

POLITICAL SUBDIVISIONS OF THIS STATE BE AUTHORIZED TO ADOPT ZONING REGULATIONS, AS PROVIDED IN THIS SUBTITLE, AND TO ACQUIRE PROPERTY, BY PURCHASE, GRANT, LEASE, OR CONDEMNATION, IN ORDER TO ELIMINATE AIRPORT HAZARDS.

REVISOR'S NOTE: This section presently appears as Art. 1A, §8-801(a).

The only changes are in style.

5-603. EXCEPTIONS.

THIS SUBTITLE DOES NOT APPLY TO BALTIMORE COUNTY OR TO ANY PART OF ANY AIRPORT OR PROPERTY LOCATED IN BALTIMORE COUNTY.

REVISOR'S NOTE: This section is new language derived without substantive change from the second sentence of Art. 1A, §8-801(h).

The first sentence of present §8-801(h), which is a severability clause, is deleted as unnecessary in light of Art. 1, §23 of the Code.

5-604. ADOPTION OF REGULATIONS.

(A) POWER OF POLITICAL SUBDIVISION TO ADOPT.

SUBJECT TO THE PROVISIONS OF THIS SUBTITLE, EACH POLITICAL SUBDIVISION OF THIS STATE MAY ADOPT, UNDER ITS POLICE POWER, AIRPORT ZONING REGULATIONS TO PROTECT THE AERIAL APPROACHES OF:

(1) ANY AIRPORT NOT OWNED BY THIS STATE AND LOCATED IN THE POLITICAL SUBDIVISION; AND

(2) SUBJECT TO §5-609 OF THIS SUBTITLE, ANY AIRPORT OWNED BY THE POLITICAL SUBDIVISION AND LOCATED WHOLLY OR PARTLY OUTSIDE OF THE POLITICAL SUBDIVISION.

(B) INCORPORATION IN GENERAL ZONING REGULATIONS.

IF A POLITICAL SUBDIVISION HAS OR ADOPTS A GENERAL ZONING ORDINANCE REGULATING THE HEIGHT OF BUILDINGS, ANY AIRPORT ZONING REGULATIONS ADOPTED UNDER THIS SUBTITLE FOR ALL OR A PART OF THE SAME AREA MAY BE MADE A PART OF THE GENERAL ZONING REGULATIONS AND ADMINISTERED AND ENFORCED WITH THEM. HOWEVER, THE GENERAL ZONING REGULATIONS MAY NOT LIMIT THE EFFECTIVENESS OR SCOPE OF ANY REGULATION ADOPTED UNDER THIS SUBTITLE.

REVISOR'S NOTE: This section presently appears as the first part of the first sentence of Art. 1A, §8-801(b) (1) and Art. 1A, §8-801(b) (2).

In the introductory language of subsection (a) of this section, the present authorization to