

SENATE BILL No. 430

(As amended, April 30, 2009)

April 2, 2009, Introduced by Senators VAN WOERKOM, BARCIA, STAMAS and GILBERT and referred to the Committee on Local, Urban and State Affairs.

A bill to amend 1950 (Ex Sess) PA 23, entitled
"Airport zoning act,"
(MCL 259.431 to 259.465) by adding section 24a.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 24A. AN APPLICATION FOR A PERMIT OR VARIANCE UNDER
2 SECTION 23 OR 24, RESPECTIVELY, TO CONSTRUCT, ESTABLISH, REBUILD,
3 OR SUBSTANTIALLY CHANGE, ALTER, OR REPAIR A STRUCTURE OR TO REPLANT
4 A TREE OR ALLOW A TREE TO GROW TALL SHALL BE CONSIDERED TO BE
5 GRANTED IF <<ALL>> OF THE FOLLOWING APPLY:

6 (A) THE APPLICANT HAS BEEN GRANTED A PERMIT FOR THE ACTIVITY
7 UNDER THE TALL STRUCTURE ACT, 1959 PA 259, MCL 259.481 TO 259.493.
8 <<(B) THE APPLICANT HAS BEEN GRANTED ANY NECESSARY PERMITS OR OTHER
9 APPROVALS FOR THE ACTIVITY FROM THE FEDERAL AVIATION ADMINISTRATION.
 (C)>> NINETY DAYS HAVE ELAPSED SINCE THE APPLICATION WAS FILED
 PURSUANT TO THE PROCEDURES SPECIFIED IN THE APPLICABLE AIRPORT

1 ZONING REGULATIONS AND THE ADMINISTRATIVE AGENCY AUTHORIZED TO
2 ENFORCE THE AIRPORT ZONING REGULATIONS HAS NEITHER GRANTED NOR
3 DENIED THE APPLICATION.