



CITY OF SACRAMENTO

CITY MANAGER'S OFFICE
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October 16, 1980

City Council
City Hall
Sacramento, California

RE: Executive Airport Noise Ordinance

Honorable Members in Session:

SUMMARY

The attached emergency ordinance makes a minor correction in the Executive Airport Noise Ordinance.

BACKGROUND INFORMATION

At the present time, City Code Section 4.109 authorizes the City Manager or Airport Director to issue citations pursuant to California Penal Code Section 836.6 for enforcement of the Executive Airport Noise Ordinance. However, there is no such section in the Penal Code. The reference should be to Penal Code Section 836.5. The attached ordinance makes this correction. The ordinance is an emergency measure to take effect immediately since the City's noise ordinance has already become effective and the County wishes to commence enforcement in the future.

RECOMMENDATION

It is recommended that the attached ordinance be adopted.

Respectfully submitted,

JAMES P. JACKSON
City Attorney

JPJ:KMF

ATTACHMENT

RECOMMENDATION APPROVED:

Walter J. Slise
CITY MANAGER

APPROVED
BY THE CITY COUNCIL

OCT 21 1980

OFFICE OF THE
CITY CLERK

4432

ORDINANCE AMENDING SECTION 4.109 OF THE
SACRAMENTO CITY CODE RELATING TO THE
EXECUTIVE AIRPORAT NOISE RESTRICTIONS

BE IT ENACTED BY THE COUNCIL OF THE CITY OF SACRAMENTO:

SECTION 1.

That Sacramento City Code Section 4.109 is hereby amended to read as follows:

Sec. 4.109. Enforcement.

The City consents to and hereby authorizes the enforcement of this Article by the County of Sacramento, provided, however, that nothing herein shall prevent the City from enforcing this Article with City staff. The City Manager or Airport Director and any other person designated in writing by the City Manager or Airport Director shall have the authority to enforce the California Penal Code Sec. 836.5 to any person operating aircraft in violation of the provisions of this Article, except that in the discretion of the City Manager or Airport Director, a written warning may be issued to any person in place of a citation for a first violation of this Article.

SECTION 2.

This ordinance shall be an emergency measure to take effect immediately. The reason for the emergency is that Ordinance 4412 became effective on October 2, 1980 and it is necessary to correct the reference to the Penal Code in Section 4.109 so that ordinance may be properly enforced as soon as possible.

PASSED FOR PUBLICATION:

ENACTED:

EFFECTIVE:

MAYOR

ATTEST:

CITY CLERK

APPROVED
BY THE CITY COUNCIL

OCT 21 1980

OFFICE OF THE
CITY CLERK