

BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON

IN THE MATTER OF ADOPTION OF)
AIRPORT AND AIRCRAFT OPERATIONS) ORDINANCE NO. C- 32 -92
NOISE DISCLOSURE ORDINANCE)

WHEREAS, the Board of County Commissioners of Island County has considered, among other things, the character of the operations conducted and proposed to be conducted at airports within Island County, the current uses of surrounding property and the uses for which it is adaptable; and

WHEREAS, there exist airports within Island County whose operations may impact the health, safety and general welfare of the citizens of Island County; and

WHEREAS, the purpose of this ordinance is to protect the public health, safety and general welfare by providing for the full disclosure of the noise associated with the operation of aircraft from the existing airports; and

WHEREAS, the noise disclosure statement set forth is applicable to all unincorporated lands within the delineated areas on Airport Environs Map, and those maps that may be adopted by Island County in the future; and

WHEREAS, this action has been determined to be categorically exempt pursuant to WAC 197-11-800(20) - the State Environmental Policy Act rules.

IT IS HEREBY ORDAINED by the Board of Island County Commissioners that Chapter 9.44, Airport and Aircraft Operations Noise Disclosure Ordinance attached hereto as Exhibit A is adopted.

REVIEWED this 13th day of April, 1992 and set for public hearing on the 11th day of May, 1992 at 1:30.



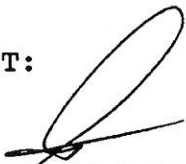
BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON

Gordon H. Koetje
GORDON H. KOETJE, CHAIRMAN

Dwain A. Colby
DWAINE A. COLBY, COMMISSIONER

C. R. Caldwell
C. R. CALDWELL, COMMISSIONER

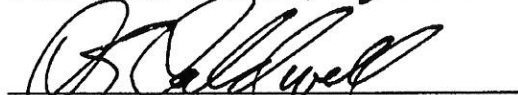
ATTEST:




ART HYLAND
County Auditor & Ex-Officio
Clerk of the Board

ORDINANCE NO. C- 32 -92 ADOPTED THIS 11th day of
MAY, 1992, following public hearing.

BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY, WASHINGTON


GORDON H. KOETJE, CHAIRMAN
C.R. CALDWELL, MEMBER

"No"
DWAIN A. COLBY, MEMBER

Attest: 
ART HYLAND

APPROVED AS TO FORM:

DAVID L. JAMIESON, JR.
Deputy Prosecuting Attorney
and Island County Code Reviser

EXHIBIT "A"

CHAPTER 9.44
AIRPORT AND AIRCRAFT OPERATIONS
NOISE DISCLOSURE ORDINANCE

Section

- 9.44.010 Legislative Intent
- 9.44.020 Applicability
- 9.44.030 Definitions
- 9.44.040 Airport Noise Zones
- 9.44.050 Disclosure Statement
- 9.44.060 Limitation of Liability
- 9.44.070 Severability
- 9.44.080 Effective Date of Adoption

9.44.010 Legislative Intent. The Board of County Commissioners of Island County has considered, among other things, the character of the operations conducted and proposed to be conducted at airports within Island County, the current uses of surrounding property and the uses for which it is adaptable; the Board of County Commissioners finds:

- a. There exist airports within Island County whose operations may impact the health, safety and general welfare of the citizens of Island County.
- b. The purpose of this ordinance is to protect the public health, safety and general welfare by providing for the full disclosure of the noise associated with the operation of aircraft from the existing airports.

9.44.020 Applicability. The noise disclosure statement set forth herein is applicable to all lands within the delineated areas set forth on Airport Environs Map, and those maps that may be adopted by Island County in the future, a representation map of which is attached hereto and adopted by this reference.

9.44.030 Definitions. As used in this ordinance, unless the context otherwise requires, the following definitions apply:

- a. **AIRPORT:** Any area of land or water designed and set aside for the landing and taking off of aircraft and utilized or to be utilized in the interest of the public for such purposes.

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9.44.030

- b. **AIRPORT ENVIRONS MAP:** Those mapped areas which have been identified as being impacted by airport noise or aircraft operation.
- c. **AIRPORT NOISE ZONE:** Those areas which has been identified as being significantly impacted by airport noise.
- d. **DAY-NIGHT AVERAGE SOUND LEVEL (LDN):** A basic measure for quantifying noise exposure, namely: The A-weighted sound level averaged over a 24 hour time period, with a 10 decibel penalty applied to nighttime (10:00 P.M. to 07:00 A.M.) sound levels.
- e. **DBA:** The unit of corrected noise level measured in accordance with the "A-weighting scale" which replicates the response characteristics of the ear.
- f. **DECIBEL:** A unit for measuring the relative loudness of sound or sound pressure equal approximately to the smallest degree of difference of loudness or sound pressure ordinarily detectable by the human ear, the range of which includes about 130 decibels on a scale beginning with 1 for the faintest audible sound.
- g. **PERSON:** Any individual, firm, copartnership, corporation, company, association, joint-stock association, or body politic, and includes any trustee, receiver, assignee or their similar representative thereof.

9.44.040 Airport Noise Zones. Airport Noise Zones are hereby established as follows:

<u>Airport Noise Zone</u>	<u>Ldn Values</u>
2	65 to 75
3	Greater than 75

9.44.050 Disclosure Statement.

No person shall sell, lease, or offer for sale or lease any property within an Airport Environs Mapped Impacted Areas unless the prospective buyer or lessee has been given notice substantially as follows: TO:

The property at _____ is located within Airport Environs mapped impacted area. There are currently five active airport facilities in Island County. The Oak Harbor Airpark, the South Whidbey Airpark, and the Camano Airpark are general aviation facilities and are identified on the attached map. Ault Field and OLF Coupeville are tactical military jet aircraft facilities and are also identified on the attached map. Both Ault Field and OLF Coupeville are used for Field Carrier Landing Practice (FCLP) purposes. Practice sessions are routinely scheduled during day and night periods.

Property in the vicinity of Ault Field and OLF Coupeville will routinely experience significant jet aircraft noise. As a result airport noise zones have been identified in the immediate area of Ault Field and OLF Coupeville. Jet aircraft noise is not however, confined to the boundaries of these zones.

Additionally, the noise generated by the single flyover of a military jet may exceed the average noise level depicted by the airport noise zones and may exceed 100 dba.

More specific information regarding airport operation and aircraft noise can be obtained by calling the Community Planning Liaison Office at NAS Whidbey Island and the Island County Planning and Community Development Department.

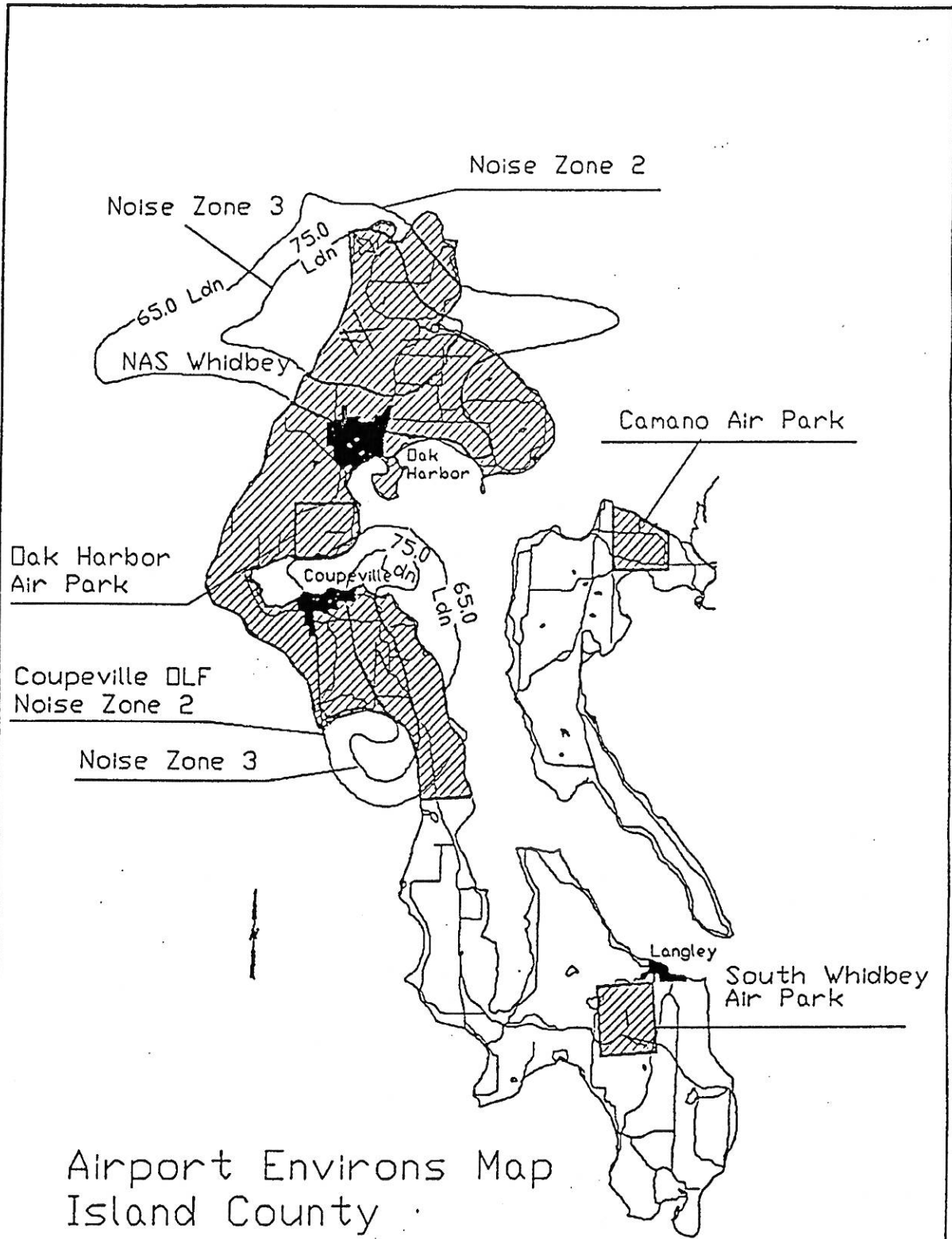
9.44.060 Limitation of Liability. This chapter is not intended to create any class of persons to be benefited or protected nor to create any reliance relationship between Island County and landowners, land purchasers, their successors, occupants, or users of structures built with or without a building permit, or any other persons. This chapter is not intended to create any duty running in favor of particular persons. The obligation to comply with the provisions of this chapter are upon the property owner and their agents. Acts or omissions to act by Island County, its officials or employees under this chapter shall not create any liability on the part of Island County or its officials or employees.

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
9.44.070

9.44.070 Severability. If any of the provisions of this Ordinance or the application thereof to any person or circumstances is held invalid, such invalidity shall not affect other provisions or applications of the Ordinance which can be given effect with the invalid provision or application, and to this end the provisions of this Ordinance are declared to be severable.

9.44.080 Effective Date of Adoption. This Chapter shall be in full force and effect immediately.



Airport Environs Map Island County

 Impacted Areas

BRD APP RES ORD C-32-92- MATTER OF ADOPTION OF
AIRPORT & AIRCRAFT OPERATIONS NOISE
DISCLOSURE ORDINANCE.