**Section 16.10 Purpose and Scope**

a) The purpose of this Part is to administer and enforce requirements that restrict the height of structures, equipment, and vegetation, and to regulate the use of property, on or in the vicinity of any publicly-owned airport (see Section 16.Appendix A of this Part for a listing of applicable airports) whose owner or operator requests enforcement of airport hazard zoning by the Illinois Department of Transportation (the Department), Division of Aeronautics (the Division) for any airport hazard area. Airport hazards endanger the lives and property of users of publicly-owned airports, and of the occupants of land in an airport’s vicinity, and may also destroy or impair the utilization of a publicly-owned airport and the public investment by reducing the size of the area available for the landing, takeoff and maneuvering of aircraft. (See Sections 11 and 17 of the Airport Zoning Act (the Act) [620 ILCS 25/11 and 17].)

b) The Division is authorized to and will impose penalties in the interest of the public health, safety and welfare, as described in Section 16.200, for any violation of this Part. (See Section 34 of the Act.)

c) This Part is to be construed as a continuance of existing Division airport hazard zoning regulations.

d) Accordingly, it is declared that:

1) *the creation or establishment of an airport hazard is a public nuisance and an injury* *to the community served* by the publicly-used airport. (Section 11 of the Act)

2) *in* *the interest of the public health, safety, and general welfare that the creation or establishment of airport hazards* shall *be prevented*. (Section 11 of the Act)

3) *the* prevention of these hazards *should be accomplished to the* greatest *extent legally possible by exercise of the police power without compensation*. (Section 11 of the Act)

4) the prevention of airport hazards and *the elimination, removal, alteration, mitigation, or marking and lighting of existing airport hazards are public purposes for which the State and its political subdivisions may raise and expend public funds and acquire land or property interests therein.* (Section 11 of the Act)