

**City of St. Charles, Illinois**

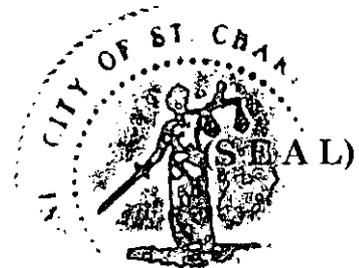
**Ordinance No. 2009-M-13**

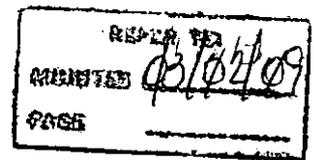
**An Ordinance Amending Title 8  
(Health and Safety) of the  
St. Charles Municipal Code**

**Adopted by the  
City Council  
of the  
City of St. Charles  
March 2, 2009**

**Published in pamphlet form by  
authority of the City Council  
of the City of St. Charles,  
Kane and Du Page Counties,  
Illinois, March 6, 2009**

*Nancy Garrison*  
\_\_\_\_\_  
City Clerk





DATE OF ORIGINAL 03/04/09  
DUPAGE COUNTY

**City of St. Charles, Illinois**  
**Ordinance No. 2009-M-13**

**An Ordinance Amending Title 8 (Health and Safety) of the St. Charles  
Municipal Code**

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY  
COUNCIL OF THE CITY OF ST. CHARLES, KANE AND DUPAGE COUNTIES, ILLINOIS  
AS FOLLOWS:

SECTION ONE: That the Municipal Code of the City of St. Charles is hereby amended  
by deleting Chapter 8.08 in its entirety and inserting the following language in lieu thereof:

**“CHAPTER 8.08  
AIRCRAFT LANDINGS”**

**Sections:**

- 8.08.010 Definitions
- 8.08.020 Restrictions on landing
- 8.08.030 Exemptions
- 8.08.040 Violation - Penalty
- 8.08.050 Severability

**8.08.010 Definitions.**

For the purposes of this Chapter, the following words shall have the meanings ascribed hereto:

- A. "Aircraft" means any contrivance now known or hereafter invented, used or designed for navigation of, or flight in the air including, but not limited to, airplanes, helicopters, gliders, hot air balloons and dirigibles.
- B. "Person" means any individual, firm, partnership, corporation, company or any other organization that operates, causes the operation or otherwise authorizes the operation of an Aircraft.

**8.08.020 Restriction on landing.**

It is unlawful for any Person to cause or permit Aircraft to land or otherwise make any physical touching with the ground or navigable waters: (a) within the corporate limits of the City; and (b) within three (3) miles of the corporate limits of the City, provided that said ground or navigable waters is not within the corporate limits of another municipally.

**8.08.030 Exemptions.**

A. The prohibition set forth herein shall not apply to any Person with a valid permit issued pursuant to the Illinois Aeronautics Act or similar statute.

B. The prohibition set forth herein shall not apply to any public entity, including, but not limited to, the government of any state, the United States of America and any department, agency or subdivision thereof.

C. The prohibition set forth herein shall not apply to any Aircraft primarily used for responding to emergency incidents.

D. In addition to the foregoing, the prohibition set forth herein shall not apply to any Person operating an Aircraft with the written approval of the City. Said approval shall be granted only upon the following:

1. The Person shall notify the City in writing of the proposed landing or other physical touching no less than thirty (30) days prior to the same. Said notice shall include the date and time, the location and the amount of time necessary; and,
2. The Person shall secure and maintain liability insurance by a carrier that is legally able to conduct business in the State of Illinois and is rated "A-" or better and of a class size "X" or higher by the A.M. Best Company. Said insurance shall name the City, its elected and appointed officers, officials, employees and agents as additional insured parties and shall otherwise be deemed satisfactory by the City Administrator and the City Attorney; and,
3. The Person shall execute an agreement indemnifying the City, its elected and appointed officers, officials, employees and agents, in a form deemed satisfactory by the City Administrator and the City Attorney.

The requirements of this Section 8.08.030(C) shall be in addition to any other Requirements imposed by the City code or any other statute or law.

**8.08.040 Violation - Penalty.**

Any Person who violates this Chapter shall be fined not less than fifty dollars (\$50) nor more than seven-hundred fifty dollars (\$750) for each offense with each landing or physical touching constituting a separate offense.

**8.08.050 Severability.**

If any section, subsection, sentence, clause, phrase or portion of this Chapter is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions hereof."

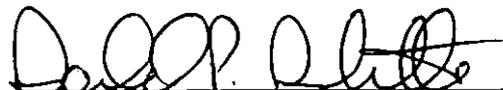
SECTION TWO: That all ordinances and resolutions, or parts thereof, in conflict with the provisions of this Ordinance are, to the extent of such conflict, expressly repealed.

SECTION THREE: This Ordinance shall be in full force and effect ten (10) days its passage, approval and publication as required by law.

PRESENTED to the City Council of the City of St. Charles, Illinois, this 2nd day of March, 2009.

PASSED by the City Council of the City of St. Charles, Illinois, this 2nd day of March, 2009.

APPROVED by the Mayor of the City of St. Charles, Illinois, this 2nd day of March, 2009.

  
Donald P. DeWitte, Mayor

ATTEST:

  
City Clerk

COUNCIL VOTE:

Ayes: 10  
Nays: 0  
Absent: \_\_\_\_\_  
Abstain: \_\_\_\_\_

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

DATE: \_\_\_\_\_



State of Illinois )  
 )  
 ) ss.  
Counties of Kane and DuPage )

## Certificate

I, NANCY GARRISON, certify that I am the duly elected and acting Municipal City Clerk of the City of St. Charles, Kane and DuPage Counties, Illinois.

I further certify that on March 2, 2009, the Corporate Authorities of such municipality passed and approved Ordinance No. 2009-M-13, entitled

"An Ordinance Amending Title 8  
(Health and Safety) of the  
St. Charles Municipal Code,"

which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. 2009-M-13, including the Ordinance and a cover sheet thereof was prepared, and a copy of such Ordinance was posted in the municipal building, commencing on March 6, 2009, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at St. Charles, Illinois, this 2<sup>nd</sup> day of March 2009.



*Nancy Garrison*  
Municipal Clerk