**Section 16.170 Permits**

a) A permit from the Division is required before any person makes any use, or a change in use, of any land or water beneath any surface established by this Part or when use may create an airport hazard (see Section 23 of the Act). Use may include, but is not limited to, the following:

1) constructing or altering a structure;

2) erecting or altering any device, including mobile items such as vehicles or cranes;

3) causing or allowing an accumulation of earth, debris, or other material;

4) planting vegetation;

5) allowing vegetation to penetrate any surface;

6) causing or allowing the emission of smoke, light or reflection, electromagnetic energy, etc. (environmental emissions);

7) use of kites or balloons, whether tethered or not; and

8) use of fireworks.

b) A permit from the Division is also required for any penetrations of the notification surface (see Section 16.160) up to the airport imaginary surfaces (see Section 16.40 - 16.120). An exception is made for any tree or structure less than 75' of vertical height above the ground and that does not penetrate any airport imaginary surface.

c) A permit is not required when the structure, accumulation, or vegetation is beyond the lateral limits of the conical surface and less than 200 feet above the natural ground level, unless the structure or vegetation extends into a limiting surface (see Section 16.80(b)).

d) A permit will be issued by the Division within 30 calendar days after receipt of the notice (see Section 16.160) or within 30 calendar days after receipt of supplemental information, if applicable (see Section 16.160(c)(2)(C)).