

329.6 Zoning powers.

1. If any municipality owning or controlling an airport adjacent to which there is an airport hazard area fails or refuses, within sixty days after a demand is made by the department, to adopt reasonably adequate airport zoning regulations under [section 329.3](#), or to proceed as provided in [section 329.4](#), the department may petition the district court of the county in which the airport hazard area, or any part thereof, is located, in the name of the state, praying that zoning regulations be established for the airport hazard area in question. The provisions of [section 329.4, subsections 3 through 9](#), shall apply to such actions provided, however, that the municipality shall be joined as a party defendant in the action.

2. The department may maintain actions in equity to restrain and abate as nuisances the creation or establishment of airport hazards appertaining to any airport within the state, in violation of any zoning regulations adopted or established pursuant to the provisions of [this chapter](#).

[C46, 50, 54, 58, 62, 66, 71, 73, 75, 77, 79, 81, §329.6]

[2021 Acts, ch 80, §194](#); [2022 Acts, ch 1032, §53](#)

Subsection 1 amended