

Ordinance No. 701

AN ORDINANCE to amend the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940, by adding a new chapter thereto numbered Chapter XI-B, which chapter relates to the regulation of the operation of aircraft over the City of Alexandria and provides for penalties for the violation of regulations.

WHEREAS, it is necessary to the safety, health and general welfare of the inhabitants of the City of Alexandria, that aircraft flying within the corporate limits of said city be regulated in order to prevent accidents and nuisances endangering the safety, health, life, and general welfare of said inhabitants, now, therefore,

THE CITY COUNCIL OF ALEXANDRIA HEREBY ORDAINS:

1. That the Code of the City of Alexandria, Virginia, enacted as a whole July 2, 1940 and made effective August 5, 1940, be and the same hereby is amended by adding a new Chapter XI-B to read as follows:

CHAPTER XI-B

REGULATIONS FOR THE OPERATION OF AIRCRAFT OVER THE CITY

Section 1. Definitions: (a) Aircraft—The term "aircraft" as used in this ordinance means any aeroplane, airplane, gas bag, flying machine, balloon, any contrivance now known or hereafter invented, used or designed for navigation or flight in the air, except a parachute or other contrivances used primarily as safety equipment. (b) Acrobatic flying—The term "acrobatic flying" as used herein means any intentional air plane maneuver or stunt not necessary to air navigation, or operation of aircraft in such manner as to endanger human life or safety by the performance of unusual or dangerous maneuvers.

Section 2. Aircraft Owned by the Government, or Licensed by Foreign Governments.—The provision of this ordinance shall not apply to public aircraft of the Federal Government, or of a state, or territory, or of a political subdivision of a state or territory, or to aircraft licensed by a foreign country with which the United States has a reciprocal agreement covering operation of such aircraft.

Section 3. Minimum Height Limits for Aircraft.—Except while taking off or landing at an established landing field or airport, no person, firm or corporation shall fly or permit any aircraft to be flown within the corporate limits of the City of Alexandria, except at a height sufficient to permit of a reasonably safe emergency landing, which in no case shall be less than 1,000 feet, provided that the provisions of this section may be deviated from when special circumstances render a departure necessary to avoid immediate danger or when such departure is required because of stress of weather conditions or other unavoidable cause.

Section 4. When fields or airports are close to the corporate limits of the City of Alexandria aircraft where possible shall land and take off so as not to fly over the city, and when it is necessary to fly over the city they shall proceed so as to enter and leave the air space over the city in a direct line and shall not veer their course or circle over the city except when special circumstances render a departure neces-

sary to avoid immediate danger or when such departure is required because of stress of weather conditions or other unavoidable cause.

Section 5. Operators of Aircraft to Be Licensed.—No person shall operate any aircraft within or over the corporate limits of the City of Alexandria unless such person has first been issued an airman certificate by the Civil Aeronautics Authority and unless such aircraft shall have first received a certificate of airworthiness from the Civil Aeronautics Authority.

Section 6. Operation of Aircraft to Be Subject to Air Traffic Rules of Federal Civil Aeronautics Authority.—No person shall operate any aircraft over or within the City of Alexandria in violation of any valid air traffic or other rule or regulation established by the Civil Aeronautics Authority.

Section 7. Acrobatic Flying Prohibited.—Acrobatic Flying by any person flying over any portion of the City of Alexandria is hereby prohibited.

Section 8. Landing at Other Than Established Airport Prohibited.—Except in case of emergency, no person shall land any aircraft within the corporate limits of the City of Alexandria, except upon a regularly established airport field, or landing place.

Section 9. Lights for Night Operation of Aircraft.—All aircraft when flying within or over the corporate limits of the City of Alexandria at night shall have lights and other equipment required for such flying by the rules, regulations or orders of the Civil Aeronautics Authority.

Section 10. Noise by Aircraft Operation.—Unnecessary noise by operators of aircraft within or over the corporate limits of the City of Alexandria is hereby prohibited.

Section 11. Dropping Objects from Aircraft Prohibited.—No person in any aircraft shall cause or permit to be thrown out, discharged or dropped within the corporate limits of the City of Alexandria, any object, or thing, except loose water or loose sand ballast when absolutely essential to the safety of the occupants of the aircraft and except as provided in Section 12 of this ordinance.

Section 12. Permits Required for Exhibition Flights, Carrying of Banners, Distribution of Circulars, Loud Speaking Devices, and Carrying of Explosives.—No person shall make exhibition flights by carrying banners on, distribute circulars from, or operate a loud speaking device from any aircraft flying within or over the corporate limits of the City of Alexandria without first obtaining a permit to do so from the Superintendent of Police and paying a permit fee of five dollars for each flight. The Superintendent of Police shall issue such permit if the person who will operate the aircraft, in carrying out any of the object named in this section, is duly licensed by the Civil Aeronautics Authority, the aircraft to be used is licensed by the Civil Aeronautics Authority, and the safety or lives of the inhabitants of the City of Alexandria will not be endangered by the proposed flight. Provided that the permits provided for in this section may be issued by the Superintendent of Police for periods of not longer than six months, rather than for individual flights, if the safety or lives of the inhabitants of the City of Alexandria will not be

endangered by such permit and a permit fee of twenty-five dollars is paid. Provided that such six months' permit shall be revoked by the Superintendent of Police upon violation of any provision of this ordinance.

Section 13. Violation Penalties—Any person, firm or corporation violating any provision of this ordinance shall be guilty of a misdemeanor, and upon conviction thereof shall be fined in a sum not exceeding \$300.00 or be imprisoned for a term not exceeding ninety days or be both fined and imprisoned.

2. That this ordinance shall be published in the Alexandria Gazette not later than two days following its introduction together with a notice containing the time and place for a public hearing. The clerk of the council shall note the date of introduction and first reading, the date publication, the date of the public hearing, and the date of the second reading and final passage in the minutes of the meeting. This ordinance shall become effective the date of its final passage.

**FRANKLIN P. BACKUS
MAYOR**

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