**Section 41.10 Introduction**

a) Zoning provisions regulating and restricting the height of structures and trees, and otherwise regulating the use of property in the vicinity of the Fairfield Municipal Airport by creating appropriate surfaces, and establishing the boundaries thereof; providing for changes in the restrictions and boundaries of such surfaces, defining certain terms used herein; referring to the Fairfield Municipal Airport zoning map (Note: this zoning map can be viewed at the Department of Transportation, Division of Aeronautics, One Langhorne Bond Drive/Capital Airport, Springfield, Illinois 62706. For an example of this information see 92 Ill. Adm. Code 18, Exhibits A, B and C); providing for enforcement; imposing penalties in the interest of public safety and welfare; and providing for notice of construction or alteration.

b) These zoning regulations are adopted at the request of City of Fairfield, as owner and operator of Fairfield Municipal Airport, pursuant to the authority conferred by the Airport Zoning Act (Act) (Ill. Rev. Stat. 1985, ch. 15½, pars. 48.1 et seq.). *It is hereby found that an airport hazard endangers the lives and property of users of* Fairfield Municipal Airport *and of occupants of land* or property *in its vicinity, and also, if of the obstruction type, in effect reduces the size of the area available for the landing, taking-off and maneuvering of aircraft, thus tending to destroy or impair the utility of* Fairfield Municipal Airport *and the public investment therein*.

1) *Accordingly, it is declared*:

A) *That the creation or establishment of an airport hazard is a public nuisance and an injury to the* region *served by* Fairfield Municipal Airport;

B) *That 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, and*

C) that the prevention of these hazards *should be accomplished to the extent legally possible, by the exercise of the police power, without compensation*.

2) *It is further declared that both the prevention of the creation or establishment of airport hazards and the elimination, removal, alteration, mitigation, or marking and*/or *lighting of existing airport hazards are public purposes for which political subdivisions may raise and expend public funds and acquire land* or interests in land. (Section 11 of the Act)

c) It is hereby determined by the Department of Transportation, Division of Aeronautics, State of Illinois, that the zoning regulations for Fairfield Municipal Airport be adopted.