

**TOWN OF BARTONVILLE  
ORDINANCE NO. 805-26**

**AN ORDINANCE OF THE TOWN OF BARTONVILLE, TEXAS, AMENDING THE CODE OF ORDINANCES, TOWN OF BARTONVILLE, TEXAS, BY AMENDING CHAPTER 8, "OFFENSES AND NUISANCES", TO ADD A NEW ARTICLE 8.06, ADOPTING REGULATIONS RELATING TO THE OPERATION OF HELICOPTERS AND PASSENGER-CARRYING AIRCRAFT WITHIN THE TOWN'S CORPORATE LIMITS; PROVIDING A REPEALING CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the Town Council of the Town of Bartonville, Texas ("Town Council"), finds that the amendments to Chapter 8, "Offenses and Nuisances," of the Code of Ordinances, Town of Bartonville, Texas, contained herein are intended to provide safeguards for persons within the Town and to protect and safeguard the life, safety, health, and welfare of residents; and

**WHEREAS**, the Town Council finds that the use of helicopters in urban and suburban areas presents significant public health and safety risks from inherent flight hazards caused by mechanical malfunction, pilot error, and the proximity of power lines and structures in populated areas, as well as downdrafts from rotor wash that can distribute debris, create significant noise pollution, and distract drivers of motor vehicles; and

**WHEREAS**, the Town Council finds and determines that the provisions of this Ordinance are intended for the specific purpose of protecting the public health and safety of Town residents and are in the best interest of the public health, safety, and welfare of the citizens of the Town and of the public in general.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF BARTONVILLE, TEXAS, THAT:**

**SECTION 1.  
INCORPORATION OF PREMISES**

The above and foregoing premises are true and correct legislative determinations of the Town Council and are incorporated herein and made a part hereof for all purposes.

**SECTION 2.  
AMENDMENT  
CHAPTER 8, "OFFENSES AND NUISANCES"**

The Code of Ordinances of the Town of Bartonville, Texas, is hereby amended by amending Chapter 8, "Offenses and Nuisances," to add a new Article 8.06, to adopt regulations pertaining to the operation of helicopters and passenger-carrying aircraft, to read as follows:

**“CHAPTER 8. OFFENSES AND NUISANCES**

...

**ARTICLE 8.06. HELICOPTERS AND PASSENGER-CARRYING AIRCRAFT****§8.06.001. Definitions.**

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Aircraft** means a device that is invented, used, or designated for air navigation or flight, other than a parachute or other device used primarily as safety equipment.

**Helicopter** means a rotorcraft that, for its horizontal motion, depends principally on its engine-driven rotors. The term does not include small unmanned aircraft not designed to carry persons.

**Helicopter air ambulance operation** means a flight, or sequence of flights, with a patient or medical personnel on board, for the purpose of medical transportation, operated by a Federal Aviation Regulations part 135 certificate holder authorized to conduct helicopter air ambulance operations.

**Passenger-carrying aircraft** means any aircraft, whether manned or unmanned, that is designed, equipped, or intended to transport one or more persons.

**Rotorcraft** means a heavier-than-air aircraft that depends principally for its support in flight on the lift generated by one or more rotors.

**Small unmanned aircraft** means an unmanned aircraft weighing less than 55 pounds on takeoff, including everything that is on board or otherwise attached to the aircraft.

**Unmanned aircraft** means an aircraft operated without the possibility of direct human intervention from within or on the aircraft.

**§8.06.002. Landing of passenger-carrying aircraft and helicopters prohibited.**

Subject to the provisions of this article, no person may land, attempt to land, or permit the landing of a passenger-carrying aircraft or helicopter at any location within the corporate limits of the Town.

**§8.06.003. Defenses.**

It shall be an affirmative defense to prosecution for an offense charged under this article for a passenger-carrying aircraft or a helicopter to land within the Town's corporate limits under the following circumstances:

- (1) An emergency circumstance requires the immediate landing of the aircraft; or
- (2) A helicopter in use by a government or law enforcement agency, or a helicopter air ambulance operation, may land as needed to accomplish the governmental, law enforcement, or medical service purpose, but shall comply with lawful directions of Town officials not inconsistent with the helicopter's purpose.

**§8.06.004. Public nuisance; abatement.**

- (a) Any landing or attempted landing of a passenger-carrying aircraft or a helicopter in violation of this article is hereby declared to be a public nuisance.
- (b) The Town may take any lawful action to abate, enjoin, or prevent the continuation or recurrence of such nuisance, including but not limited to the institution of civil proceedings, the seeking of injunctive relief, and the recovery of reasonable costs incurred by the Town in enforcing this article.
- (c) The remedies provided herein are cumulative of all other remedies provided by law or under this Code, and the exercise of any remedy shall not preclude the exercise of any other remedy."

**SECTION 3.  
REPEALER**

All provisions of the ordinances of the Town of Bartonville in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the ordinances of the Town not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 4.  
SEVERABILITY**

Should any sentence, paragraph, subdivision, clause, phrase, or section of this Ordinance be adjudged or held to be unconstitutional, illegal, or invalid, the same shall not affect the validity of this Ordinance as a whole, or any part or provision hereof other than the part so decided to be invalid, illegal, or unconstitutional, and shall not affect the validity of the ordinances of the Town as a whole.

**SECTION 5.  
PENALTY**

Any person, firm, or corporation violating any of the provisions or terms of this Ordinance shall, upon conviction, be punished by a fine not to exceed the sum of five hundred dollars (\$500.00) for each offense.

**SECTION 6.  
EFFECTIVE DATE**

This Ordinance shall take effect immediately from and after its passage and the publication of the caption, as the law in such cases provides.

**DULY PASSED** by the Town Council of the Town of Bartonville, Texas, this the 16th day of June 2026.

**APPROVED:**

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Jaclyn Carrington  
Mayor

**ATTEST:**

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Shannon Montgomery, TRMC  
Town Secretary