

GRANGEVILLE CITY ORDINANCE NO. _____

~~AN ORDINANCE OF THE CITY OF GRANGEVILLE PROHIBITING HELICOPTER LANDING FACILITIES IN THE CITY OF GRANGEVILLE; PROHIBITING THE LANDING AND/OR DEPARTURE OF HELICOPTERS IN THE CITY OF GRANGEVILLE EXCEPT AT APPROVED LANDING SITES; PROVIDING FOR LANDINGS APPROVED BY LAW ENFORCEMENT; PROVIDING FOR PERMITS TO BE ISSUED BY THE GRANGEVILLE CITY COUNCIL; PROVIDING FOR AN EFFECTIVE DATE UPON ITS PASSAGE, APPROVAL, AND PUBLICATION; AND, PROVIDING FOR THE REPEAL OF ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH.~~

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GRANGEVILLE, IDAHO COUNTY, IDAHO, AS FOLLOWS:

Section 1 – TITLE – This Ordinance shall be known as the City of Grangeville Helicopter Landing Facilities Ordinance and may be so cited.

Section 2 – PURPOSE AND INTENT – WHEREAS ~~certain areas of the City of Grangeville lacks sufficient, clear, unobstructed space for the safe approach, landing, and lift-off of any helicopter; within the City limits; and whereas a helicopter landing facility and the regular landing and departure of a helicopter will negatively impact the property values of nearby properties; and whereas the noise, blowing dust and debris, and unsightliness of a helicopter landing or taking off is a nuisance to nearby homes, schools, churches, offices, and commercial businesses;~~

It is the purpose and intent of this Ordinance to provide for the protection of the public health, safety and general welfare within the City of Grangeville by prohibiting ~~helicopter landing facilities in the City of Grangeville and to prohibit the landing and/or departure of helicopters in the City of Grangeville except as provided for herein.~~

Section 3 – DEFINITIONS:

~~HELIPORT: A heliport is a public or private area, either at ground level or elevated on a structure, used or to be used for landing or take off of helicopters or other steep gradient aircraft capable of hovering and may include any or all of the area or service buildings which are appropriate to accomplish these functions, such as refueling, maintenance or repair facilities; such facility may be designated to accommodate more than one aircraft.~~

~~HELISTOP: A helistop is a public or private area, either at ground level or elevated on a structure, used or to be used for landing or take off of helicopters or other aircraft capable of hovering which shall not afford refueling, maintenance or repair facilities in which tie down facilities alone are available and are for the accommodation of a single aircraft.~~

HELICOPTER: A helicopter is a manned aircraft in which lift, flight and landing is achieved by means of one or more power-driven horizontal propellers.

Section 4 – ACTIONS PROHIBITED. :

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A. It shall be unlawful for the owner or person in control of any property to install, maintain or operate thereon a heliport or helistop in the incorporated limits of the City of Grangeville.

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B. Except as otherwise provided herein, it shall be unlawful for any person to land, discharge passengers, materials or goods, load passengers, materials or goods, or depart in a helicopter from any place within the incorporated limits of the City of Grangeville, other than from those landing sites approved by the Grangeville City Council through the conditional use permitting process.

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Section 5 – Helicopter Operation Approved by Law Enforcement. In the event of an emergency, the Chief of Police for the City of Grangeville, or his designee, may authorize a helicopter to land or depart from the incorporated limits of the City of Grangeville as necessary to protect public safety.

Section 6 – Permits Issued by City Council. Nothing herein shall prohibit the Grangeville City Council from issuing a permit to allow any person to for landing or departure from a by helicopter for planned special events occasions as approved in advance by the City Council. Helicopter operations conducted pursuant to a permit issued by the Grangeville City Council shall not constitute a violation of the provisions of this ordinance.

Application for a helicopter landing permit for a planned special event shall be made to the Grangeville City Clerk at least forty-five (45) days, but not more than three hundred sixty five (365) days prior to commencement of the planned event. The City Clerk is authorized to request content neutral information, documentation, or clarification from the applicant as needed for the Grangeville City Council to consider the application. The City Clerk shall cause the permit application to be considered by the Grangeville City Council at the next timely regularly scheduled meeting of the Grangeville City Council.

The Grangeville City Council shall have authority to condition the issuance of the permit, in the sole discretion of the Grangeville City Council, in compliance with, but not limited to, the following:

- Reasonable restrictions related to the time, place, and manner of the planned special event;

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- Restrictions necessary to protect the safety and rights of persons and property upon which or adjacent to the location of the planned special event;
- Conditions and guidelines necessary for the control of traffic and safety of the traveling public;
- The availability of first aid or other medical care or treatment;
- A condition that the applicant shall provide notice to residents and/or businesses regarding the planned special event;
- Conditions to address safety concerns; and
- Conditions to repair damage or disruption to public property.

Section 7 – Violation of the provisions of this Ordinance shall constitute a misdemeanor and be punishable by imprisonment in the county jail not exceeding six (6) months, or by a fine not exceeding one thousand dollars (\$1,000.00), or by both.

Section ~~87~~ – All Ordinances or parts of Ordinances in conflict herewith are hereby repealed.

Section ~~98~~ – This Ordinance shall become effective upon its passage, approval, and publication in the Idaho County Free Press.

This Ordinance passed in the following manner: _____

BRUCE WALKER, Mayor

ATTEST:

TONYA KENNEDY, City Clerk