



CHAPTER 63
ARTICLE 4 - MODEL AIRPORT ZONING ACT

N.C.G.S. § 63-36.

Acquisition of air rights.

SOURCE General Statutes of North Carolina, as published by the General Assembly	LAST AMENDMENT IN THIS TEXT c. 250, s. 8 — first act in the lineage	RETRIEVED 21 September 2026, 04:44 UTC	SOURCE FINGERPRINT a8183016ac72e08556727142 - abff30fe4c07d5530527def9 - 78fc6a27dc7dea08
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In any case in which:

It is desired to remove, lower, or otherwise terminate a nonconforming use; or

The approach protection necessary cannot, because of constitutional limitations, be provided by airport zoning regulations under this Article; or

It appears advisable that the necessary approach protection be provided by acquisition of property rights rather than by airport zoning regulations,

the political subdivision within which the property or nonconforming use is located or the political subdivision owning the airport or served by it may acquire, in the manner provided by the law under which municipalities are authorized to acquire real property for public purposes, such an air right, easement, or other estate or interest in the property or nonconforming use in question as may be necessary to effectuate the purposes of this Article.

If any political subdivision, or if any board or administrative agency appointed or selected by a political subdivision, shall adopt, administer or enforce any airport zoning regulations which results in the taking of, or in any other injury or damage to any existing structure, such political subdivision shall be liable therefor in damages to the owner or owners of any such property and the liability of the political subdivision shall include any expense which the owners of such property are required to incur in complying with any such zoning regulations.

END OF SECTION TEXT APPARATUS FOLLOWS — DERIVED, NOT ENACTED

APPARATUS I
1 ACT

Amendment lineage

The State prints this history as a single parenthetical at the foot of the section. It is reproduced verbatim in the colophon and unpacked below in order of enactment.

1				1942
1941				
TICK HEIGHT = ACTS IN THAT YEAR				DASHED = RECODIFICATION, NOT AMENDMENT
Nº	YEAR	ACT	CHARACTER	
01	1941	c. 250, s. 8	ENACTED	

APPARATUS III

Citation

FULL SECTION

N.C. Gen. Stat. § 63-36 (1941).

Pinpoint keys are set in the left margin of the text rather than line numbers: subsection designators are stable across editions and paper sizes, line numbers are not.

COLOPHON

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HISTORY PARENTHETICAL, AS PRINTED BY THE STATE

(1941, c. 250, s. 8.)

SET IN SPECTRAL AND ARCHIVO

NORTH CAROLINA LAW — STATUTE EXPORT, FORMAT V1

