

CHAPTER 57**ABATEMENT OF AIRCRAFT NOISE AND HAZARDS****Authority**

Unless otherwise expressly noted, all provisions of this Chapter 57 were adopted by the Commissioner of Transportation, pursuant to authority delegated at N.J.S.A. 6:1-29, 6:1-32, and 27:1A-3, and were filed and became effective prior to September 1, 1969.

Chapter Expiration Date

Chapter 57, Abatement of Aircraft Noise and Hazards, expires on July 1, 2006.

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SUBCHAPTER 1. GENERAL PROVISIONS**16:57-1.1 Definition**

The following words and terms, when used in this Chapter, shall have the following meanings, unless the context clearly indicates otherwise.

"Aeronautical hazards" means any structures or trees, or uses of land or water which obstruct the airspace for flight of aircraft in landing or take-off at an airport, landing field or landing strip, or interfere with the availability or accessibility of the same to the public participating in aeronautical activities, or are otherwise hazardous to landing or take-off of aircraft. Such aeronautical hazards include, but are not limited to, any obstruction or use of land or airspace which reduces the area available for the landing, take-off, or maneuvering of aircraft.

16:57-1.2 Requirements

(a) Airport, landing field and landing strip licensees shall maintain the available landing area as described in the application for license designation in a safe and unobstruct-

ed condition, free of aeronautical hazards, and such areas shall not be diminished unless by the written authority of the Division of Aeronautics.

(b) No person shall build, rebuild, create or cause to be built, rebuilt or created any object or structure, nor plant, or cause to be planted or permit to grow any tree or vegetation, which will interfere, diminish, change or obstruct the airspace or landing area available for the landing and take-off of aircraft. No person shall employ or cause the landing area or any airport, landing field or landing strip to be employed for the operation, racing, testing, display or other use of any equipment, vehicle or instrument, nor shall a person conduct, permit or cause to be conducted any activity whatsoever which will interfere, diminish, change or obstruct the airspace or landing area available for the landing and take-off of aircraft. This subsection does not preclude normal airport support vehicular usage, such as "follow-me" vehicles, mowers and control vehicles when operated in a safe manner.

(c) No person shall maintain, cause to be maintained or continue to maintain any land or water area in such a manner as would induce the public participating in aeronautical activities to consider said land or water as an active airport, landing field or landing strip unless such area is licensed by the Department of Transportation. Any wind-sock, lighting arrangements, runway markers, paraphernalia, other equipment or indicators so positioned to create the impression of being a licensed landing area, must be abated and removed.

(d) The owner, operator, licensee or person responsible for the existence, creation or control of any obstacle, operation or condition set forth herein which constitutes an aeronautical hazard or interferes with efficient and safe use of any airport, landing field or landing strip shall remove or eliminate such obstacle, operation or condition within a reasonable time after knowledge thereof.

16:57-1.3 Liability

Any violation of this Chapter shall be grounds for modification, suspension or revocation of any license issued under Title 6 of the New Jersey Statutes Annotated.