

ORDINANCE NO. 1440, FOURTH SERIES

AN ORDINANCE REGULATING THE USE AND OPERATION OF AIRCRAFT OVER THE CITY OF SACRAMENTO AND PROVIDING A PENALTY FOR THE VIOLATION OF SAID ORDINANCE, AND REPEALING ORDINANCE NO. 389, FOURTH SERIES, PASSED JUNE 21, 1928, AND ORDINANCE NO. 1312, FOURTH SERIES, PASSED SEPTEMBER 5, 1947.

BE IT ENACTED BY THE COUNCIL OF THE CITY OF
SACRAMENTO:

SECTION 1: The term "AIRCRAFT," as used in this ordinance, shall include every kind of vehicle or structure intended for use as a means of transporting persons or goods, or both, in the air; the word "FLY" or the word "FLIGHT" shall include every kind of locomotion by any aircraft; the words "AERIAL ACROBATICS" shall include any manipulation of the controls of an aircraft which tends, or may tend, to divert said aircraft from a normal flight in a horizontal plane parallel to the surface of the earth, save and excepting only such manipulation of the controls as may be necessary to cause the aircraft to ascend or descend from one altitude to another, by means of a gradual ascent or descent with every consideration for stability and safety.

SECTION 2: It shall be unlawful for any person:

a. To fly at an altitude less than two thousand (2000) feet over the City except at the beginning or end of a flight.

b. To begin or terminate any flight at any place within the limits of the City of Sacramento, other than at a regularly established flying or landing field, especially designated as such by the City Council of the City of Sacramento, and now operated in accordance with regulations which are now, or which may hereafter be, prescribed by said City Council of the City of Sacramento, save and except only in the event of an emergency which makes it necessary to terminate said flight at a place other than such regularly established flying or landing field in order to avoid death or injury to the occupants of the aircraft flown or operated by said person.

c. To engage in aerial acrobatics over any part or section within the limits of the City of Sacramento.

d. To cause to be dropped or permit to be dropped from such aircraft or anything attached thereto, any articles or objects, unless special waiver has been issued by the Civil Aeronautics Administration and a special permit issued by the City Manager or his duly authorized representative.

e. To cause or allow unnecessary loud noises to be emitted from an aircraft engine while in flight or from

the propeller thereof, which may create a disturbance or nuisance while in flight over the City.

f. If the operator of any aircraft is declared to be in violation of this section by the Airport Manager, or his designated representative, such finding by said manager or his assistant shall be presumptive evidence of said violation.

SECTION 3. It shall be unlawful for any person:

a. To dust, seed or spray any form of plant life from an aircraft over the City of Sacramento.

b. To practice or exercise aerial maneuvers incident to such operation of dusting, seeding or spraying within the limits of the City of Sacramento. A permit waiving the provisions of Paragraph 2 may be approved by the Police Chief, City Health Officer and Airport Superintendent, or in the event of an emergency due to delay in the interest of public welfare, approval by the City Health Officer.

c. To allow any aircraft carrying inflammables, other than aviation gasoline, such as poisonous chemicals or other agricultural pest control material, to land or take off within the City Limits of Sacramento unless a permit is first obtained from the City Manager.

d. To operate any aircraft over the City Limits of Sacramento in a careless and reckless manner so as to endanger the life or property of others.

e. To land or takeoff within the City Limits of Sacramento, except in a case of emergency, from any location other than a declared and regularly established airport that has been approved by the City Council.

SECTION 4: All persons, firms or corporations desiring to broadcast from airplanes or aircrafts over the City of Sacramento, by means of sound amplifiers or loud speakers for the purpose of advertising from the air or the calling of the public's attention to the happening of a certain event, shall conform to the following rules and regulations:

(a) No broadcasting from the air shall start before the hour of 11:00 A.M. and shall cease after 6:15 P.M.; provided that no broadcasting shall be given on Sundays.

(b) All flying conducted over the city shall be in accordance with the rules of the Civil Aeronautics Administration.

(c) All flights over the City of Sacramento shall be at an elevation of not less than 2000 feet, except when taking off or landing.

(d) No broadcasting to be done over hospitals, outdoor concerts or similar entertainments.

(e) The City shall have the right to limit the number of airplanes which may operate over the city during any one day.

(f) Broadcasting of music shall not be permitted.

(g) All persons desiring to broadcast from the air over the city shall register with the Chief of Police of the City of Sacramento at the Hall of Justice, 6th and "H" Streets and furnish such data as is required, and if the application is approved, a permit will be issued to broadcast from the air over the city. That said permit may be revoked at any time by the Chief of Police for failure to abide by the rules as provided herein and for good cause as may be determined by him.

(h) All permits issued by him shall be good until revoked.

SECTION 5: The rules and regulations promulgated by the Civil Aeronautics Administration of the Government of the United States and the laws of the State of California are hereby declared to be in effect for all purposes and shall be followed by all aircraft operating in or over the City Limits of Sacramento. The City Council of Sacramento hereby declares that if any provision recited herein is more stringent than Federal, State or County regulations the provisions of this ordinance shall apply.

SECTION 6: Any person, firm or corporation violating any of the provisions of this ordinance shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine of not to exceed \$500.00, or by imprisonment in the City Jail for not more than 6 months, or by both such fine and imprisonment.

SECTION 7: Ordinance No. 389, Fourth Series, passed June 21, 1928, and Ordinance No. 1312, Fourth Series, passed September 5, 1947, are hereby repealed.

PASSED: May 20, 1949

EFFECTIVE: June 19, 1949

Belle Casalejo
MAYOR.

ATTEST:

H. G. Denton

CITY CLERK.