

ORDINANCE NO. 186390

An ordinance amending Section 171.01 and adding Section 171.08 to Chapter XVII of the Los Angeles Municipal Code regulating aircraft operations at Los Angeles International Airport.

WHEREAS, BOAC has the power and duty to make and enforce all necessary rules and regulations, at the Los Angeles International Airport (Airport);

WHEREAS, BOAC adopted Resolution No. 26810, a regulation necessary for aircraft operations and noise abatement at the Airport; and

WHEREAS, Los Angeles Charter Section 632(b) requires that a regulation adopted by BOAC shall be approved by an ordinance that prescribes the penalties for the violation of that regulation.

NOW, THEREFORE,

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

Section 1. Section 171.01 of Chapter XVII of the Los Angeles Municipal Code is amended to add the following definitions as follows:

- (q) **"Aircraft"** shall mean all fixed-wing aircraft driven by turbojet or turbo fan engine.
- (r) **"Run-up"** shall mean the ground testing or revving of an Aircraft engine above idle, not immediately connected to contemporaneous air operation.
- (s) **"Run-up Pad"** shall mean an aircraft parking area with blast fences.

Sec. 2. Section 171.08 is added to Chapter XVII of the Los Angeles Municipal Code to read as follows:

SEC. 171.08. NOISE REGULATIONS RELATED TO ENGINE RUN-UPS FOR MAINTENANCE AND TESTING.

(A) Definitions.

"Person" shall mean and shall include natural person, aircraft operator, partnership, joint venture, limited liability company, limited liability partnership, firm or corporation, but shall exclude the Federal Aviation Administration and its employees.

(B) Prohibition.

(1) Prior to performing Run-ups at any area of the Airport other than on approved leasehold Run-up Pads, a Person must obtain approval and instruction from the Airport Response Coordination Center (ARCC) or the General Manager or his/her designee.

(2) The Run-up of mounted Aircraft engines for maintenance or test purposes in any area of the Airport, including on both leased and non-leased areas, is prohibited between the hours of 2300-0600. The General Manager or his/her designee may only grant waivers to this prohibition on engine Run-ups on a case-by-case basis and upon prior notification that the run-up is necessary.

(C) Enforcement. The General Manager and his/her designee shall have the authority to enforce the provisions of this section. The General Manager may promulgate rules and regulations consistent with and to further the purposes of this section.

(D) Remedies and Penalties.

(1) A civil penalty may be imposed and recovered in a civil action brought in the name of the City of Los Angeles by the City Attorney of Los Angeles in any court of competent jurisdiction in Los Angeles County. Funds recovered thereby shall be placed in the Airport Revenue Fund.

(2) Any Person who violates any provision of this section shall receive a letter of admonishment.

(3) Any Person who violates any provision of this section for a second time within one year of the first violation shall be subject to a civil penalty not to exceed \$2,000.

(4) Any Person who violates any provision of this section for a third time within one year of the first violation shall be subject to a civil penalty not to exceed \$4,000.

(5) Any Person who violates any provision of this section for a fourth or any subsequent time within one year of the first violation shall be subject to a civil penalty not to exceed \$8,000.

(6) The provisions of this section may be judicially enforced by injunction or other relief deemed appropriate by any court of competent jurisdiction.

(7) Any Person who counsels, aids, assists, or abets any other Person in the operation of any Aircraft in violation of this section is subject to the same penalties specified in this section.

(8) The remedies provided under this section are cumulative, and the election to seek any remedy shall not be deemed to be a waiver of other remedies at law or equity nor a bar to seek more than one remedy for the same violation of this section.

Sec. 3. **Severability.** If any provision of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance. The City Council hereby declares that it would have adopted this ordinance, and each and every section, subsection, sentence, clause and phrase thereof not declared invalid or unconstitutional, without regard to whether any portion of the ordinance would be subsequently declared invalid or unconstitutional.

Sec. 4. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
RAYMOND ILGUNAS
Senior Assistant City Attorney

Date 9-5-19

File No. _____

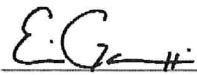
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The Clerk of the City of Los Angeles hereby certifies that the foregoing ordinance was passed by the Council of the City of Los Angeles.

CITY CLERK

MAYOR





Ordinance Passed 10/29/2019

Approved 11/04/2019


Ordinance Effective Date: 12/18/2019
Council File No.: 19-0839

DECLARATION OF POSTING ORDINANCE

I, Ottavia Smith state as follows: I am, and was at all times hereinafter mentioned, a resident of the State of California, over the age of eighteen years, and a Deputy City Clerk of the City of Los Angeles, California.

Ordinance No. 186390 - a copy of which is hereto attached, was finally adopted by the Los Angeles City Council on 10/29/2019, and under the direction of said City Council and the City Clerk, pursuant to Section 251 of the Charter of the City of Los Angeles and Ordinance No. 172959, I conspicuously posted a true copy of said ordinance at each of the three public places located in the City of Los Angeles, California, as follows: 1) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; 2) one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; 3) one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records beginning on 11/07/2019 and will be continuously posted for ten or more days.

I declare under penalty of perjury that the foregoing is true and correct.



Deputy Clerk

Date: 11/07/2019

Ordinance Effective Date: 12/18/2019

Council File No.: 19-0839