

ORDINANCE NO. 173215

An Ordinance approving a Regulation adopted by Resolution 20736 of the Board of Airport Commissioners of the City of Los Angeles amending Ordinance 155,727 of the City of Los Angeles, known as the Van Nuys Noise Abatement and Curfew Regulation, to add Section 5.1 and subsection (gg) to Section 1, thereby adding a Non-addition Rule at Van Nuys Airport.

THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:

Section 1. The Regulation, adopted by Resolution No.20736 of the Board of Airport Commissioners on July 28, 1999, is hereby approved. Said Regulation contained in said Resolution provides an additional noise abatement regulation for aircraft at Van Nuys Airport.

Section 2. Ordinance 155,727 of the City of Los Angeles is hereby amended by adding one new section and one new subsection to read as follows:

SECTION 5.1. Non-addition.

No person or tenant may tie down, park or hangar any aircraft at Van Nuys Airport, whose Advisory Circular 36-3G takeoff noise level equals or exceeds 77 dBA , for more than thirty (30) days in any calendar year, unless said aircraft is an exempt based aircraft.

EXEMPTION A - STAGE 3: The provisions of this section shall not be applicable to any aircraft certificated as Stage 3 pursuant to 14 Code of Federal Regulations Part 36.

EXEMPTION B - REPAIR AND MAINTENANCE: Notwithstanding the restrictions of Section 5.1, a Stage 2 aircraft with a takeoff noise level in excess of 77 dBA may be parked, tied down or hangared at Airport in excess of the 30 day limit [and such additional time as is necessary] to perform major repairs or refurbishment, required maintenance inspections or systems installations and warranty work (hereinafter "work") provided all of the following conditions are fully satisfied:

- (a) Prior to the day of arrival of the aircraft at Airport, the Airport Manager receives a written "work notice" containing the anticipated date of arrival, the name of the aircraft owner and operator, the aircraft type and registration "N" number, the name of the company or entity contracted to perform the work, a description of the work to be performed, and an estimate of the duration of the stay; and
- (b) The aircraft is not being charged a tie-down fee or other use fee by an Airport tenant; and
- (c) The aircraft owner or operator obtains a written permit from the Airport Manager authorizing an exemption under this subsection prior to or within 24 hours of arrival

of the aircraft at Airport; and

(d) The aircraft owner or operator fully complies with all conditions and terms stated in the written permit granted by the Airport Manager, including but not limited to mandatory daytime hours for flight arrivals and departures; and

(e) The aircraft owner or operator provides written notice of departure to the Airport Manager within 24 hours of departure from the Airport.

EXEMPTION C - REPLACEMENT: Until December 31, 2005, notwithstanding the provisions of Section 5.1, an exempt based stage 2 aircraft, as defined in Section 1, subsection (gg), may be replaced with another stage 2 aircraft exceeding 77dBA ("replacement stage 2 aircraft"), provided all of the following apply:

(a) The stage 2 aircraft being replaced will no longer be based at Airport; and

(b) Calculated on the date of replacement, the replacement stage 2 aircraft has an Advisory Circular 36-3G takeoff noise level not exceeding 85 dBA; and

(c) The replacement stage 2 aircraft, after January 1, 2011, shall not be tied down, parked or hangared at Van Nuys Airport for more than thirty (30) days in any calendar year.

A replacement stage 2 aircraft exceeding 77dBA shall not be considered an "exempt based aircraft", nor shall its continued presence at Van Nuys Airport under Exemption C ever entitle it to "exempt based aircraft" status.

Section 1, Subsection (gg).

(gg) Exempt Based Aircraft - All aircraft which were parked, tied down or hangared at Airport for ninety (90) days or more during the twelve (12) months immediately preceding December 31, 1999.

Section 3. The City Clerk shall certify to the passage of this ordinance and cause the same to be published in some daily newspaper printed and published in the City of Los Angeles.

I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, at its meeting of APR 18 2000.

J MICHAEL CAREY, City Clerk

Michael Carey
Deputy

Approved _____

Mayor

Approved as to Form and Legality

NOV 15 1999

By Burt L. Fisher
Assistant City Attorney

Said ordinance was presented to the Mayor on April 24, 2000; the Mayor returned said ordinance to the City Clerk on May 5, 2000 without his approval or his objections in writing, being more than ten days after the same was presented to the Mayor.

Said ordinance shall become effective and be as valid as if the Mayor had approved and signed it. (Section 30, City Charter)

C.F. 97-1639-S1