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CHAPTER 9.

UNIFORM AIRPORTS ACT

**SECTION 55‑9‑10.** Short title.

This chapter may be cited as the "Uniform Airports Act."

HISTORY: 1962 Code Section 2‑101; 1952 Code Section 2‑101; 1942 Code Section 7112‑42; 1937 (40) 466; 1993 Act No. 181, Section 1293, eff July 1, 1993.

**SECTION 55‑9‑20.** Intent and construction of article.

It is the intent and purpose of this chapter that all provisions herein relating to the issuance of bonds and levying of taxes for airport purposes and condemnation for airports and airport facilities shall be construed in accordance with the general provisions of the law of this State governing the right and procedure of municipalities to condemn property, issue bonds and levy taxes.

HISTORY: 1962 Code Section 2‑120; 1952 Code Section 2‑120; 1942 Code Section 7112‑40; 1947 (40) 466; 1993 Act No. 181, Section 1293, eff July 1, 1993.

**SECTION 55‑9‑30.** Establishment of airports.

The division and the municipalities, counties and other political subdivisions of this State may, separately or jointly, acquire, establish, construct, expand, own, lease, control, equip, improve, maintain, operate, regulate and police airports and landing fields for the use of aircraft, either within or without the geographical limits of such municipalities, counties and other political subdivisions and may use for such purpose or purposes any available property owned or controlled by the division or such municipalities, counties or other political subdivisions; but no county shall exercise the authority hereby conferred outside of its geographical limits except in an adjoining county and this only jointly with such adjoining county.

HISTORY: 1962 Code Section 2‑102; 1952 Code Section 2‑102; 1942 Code Section 7112‑31; 1937 (40) 466; 1993 Act No. 181, Section 1293, eff July 1, 1993.

**SECTION 55‑9‑40.** Land use for aviation deemed a governmental purpose.

Any lands acquired, owned, leased, controlled or occupied by the division or such counties, municipalities or other political subdivisions for the purpose or purposes enumerated in Section 55‑9‑30 shall and are hereby declared to be acquired, owned, leased, controlled or occupied for public, governmental and municipal purposes.

HISTORY: 1962 Code Section 2‑103; 1952 Code Section 2‑103; 1942 Code Section 7112‑32; 1937 (40) 466; 1993 Act No. 181, Section 1293, eff July 1, 1993.

**SECTION 55‑9‑50.** Acquisition of land by counties.

The governing bodies of the several counties of this State may acquire land by gift, purchase or condemnation for the purpose of building, constructing and maintaining landing strips and airports. The provisions of Sections 55‑9‑70 to 55‑9‑180 shall not apply to land that may be acquired under the provisions of this section.

HISTORY: 1962 Code Section 2‑103.1; 1952 Code Section 2‑103.1; 1945 (44) 43; 1993 Act No. 181, Section 1293, eff July 1, 1993.

**SECTION 55‑9‑60.** Repealed by 1987 Act No. 173, Section 55, eff June 30, 1987.

**SECTION 55‑9‑70.** Acquisition of property by condemnation or otherwise.

Private property needed by the division or a county, municipality or other political subdivision for an airport or landing field or for the expansion of an airport or landing field may be acquired by grant, purchase, lease or other means, if such political subdivision or the division, as the case may be, is able to agree with the owner of such property on the terms of such acquisition and otherwise by condemnation in the manner provided by the law under which such political subdivision or the division is authorized to acquire real property for public purposes. The provisions of this section shall apply to property needed by the Adjutant and Inspector General of South Carolina.

HISTORY: 1962 Code Section 2‑104; 1952 Code Section 2‑104; 1942 Code Section 7112‑33; 1937 (40) 466; 1942 (42) 1465, 1499; 1957 (50) 295; 1993 Act No. 181, Section 1293, eff July 1, 1993.

**SECTION 55‑9‑80.** Air rights over private property.

When necessary in order to provide unobstructed airspace for the landing and taking off of aircraft utilizing airports and landing fields acquired or maintained under the provisions of this chapter, the division and the counties, municipalities, and other subdivisions of this State may acquire air rights over private property necessary to ensure safe approaches to the landing areas of the airports and landing fields and for the purpose of establishing and protecting aeroplane landing fields. Such air rights may be acquired by grant, purchase, lease, or condemnation pursuant to the provisions of the Eminent Domain Procedure Act (Chapter 2 of Title 28).

HISTORY: 1962 Code Section 2‑105; 1952 Code Section 2‑105; 1942 Code Section 7112‑37; 1937 (40) 466; 1987 Act No. 173 Section 35; 1993 Act No. 181, Section 1293, eff July 1, 1993.

**SECTION 55‑9‑90.** Safety markers and lights.

The division and such counties, municipalities and other political subdivisions of this State may acquire the right or easement for a term of years, or perpetually, to place and maintain suitable markers for the daytime and to place, operate and maintain suitable lights for the nighttime marking of buildings or other structures or obstructions, for the safe operation of aircraft utilizing airports and landing fields acquired or maintained under the provisions of this chapter. Such rights or easements may be acquired by grant, purchase, lease or condemnation in the same manner as is provided in this chapter for the acquisition of the airport or landing field itself or the expansion thereof.

HISTORY: 1962 Code Section 2‑106; 1952 Code Section 2‑106; 1942 Code Section 7112‑38; 1937 (40) 466; 1993 Act No. 181, Section 1293, eff July 1, 1993.

**SECTIONS 55‑9‑100 to 55‑9‑180.** Repealed by 1987 Act No. 173, Section 55.

**SECTIONS 55‑9‑100 to 55‑9‑180.** Repealed by 1987 Act No. 173, Section 55.

**SECTION 55‑9‑190.** Powers as to airports and landing fields.

The division, counties, municipalities and other political subdivisions of this State which have established airports or landing fields or which acquire, lease or set apart real property for any such purpose may:

(1) Construct, equip, improve, maintain and operate such airports or landing fields or vest authority for the construction, equipment, improvement, maintenance and operation thereof in an officer, board or body of such political subdivision, the expense of such construction, equipment, improvement, maintenance and operation to be a responsibility of such political subdivision;

(2) Adopt regulations and establish charges, fees and tolls for the use of such airports or landing fields, fix penalties for the violation of such regulations and establish liens to enforce payment of such charges, fees and tolls; and

(3) Lease for a term such airports or landing fields to private parties for operation or lease or assign for a term to private parties for operation space, area, improvements and equipment on such airports or landing fields, provided in each case that in so doing the public is not deprived of its rightful, equal, and uniform use thereof.

HISTORY: 1962 Code Section 2‑116; 1952 Code Section 2‑116; 1942 Code Section 7112‑35; 1937 (40) 466; 1993 Act No. 181, Section 1293, eff July 1, 1993; 2010 Act No. 288, Section 1, eff June 29, 2010.

**SECTION 55‑9‑200.** Manner of raising money for purchase price or award.

The purchase price or award for real property acquired, in accordance with the provisions of this chapter, for an airport or landing field may be paid for by appropriation of moneys available therefor or wholly or partly from the proceeds of the sale of bonds of such county, municipality or other political subdivision as the legislative body of such political subdivision shall determine; subject, however, to the adoption of a proposition therefor at a regular or special election, if the adoption of such a proposition is a prerequisite to the issuance of bonds of such political subdivision for public purposes generally.

HISTORY: 1962 Code Section 2‑117; 1952 Code Section 2‑117; 1942 Code Section 7112‑34; 1937 (40) 466; 1993 Act No. 181, Section 1293, eff July 1, 1993.

**SECTION 55‑9‑210.** Finances.

The local public authorities having power to appropriate moneys within the counties, municipalities or other political subdivisions of this State acquiring, establishing, developing, operating, maintaining or controlling airports or landing fields under the provisions of this chapter may appropriate and cause to be raised by taxation or otherwise in such political subdivisions moneys sufficient to carry out therein the provisions of this chapter and may also use for any such purpose moneys derived from such airports or landing fields.

HISTORY: 1962 Code Section 2‑118; 1952 Code Section 2‑118; 1942 Code Section 7112‑36; 1937 (40) 466; 1993 Act No. 181, Section 1293, eff July 1, 1993.

**SECTION 55‑9‑220.** Transfer of unexpended moneys appropriated for airport development to airport repairs.

Any unexpended moneys appropriated for airport development for a particular county may be transferred to repairs to airports for that particular county upon request of the division.

HISTORY: 1962 Code Section 2‑118.1; 1969 (56) 75; 1993 Act No. 181, Section 1293, eff July 1, 1993.

**SECTION 55‑9‑230.** Local police regulations.

Counties, municipalities or other political subdivisions of this State acquiring, establishing, developing, operating, maintaining, controlling or having an interest in airports or landing fields, without the geographical limits of such subdivisions, under the provisions of this chapter may promulgate, amend and enforce police regulations for such airports or landing fields, irrespective of whether or not the title to the properties is vested in, and the management and operation of any such airport or landing field is by, a commission created by statute or otherwise.

HISTORY: 1962 Code Section 2‑119; 1952 Code Section 2‑119; 1942 Code Section 7112‑39; 1937 (40) 466; 1942 (42) 1522; 1993 Act No. 181, Section 1293, eff July 1, 1993.

**SECTION 55‑9‑240.** Zoning of land surrounding certain airports.

All land surrounding public‑owned airports in this State, which are funded partially or wholly by this State, shall be zoned by appropriate county, municipal or regional authorities so as to conform with pertinent regulations of the Federal Aviation Administration, Department of Transportation.

HISTORY: 1962 Code Section 2‑119.1; 1974 (58) 2673; 1993 Act No. 181, Section 1293, eff July 1, 1993.