with the director of aviation. The application includes the location and size of area proposed, whether or not the field has been approved by the FAA and for what purposes, length of time the applicant has been a resident of the city, the nature of business for the last five years, and a description of firm or corporation that will operate the field if applicable.

Available online at:

http://www.municode.com/resources/gateway.asp?pid=10096&ekmense=c582fa7b_21_0_btnlink

K. ROOFTOP HELIPORTS

CITY OF DENVER, COLORADO

Municipal Code 1950, § 948.4-4, Section 5-36, Contents of heliport license

Date: February 23, 2009.

This code restricts the storage or fueling operation atop rooftop heliports and requires that all applicable rules and regulations of the FAA are observed by heliport operators and pilots utilizing the heliport.

Available online at: <http://www.municode.com/resources/gateway.asp?pid=10257&sid=6>

L. EMERGENCY LANDING FACILITIES

The Helicopter Association International (HAI) developed in 2003, a model ordinance for municipalities recommending the incorporation of Emergency Helicopter Landing Facilities (EHLF) in local high-rise building codes. HAI believes that EHLFs allow for safer operating environments during an urban disaster by providing preplanned landing sites for helicopters that are assisting ground personnel during high-rise emergencies. The model ordinance states that no building or a certain height will be given a building or occupancy permit unless a rooftop heliport is planned to be constructed as well. It then details the proper dimensions, markings, and access to the heliport.

Available online at: <http://www.rotor.com/membership/rotor/rotorpdf/spring%2030.pdf>



M. SUMMARY

The listings above comprise a representative sampling of ordinances that apply to vertical flight facilities that were gathered in a random review of state and local regulations and ordinances in various geographic areas across the country. Not every entity that was researched appeared to have aviation-specific regulations in place. In many cases, local directives codified by municipalities and counties work in conjunction with FAA regulations, standards, recommendations and guidelines. Local ordinances refer to FAA standards for basic facility design and then apply requirements such as permits, building and fire codes to ensure further public safety.

The existence and detail of regulations and ordinances may correlate to the activity level and uses of helicopters, population density, the community's attitude towards aviation, and/or existing land use adjacent to an airport (residential versus commercial). A residential district is less likely to be tolerant of constant helicopter traffic than a commercial district.

The final System Plan, by taking into consideration findings and analyses of aviation today and trends for the future, will recommend a model for local ordinances and codes specific to general aviation and vertical flight activities in the region.