

Long Beach Airport Noise Enforcement

Douglas P. Haubert, City Prosecutor
City Council Study Session
February 17, 2015



Long Beach Airport Prohibited Activities



- **Operational rules**
(LBMC 16.43.030)
- **Noise rules**
(LBMC 16.43.040)



Noise Rules

Single Event Noise Exposure Level (S.E.N.E.L.)

- No violation for exceeding CNEL
- City cannot ban violators from using airport

SENEL violations depend on time of day/night & runway used

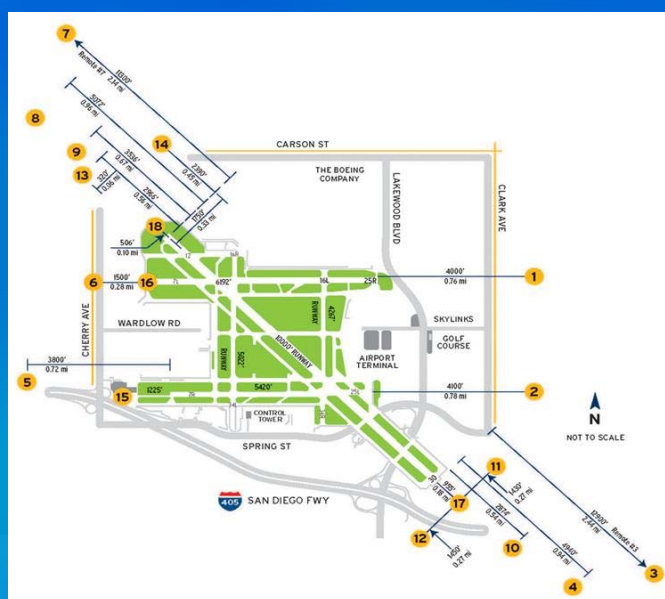
37

SENEL Limits

	7am-10pm		10pm-11pm 6am-7am		11pm-6am	
	Depart.	Arriv.	Depart.	Arriv.	Depart.	Arriv.
Runways 30/12	102.5	101.5	90	90	79	79
Runway 25R	92	88	n/a		n/a	
Runway 25L	95	93	n/a		n/a	
Runway 7R	95	92	n/a		n/a	
Runway 7L	88	92	n/a		n/a	

N/A: Except in case of emergency or air traffic direction, from 10pm-7am all aircraft operations must use runways 30 and 12

38





SENEL Exemptions:

(LBMC § 16.43.070)

- Public or military aircraft
- Law enforcement
- Emergency aircraft used during emergency
- Civil Air Patrol search and rescue
- In-flight emergencies

41

Responsibility for violation:

(LBMC § 16.43.080)



- Owner of aircraft presumed to be responsible party
- Actual operator of aircraft, if operator can be determined
- Corporate employees not responsible if operating in accordance with company policies

42



Administrative Enforcement

(LBMC § 16.43.090)

- Written notice given by Airport Manager
- G.A. Noise Committee
- Operator can submit Compliance Plan
- \$100/\$300 administrative surcharge (fine) back to Airport Fund
- Administrative appeal, hearing rights
(LBMC § 16.43.110)

43



Legal Enforcement

(Alternative Enforcement, LBMC § 16.43.100)

- Only if Owner/Operator exceeds SENEL limit “without reasonable basis” for believing aircraft employed would comply with Noise Ordinance
- Criminal misdemeanor (\$1000 fine; 6 mos. jail)

44

Legal Enforcement

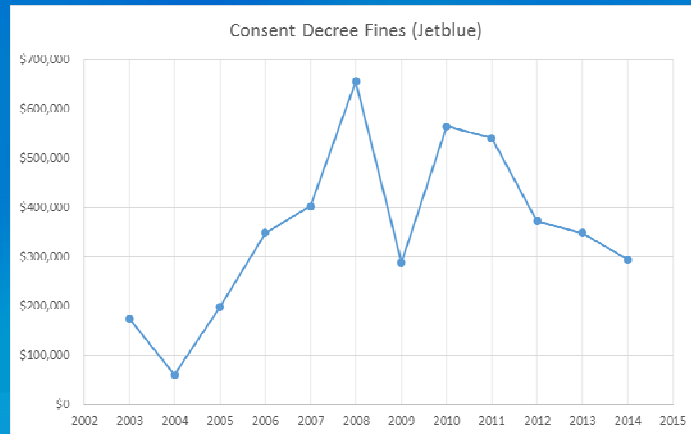
- Jetblue Airways (2003-present)
- American Airlines (2003)
- Komar Aviation (2003)

Settlement of criminal cases by consent decree

Jetblue Consent Decree

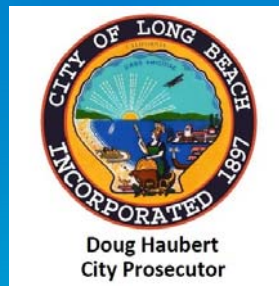
- \$3,000 per violation (1-6 per quarter)
- \$6,000 per violation (7+)
- Goal is to incentivize compliance
- To Library Foundation for “books, publications, and other learning materials, including electronic databases...may be used to improve family learning center modules...”

Jetblue Consent Decree



Thank You

Special Acknowledgement:
Ron Reeves
Airport Noise & Environmental
Affairs Officer



Questions?