
**ORDINANCE ESTABLISHING ZONING REGULATIONS PROHIBITING
LANDINGS OR TAKEOFFS OF MANNED AIRCRAFT OR
LARGE-UNMANNED AIRCRAFT IN RESIDENTIAL DISTRICTS**

WHEREAS, the CITY OF BERLIN Plan Commission has held a public hearing regarding the Ordinance as set forth herein, on September 24, 2024; and

WHEREAS, the CITY OF BERLIN Plan Commission has recommended to the CITY OF BERLIN Common Council to approve the Ordinance as set forth herein.

NOW THEREFORE, the CITY OF BERLIN Common Council do ordain as follows:

Sec 82-4 of the CITY OF BERLIN Code of Ordinances is hereby amended as follows:

Sec. 82-4. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Words used in the present tense include the future; the singular number includes the plural number; and the plural number includes the singular number. The word "shall" is mandatory and not permissive.

...

Aircraft means a motorized or paramotorized helicopter, airplane, or other machine capable of flight.

Aircraft, manned means any aircraft that is designed to carry, or be operated from within or on the aircraft by, a human being.

Aircraft, unmanned means any aircraft that is not designed to carry or be operated from within or on the aircraft by a human being.

Aircraft, large-unmanned means an unmanned aircraft weighing 55 pounds or more.

...

Sec 82-291 of the CITY OF BERLIN Code of Ordinances is hereby created as follows:

Sec. 82-291. – Landings or takeoffs of manned aircraft or large-unmanned aircraft prohibited.

In the R-1 district, landings or takeoffs of manned aircraft or large-unmanned aircraft are prohibited and shall not be considered accessory to any permitted or conditional use, except that such landings or takeoffs shall be permitted in the event of a forced landing or as part of an emergency rescue operation.

Sec 82-316 of the CITY OF BERLIN Code of Ordinances is hereby created as follows:

Sec. 82-316. – Landings or takeoffs of manned aircraft or large-unmanned aircraft prohibited.

In the R-2 district, landings or takeoffs of manned aircraft or large-unmanned aircraft are prohibited and shall not be considered accessory to any permitted or conditional use, except that such landings or takeoffs shall be permitted in the event of a forced landing, as part of an emergency rescue operation, or as an accessory use to a hospital.

Sec 82-341 of the CITY OF BERLIN Code of Ordinances is hereby created as follows:

Sec. 82-341. – Landings or takeoffs of manned aircraft or large-unmanned aircraft prohibited.

In the R-3 district, landings or takeoffs of manned aircraft or large-unmanned aircraft are prohibited and shall not be considered accessory to any permitted or conditional use, except that such landings or takeoffs shall be permitted in the event of a forced landing, as part of an emergency rescue operation, or as an accessory use to a hospital.

This Ordinance shall take effect the day after publication.

The numeric section numbers and headings of any portions of the CITY OF BERLIN Code of Ordinances affected by this Ordinance shall be subject to modification in the discretion of the codifier, and the approval of the CITY OF BERLIN Attorney, during codification into the CITY OF BERLIN'S current Code of Ordinances.

This Ordinance Establishing Zoning Regulations Prohibiting Landings or Takeoffs of Manned Aircraft or Large-Unmanned Aircraft in Residential Districts passed, approved, and adopted on October 8, 2024.

ROLL CALL VOTE:

6 AYES

0 NAYS

0 ABSENT

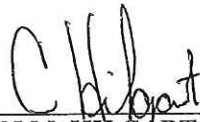
CITY OF BERLIN

BY:



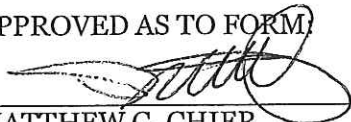
JOEL E. BRUESSEL
Mayor

ATTEST:



CAITLIN M. HILGART
Interim City Clerk

APPROVED AS TO FORM:



MATTHEW G. CHIER
City Attorney