

the court nevertheless may impose a lesser penalty of the same character. Although there are exceptions to the general rule, they would not appear at all controlling in this instance. See, e.g., Art. 27, §36B(e); State ex el Sonner v. Shearin, 272 Md. 502 (1974).

SUBTITLE 6. AIRPORT ZONING - BY POLITICAL SUBDIVISIONS.

5-601. DEFINITIONS.

(A) IN GENERAL.

IN THIS SUBTITLE THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

REVISOR'S NOTE: This subsection is new language used as the standard introductory language to a definition section.

See, also, §§1-101 and 5-101 of this article for other applicable definitions.

(B) AIRPORT.

"AIRPORT" MEANS ANY AIRPORT LICENSED BY THE ADMINISTRATION.

REVISOR'S NOTE: This subsection is new language patterned after that appearing in present Art. 1A, §7-705 (b) (5) - now §5-801(b) of this title - and added to avoid unnecessary repetition of the phrase "licensed by the Administration".

As to airport licensing, see Subtitle 3 of this title.

(C) SUBSTANTIALLY ALTER.

"SUBSTANTIALLY ALTER" INCLUDES RECONSTRUCT, REBUILD, REPLACE, OR SUBSTANTIALLY CHANGE OR REPAIR.

REVISOR'S NOTE: This subsection is new language patterned after that appearing in §5-501(c) of this title and added to conform the otherwise similar language of this and other subtitles of this title.

5-602. DECLARATION OF PURPOSE.

AN AIRPORT HAZARD ENDANGERS THE LIVES AND PROPERTY OF THE USERS OF AN AIRPORT AND OF THE OCCUPANTS OF LAND IN ITS VICINITY, AND IT ALSO REDUCES, IN EFFECT, THE AREA AVAILABLE FOR THE LANDING, TAKING OFF, AND MANEUVERING OF AIRCRAFT, THUS TENDING TO DESTROY OR IMPAIR THE UTILITY OF AN AIRPORT. IT IS, THEREFORE, IN THE INTEREST OF PUBLIC HEALTH, SAFETY, AND GENERAL WELFARE THAT THE