

(R-86-2170)

RESOLUTION NUMBER R- 265705

ADOPTED ON MAY 12 1986

WHEREAS, airport noise from Lindbergh Field continues to be a problem for surrounding residents; and

WHEREAS, the California Supreme Court has held that residents can file nuisance suits against airport operators in Small Claims Courts at \$1,500 each as long as noise continues to be a nuisance; and

WHEREAS, the courts have also given airport operators the authority to impose restrictions on noisy aircraft; and

WHEREAS, recent studies show that noise reduction at night, using quieter Stage 3 aircraft, would be 2.9 decibels; and

WHEREAS, community representatives have asked the Port Commission at Committee hearings to restrict all flights after 10:00 p.m. to Stage 3, beginning this summer; and

WHEREAS, such request from the community seems most reasonable; and

WHEREAS, the Port District management has indicated to community representatives that it will be talking to airline officials in an effort to get them to voluntarily comply with restricting their after 10:00 p.m. flights to Stage 3; and

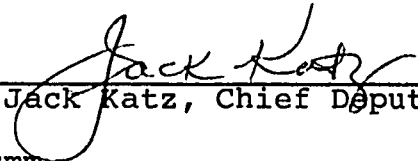
WHEREAS, the Rules Committee considered the above matter of airport noise at its meeting of April 7, 1986; and

WHEREAS, the Committee voted 4-0 to adopt the proposal put forth and forward said proposal to the full Council for appropriate action; NOW, THEREFORE,

BE IT RESOLVED, by the Council of The City of San Diego, that this Council commends the Port of San Diego for its efforts to encourage the airlines to use quieter Stage 3 aircraft.

BE IT FURTHER RESOLVED, that if voluntary efforts fail, the San Diego City Council will encourage the Port District, as the airport operator, to adopt such restriction on nighttime flights in order to avoid the costly litigation of nuisance suits.

APPROVED: JOHN W. WITT, City Attorney

By   
Jack Katz, Chief Deputy

JK:smm  
5/8/86  
Or.Dept:Rules  
R-86-2170  
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MAY 12 1986

Passed and adopted by the Council of The City of San Diego on \_\_\_\_\_, by the following vote:

Councilmen	Yeas	Nays	Not Present	Ineligible
Abbe Wolfsheimer	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Bill Cleator	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Gloria McColl	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
William Jones	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ed Struiksma	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mike Gotch	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Judy McCarty	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Uvaldo Martinez	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Mayor	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

VACANT

AUTHENTICATED BY:

ED STRUIKSMA

Deputy Mayor of The City of San Diego, California.

(Seal)

CHARLES G. ABDELNOUR

City Clerk of The City of San Diego, California.

By *Barbara Bayer*, Deputy.

Office of the City Clerk, San Diego, California

Resolution Number R-265705 Adopted MAY 12 1986

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