

CHAPTER 2

GRAFFITI

SECTION:

6-2-1: GRAFFITI

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- (A) For purposes of this Section, the term "graffiti" shall mean the etching, scratching, painting, covering, drawing upon, or otherwise placing of a mark, symbol, figure, inscription, word, design, drawing, or name upon public or private property. (2920)
- (B) For purposes of this Section, the term "graffiti implements" shall mean an aerosol paint container, a felt tip marker, a paint stick, an etching tool, or any article, substance, solution, or other compound designed or commonly used to make graffiti. (2920)
- (C) For purposes of this Section, the term "invitee" shall mean a person on land of another if (1) he enters by invitation, express or implied, (2) his entry is connected with the owner's business or with an activity the owner conducts or permits to be conducted on his land, and (3) there is mutuality of benefit or benefit to the owner. (2920)
- (D) It is unlawful to make graffiti of any type on any building, public or private, or any other property, real or personal, owned by any person, firm, or corporation or any public agency or instrumentality without the express permission of the owner, manager, or other person responsible for said property. (2920)
- (E) It is unlawful to possess graffiti implements with the intent to place graffiti upon any building, public or private, or any other property, real or personal, owned by any person, firm, or corporation or any public agency or instrumentality without the express permission of the owner, manager, or other person responsible for said property. (2920)
- (F) Possession of any graffiti implement in any public place, including any building, park facility, or alley or on any private property, unless an invitee, gives rise to an inference of intent to use the graffiti implement in violation of this Chapter. (2920)

CHAPTER 3

AIRCRAFT REGULATIONS

SECTION:

- 6-3-1: DEFINITIONS**
- 6-3-2: MINIMUM HEIGHT LIMITS FOR AIRCRAFT; EXEMPTIONS**
- 6-3-3: LANDING OTHER THAN AT AN ESTABLISHED AIRPORT PROHIBITED**
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6-3-1: DEFINITIONS:

AIRCRAFT: As used in this Chapter means any aeroplane, airplane, gas bag, flying machine, balloon, or any contrivance now known or hereafter invented, used, or designed for navigation of or flight in the air, except a parachute or other contrivance used primarily as safety equipment. (1520)

6-3-2: MINIMUM HEIGHT LIMITS FOR AIRCRAFT; EXEMPTIONS:

- (A) Subject to the exemptions set forth in paragraph (B) below, no person shall fly or permit any aircraft to be flown within the corporate limits of the City of Mesa except at a height sufficient to permit a reasonably safe emergency landing, which in no case shall be less than one thousand feet (1,000'). (2370)
- (B) Situations exempted from the minimum height limits established in paragraph (A) above include: (2370)
 - 1. Takeoffs or landings at an established landing field or airport; (2370)
 - 2. Operation of helicopters pursuant to Section 6-3-6 of this Chapter; (2370)
 - 3. When special circumstances render a deviation necessary to avoid immediate danger or when such deviation is required because of stress of weather conditions or other unavoidable causes; (2370)
 - 4. Operation of aircraft being used on agricultural lands for agricultural dusting or spraying; (2370)
 - 5. Contemporaneous flight of five (5) or more hot air balloons operating from an established airport or landing field pursuant to a Federal Aviation Administration (F.A.A.) permit. (2370)

6-3-3: LANDING OTHER THAN AT AN ESTABLISHED AIRPORT PROHIBITED:

Except in case of emergency and except for special provisions pertaining to helicopters contained in Section 6-3-6 hereof, no person shall land any aircraft within the corporate limits of the City except upon a regularly established airport field or landing place. (1520)

6-3-4: LIGHTS FOR NIGHT OPERATION OF AIRCRAFT:

All aircraft when flying within or over the corporate limits of the City at night shall have lights and other equipment required by the rules, regulations, or orders of the Federal Aviation Administration for such flying. (1520)

6-3-5: DROPPING OBJECTS FROM AIRCRAFT PROHIBITED; EXCEPTION:

No person in any aircraft shall cause or permit to be thrown out, discharged, or dropped within the corporate limits of the City any dust, spray, object, or thing, except loose water or loose sand ballast when absolutely essential to the safety of the occupants and except as herein provided; excepting that aircraft used for dusting or spraying on agricultural lands for agricultural purposes may dust or spray agricultural crops. (1520)

6-3-6: SPECIAL REGULATIONS PERTAINING TO HELICOPTERS:

(A) Except as provided in Subsections (B), (C), and (D) of this Section, no person shall take off or land on any area within the limits of the City in a helicopter except on a regularly established heliport or landing place without first obtaining a permit to do so from the Chief of Police or his designee. The Chief of Police or his designee may issue such a permit if the following conditions are met: (1520,2653)

1. The pilot is duly licensed by the F.A.A. (1520)
2. The helicopter to be used is licensed by the F.A.A. (1520)
3. The safety of lives of the inhabitants of the City will not be endangered by the proposed flight or landing. (1520)
4. The noise attendant upon the flight or landing will not be detrimental to the neighborhood. (1520)
5. Public liability and property damage insurance in limits of not less than one hundred thousand dollars (\$100,000.00) for each person injured or three hundred thousand dollars (\$300,000.00) for each occurrence and fifty thousand dollars (\$50,000.00) for property damage has been obtained and is in effect. (1520)

(B) Helicopter takeoffs and landings for the purposes hereafter enumerated may be made without a permit issued by the Chief of Police provided all other conditions of Subsection (A) of this Section have been met. (1520)

1. A takeoff or landing by an authorized representative of a news media. (1520)
2. A takeoff or landing to assist in investigating an accident or to remove persons or property from the scene of an accident. (1520)

3. A takeoff or landing to assist the Police Department in any investigation being conducted by the Police Department. (1520)
- (C) The provisions of Subsection (A) of this Section shall not apply to helicopter takeoffs or landings made necessary by an emergency. (1520)
- (D) Helicopters may take off from and land on private property for pesticide application purposes without a permit issued by the Chief of Police provided that: (2653)
1. The pesticide applicator is properly licensed by the F.A.A. and the Arizona Department of Agriculture; and (2653)
 2. The property owner of the landing site has given permission for the landing and takeoff; and (2653)
 3. The landing and takeoff do not endanger people's safety and do not occur within five hundred feet (500') of a residence, unless the occupants of all residences within five hundred feet (500') consent to the landing and takeoff. (2653)

6-3-7: PENALTY:

Any person who shall violate any of the provisions of this Ordinance or of the Mesa City Code as amended herein shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine not to exceed two thousand five hundred dollars (\$2,500.00) or by imprisonment in the City jail for a period not to exceed three (3) months, or by both such fine and imprisonment. (1520,2466)