May 27, 1992

MR. JOHN REINSCHREIBER
Paint the Sky Kites
828 NW 23rd Ave.
Portland, OR 97210

Dear Mr. Reinschreiber:

This responds to your telephone inquiry in which you asked what is defined as the "boundary of an airport" in § 101.13(a)(4) of the Federal Aviation Regulations (FAR). Pursuant to that FAR section, "no person may operate a moored balloon or kite within five miles of the boundary of an airport."

"Airport" is defined in FAR § 1.1 as "an area of land or water that is used or intended to be used for the landing and takeoff of aircraft, and includes its buildings and facilities." "Airport" is similarly defined in Parts 139, 152, 158, and 161 of the FAR. These definitions provide that an airport consists of the aircraft movement area (the runways, taxiways, and other areas that are used for taxiing or hover taxiing, air taxiing, takeoff, and landing of aircraft), and all appurtenant areas (buildings, facilities, loading ramps, parking areas, etc.).

Essentially, the boundaries of an airport will include the outermost edges of all property used or designated for airport purposes. This may include property that is not physically designated on-site (e.g., by fencing) as airport property. This may also include property that has incidental uses; e.g., an airport business park. The airport layout plan for an airport eligible for Federal aid under Part 150 of the FAR will show the boundaries of the airport.

We suggest that you contact the Portland-Hillsboro Flight Standards District Office, (503) 326-2104, for further information.

Sincerely,

CAREY TERASAKI
General Attorney

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[1] Section 151.5(a)(1) defines "airport layout plan" as "...the basic plan for the layout of an eligible airport that shows...[t]he present boundaries of the airport and of the offsite areas that the sponsor owns or controls for airport purposes...." Similarly, noise exposure maps submitted to the FAA pursuant to FAR Part 150 show airport boundaries.