

JetBlue To Pay More For Late Flights At Long Beach Airport

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City Prosecutor Doug Haubert announced yesterday (Wednesday) that JetBlue Airlines has agreed to pay \$6,000 for each of the first six times in a quarter that it violates the Long Beach Airport curfew by landing after 11 p.m.

Haubert has control over the fines thanks to a 2003 consent decree approved by the court. That decree set fines for the first six violations in a quarter at \$3,000, with more violations at \$6,000 per incident.

Long Beach's curfew for takeoffs and landings is within the city's noise ordinance that also limits the number of commercial flights. The evening cutoff for takeoffs or landings is 10 p.m., but there is an hour's grace if an adequate excuse can be made.

The new deal is retroactive to July 1, and likely will cost JetBlue \$18,000 more every three months. Fourth District Councilman Daryl Supernaw has been tracking late-night flights through fines paid by JetBlue, and has not found a quarter when there were six or fewer violations; instead, the violations have been trending up.

"The raise was requested by the city prosecutor's office as a result of what appears to be a trend in recent quarters of increased late night flights by JetBlue," Haubert said.

The city prosecutor is involved in enforcement because a violation can be prosecuted as a misdemeanor. But each violation would mean a separate court case (with a maximum \$1,000 fine), prompting former City Prosecutor Tom Reeves to negotiate the consent decree.

Reeves also designated where the money would go "to the Long Beach Library Foundation. The decree stipulates that the money can only be used for books and publications, online databases and family learning centers. But the foundation was not a signatory of the consent decree, so was not legally bound to that stipulation.

So Haubert has executed an agreement with the foundation that would allow an audit of their financial books upon request. Haubert credited City Auditor Laura Doud with the idea.

"Although the Library Foundation has been spending funds as directed," Haubert said, "since there was no agreement binding the nonprofit, all those involved felt it would improve transparency and accountability to have an agreement in place.

"I want to thank the Long Beach Library Foundation for being so responsive to our request for an agreement, and I want to thank City Auditor Laura Dowd and her staff for initiating the discussion."

Doud said late Wednesday that she had no plans to initiate an audit at this time.

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