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**New Construction and Changes to Present Public Service
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Sec. 15-74b-1. Definitions

(a) "Public Airport" means any state or municipality owned airport, restricted landing area or other air navigational facility or any facility licensed by the commissioner of transportation under section 13b-46 except any privately owned airport, restricted landing area or other navigational facility unless the same has been on file with the Federal Aviation Administration for a period of at least two (2) years and designated by it as a facility open to the public.

(b) "Clear Zone" means an area extending for up to one-half mile from the end of runway which begins at the end of each primary surface and extends with the width of each approach surface to terminate directly below each approach surface slope at the point or points where the slope reaches a height of fifty (50) feet above the elevation of the runway end or fifty (50) feet above the terrain at the outer extremity of the clear zone, whichever distance is shorter.

(c) "Primary Surface" means surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; but when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The width of a primary surface is:

(1) 250 feet for utility runways having only visual approaches.

(2) 500 feet for utility runways having nonprecision instrument approaches.

(3) For other than utility runways the width is: (i) 500 feet for visual runways having only visual approaches. (ii) 500 feet for nonprecision instrument runways having visibility minimums greater than three-fourths statute mile. (iii) 1,000 feet for a nonprecision instrument runway having a nonprecision instrument approach with visibility minimums as low as three-fourths of a statute mile, and for precision instrument runways.

The width of the primary surface of a runway will be that width prescribed in this section for the most precise approach existing or planned for either end of that runway.

(d) "Approach Surface" means surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of each runway based upon the type of approach available or planned for that runway end.

(1) The inner edge of the approach surface is the same width as the primary surface and it expands uniformly to a width of: (i) 1,250 feet for that end of a utility runway with only visual approaches; (ii) 1,500 feet for that end of a runway other than a utility runway with only visual approaches; (iii) 2,000 feet for that end of a utility runway with a nonprecision instrument approach; (iv) 3,500 feet for that end of a nonprecision instrument runway other than utility, having visibility minimums greater than three-fourths of a statute mile; (v) 4,000 feet for that end of a nonprecision instrument runway, other than utility, having a nonprecision instrument approach with visibility minimums as low as three-fourths statute mile; and (vi) 16,000 feet for precision instrument runways.

(2) The approach surface extends for a horizontal distance of: (i) 5,000 feet at a slope of 20 to 1 for all utility and visual runways; (ii) 10,000 feet at a slope of 34

to 1 for all nonprecision instrument runways other than utility; and (iii) 10,000 feet at a slope of 50 to 1 with an additional 40,000 feet at a slope of 40 to 1 for all precision instrument runways.

(3) The outer width of an approach surface to an end of a runway will be that width prescribed in this subsection for the most precise approach existing or planned for that runway end.

(e) "Public Service Company" includes railroad, street railway, electric, gas, telephone, telegraph, pipeline, sewage, water and community antenna television companies, owning, leasing, maintaining, operating, managing, or controlling plants or parts of plants or equipment, and all express companies having special privileges on railroads or street railways within this state, but shall not include towns, cities, boroughs or any municipal corporation or department thereof, whether separately incorporated or not, and as further defined under section 16-1.

(Effective January 16, 1974)

Sec. 15-74b-2. Permit for lines within one-half mile of runway

In the interest of flight safety, no public service company shall erect, recable, or reconstruct any overhead lines or associated facility within one-half mile of any airport runway, without the written permission of the commissioner of transportation. Requests for such authority shall be made in writing at least ninety (90) days prior to the proposed construction, rehabilitation or erection of the lines or facility.

(Effective January 16, 1974)