
HOUSE BILL 2375

State of Washington 52nd Legislature 1992 Regular Session

By Representatives Hine, G. Fisher, Heavey and Mitchell

Read first time 01/15/92. Referred to Committee on Local Government.

1 AN ACT Relating to aircraft noise abatement; and amending RCW
2 53.54.030.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 53.54.030 and 1985 c 115 s 1 are each amended to read
5 as follows:

6 For the purposes of this chapter, in developing a remedial program,
7 the port commission may utilize one or more of the following programs:

8 (1) Acquisition of property or property rights within the impacted
9 area, which shall be deemed necessary to accomplish a port purpose.
10 The port district may purchase such property or property rights by time
11 payment notwithstanding the time limitations provided for in RCW
12 53.08.010. The port district may mortgage or otherwise pledge any such
13 properties acquired to secure such transactions. The port district may
14 assume any outstanding mortgages.

1 (2) Transaction assistance programs, including assistance with real
2 estate fees and mortgage assistance, and other neighborhood remedial
3 programs as compensation for impacts due to aircraft noise and noise
4 associated conditions. Any such programs shall be in connection with
5 properties located within an impacted area and shall be provided upon
6 terms and conditions as the port district shall determine appropriate.

7 (3) Programs of soundproofing structures located within an impacted
8 area. Such programs may be executed without regard to the ownership,
9 provided the owner waives ~~((all))~~ damages and conveys ~~((a full and
10 unrestricted))~~ an easement for the operation of ~~((all))~~ aircraft, and
11 for ~~((all))~~ noise and noise associated conditions therewith, to the
12 port district.

13 (4) Mortgage insurance of private owners of lands or improvements
14 within such noise impacted area where such private owners are unable to
15 obtain mortgage insurance solely because of noise impact. In this
16 regard, the port district may establish reasonable regulations and may
17 impose reasonable conditions and charges upon the granting of such
18 mortgage insurance: PROVIDED, That such fees and charges shall at no
19 time exceed fees established for federal mortgage insurance programs
20 for like service.

21 (5) An individual property may be provided benefits by the port
22 district under each of the programs described in subsections (1)
23 through (4) of this section. However, an individual property may not
24 be provided benefits under any one of these programs more than once.

25 (6) Management of all lands, easements, or development rights
26 acquired, including but not limited to the following:

27 (a) Rental of any or all lands or structures acquired;

28 (b) Redevelopment of any such lands for any economic use consistent
29 with airport operations, local zoning and the state environmental
30 policy;

1 (c) Sale of such properties for cash or for time payment and
2 subjection of such property to mortgage or other security transaction:
3 PROVIDED, That any such sale shall reserve to the port district by
4 covenant an unconditional right of easement for the operation of all
5 aircraft and for all noise or noise conditions associated therewith.

6 (7) A property shall be considered within the impacted area if any
7 part thereof is within the impacted area.