**Section 16.160 Notice of Construction or Alteration of Any Structure**

a) Construction or Alteration Requiring Notice (14 CFR 77.13, effective October 1, 2002). Each person or sponsor proposing any of the following construction or alterations of any structure on or in the vicinity of the airports listed in Section 16.Appendix A shall notify the Division (see subsection (b) of this Section), for objects on airport property, or the FAA, for objects off airport property.

1) Any construction or alteration of more than 200 feet in height above the natural ground level at its site.

2) Any construction or alteration of a height greater than an imaginary surface extending outward and upward at one of the following slopes:

A) 100:1 for a horizontal distance of 20,000 feet from the nearest point of the nearest runway of the airport, with at least one runway more than 3,200 feet in actual length.

B) 50:1 for a horizontal distance of 10,000 feet from the nearest point of the nearest runway of the airport, with the longest runway not more than 3,200 feet in actual length.

C) 25:1 for a horizontal distance of 5,000 feet from the nearest point of the nearest landing and takeoff area of each heliport/vertiport.

3) Any highway, railroad, or other traverse way for mobile objects, of a height that would exceed a standard described in subsection (a)(1) or (a)(2) of this Section, if adjusted upward: 17 feet for an Interstate Highway that is part of the National System of Military and Interstate Highways where overcrossings are designed for a minimum of 17 feet vertical distance; 15 feet for any other public roadway; 10 feet or the height of the highest mobile object that would normally traverse the road, whichever is greater, for a private road; 23 feet for a railroad; and for a waterway or any other traverse way not previously mentioned, an amount equal to the highest mobile object that would normally traverse it.

4) Any construction or alteration that exceeds a standard of the Act or of this Part.

b) Form and Time of Notice

1) Each person required to notify the Division under subsection (a) of this Section shall forward one completed FAA Form 7460-1, Notice of Proposed Construction or Alteration, to the Illinois Department of Transportation, Division of Aeronautics, Capital Airport, 1 Langhorne Bond Drive, Springfield, Illinois 62707-8415.

2) Notice must be submitted at least 30 calendar days before the date the proposed construction or alteration is to begin.

3) In the case of an emergency involving essential public services, public health, or public safety that requires immediate construction or alteration, the 30 calendar day requirement in subsection (b)(2) of this Section does not apply and notice may be communicated to the Division by telephone (217-785-8500), telegraph, facsimile (217-785-4533), or other expeditious means, with a completed FAA Form 7460-1 submitted to the Division within 5 calendar days after the emergency. For example, an emergency could include breaks in sewer lines, gas mains or power lines.

c) Acknowledgment of Notice

1) The Division will acknowledge in writing the receipt of a notice submitted under subsection (a) of this Section within 30 calendar days after receipt of the notice.

2) The acknowledgment will state whether a study of the proposed construction or alteration has resulted in a determination that the construction or alteration:

A) will require lighting or marking;

B) will not be in violation of this Part or Departmental standards;

C) will require supplemental information (e.g., certified engineering/survey data from a professional engineer, architect or surveyor on the certifier’s letterhead regarding the proposed site location and height) (Once the supplemental information has been reviewed by the Division, a second acknowledgment will be sent to the person or sponsor and a determination concerning the proposed construction or alteration will again be made pursuant to subsection (c) of this Section.);

D) will require a permit from the Division (see Section 16.170);

E) will require a variance from the Division (see Section 16.180); or

F) will be acceptable, as submitted.

d) Compliance with Acknowledgment. The person or sponsor that notifies the Division of the construction or alteration of a structure shall have the sole responsibility to comply with the requirements set forth in the Division's acknowledgement as described in subsections (c)(2)(A), (C), (D) and (E) of this Section.