



Jim Gates <red.lancair@gmail.com>

## Noise Ordinance Question

1 message

Jim Gates <red.lancair@gmail.com>

Thu, Apr 16, 2026 at 9:23 AM

To: "PSullivan@TorranceCA.gov" <PSullivan@torranceca.gov>

Cc: "Zev, Joe" <JZev@torranceca.gov>, Rebecca Poirier <CityClerk@torranceca.gov>, City Council <CityCouncil@torranceca.gov>, Airport Commission <airportcommission@torranceca.gov>, Michelle Ramirez <MRamirez@torranceca.gov>, Sarah Leavitt <sarah.leavitt@faa.gov>, "Goldberg, Matthew P (FAA)" <Matthew.P.Goldberg@faa.gov>

Mr Sullivan:

At the Airport Commission meeting on 4/9/2026, Mr Joe Zev of the Community Development Department presented the Noise Abatement Report for the 4th Quarter of 2025. He reported that the city had logged 1,901 operations during the quarter that potentially "violated" Torrance Municipal Code (TMC). He further indicated that the city would begin in May to prosecute pilots that make these violations.

At the meeting, I asked a number of questions about the report. Yesterday, Mr Zev e-mailed me answers to each of my questions. One of the answers was a surprise:

My question: What basis does the City have to believe that the FAA's exclusive authority to regulate the airspace in the U S does not apply at the Torrance Municipal Airport?

**Mr Zev's answer: "The city relies on the Torrance municipal code."**

I am perplexed and concerned by this response. I have been taught:

The Supremacy Clause, found in Article VI, Clause 2 of the U.S. Constitution, establishes that the Constitution, federal laws made pursuant to it, and treaties are the "supreme Law of the Land".

The preemption doctrine, based on the Supremacy Clause, establishes that federal law takes precedence over conflicting state or local laws. It enables Congress to regulate areas exclusively or displace state regulations that conflict with federal objectives, covering fields like transportation, banking, and product labeling.

Federal law 49 U.S.C. § 40103 (Sovereignty and Use of Airspace) establishes that the U.S. government has exclusive sovereignty over its airspace and gives the FAA Administrator the mandate to develop plans and policy for its use.

The FAA holds exclusive authority over aviation safety, airspace efficiency, and air traffic control, overriding local or state regulations regarding flight paths and altitudes. This federal authority covers navigable airspace and ensures uniform safety standards, preventing local regulations that conflict with national air commerce. These conflicting local regulations and laws are therefore unenforceable and preempted.

Can you explain Mr Zev's response in light of these facts? Does our city staff believe the U S Constitution does not apply in the City of Torrance or at least with regard to the Torrance Municipal Airport? What am I missing?

--

Jim Gates  
424-634-2863