

TAKE EVIDENCE AS IT MAY DIRECT AND REPORT THE SAME TO THE COURT WITH HIS FINDINGS OF FACT AND CONCLUSIONS OF LAW, WHICH SHALL CONSTITUTE A PART OF THE PROCEEDINGS UPON WHICH THE DETERMINATION OF THE COURT SHALL BE MADE.

(3) AFFIRMING, MODIFYING OR SETTING ASIDE DECISION. THE COURT SHALL HAVE JURISDICTION TO AFFIRM, MODIFY, OR SET ASIDE THE DECISION BROUGHT UP FOR REVIEW, IN WHOLE OR IN PART, AND IF NEED BE, TO ORDER FURTHER PROCEEDINGS BY THE BOARD OF APPEALS.

(4) PARTIES. IT SHALL NOT BE NECESSARY TO JOIN THE BOARD OF APPEALS AS A PARTY.

(5) FURTHER APPEAL. ANY PARTY MAY APPEAL FROM ANY DECISION OF SAID COURT OF RECORD REVIEWING THE DECISION OF THE BOARD OF APPEALS.

(G) NOISE REGULATIONS SHALL BE ADOPTED BY THE POLITICAL SUBDIVISION IN ACCORDANCE WITH THE TERMS OF THIS SECTION 180 DAYS AFTER PROMULGATION OF A NOISE ZONE BY THE ADMINISTRATOR PURSUANT TO SECTION 41(D) OF THIS ARTICLE. IF A POLITICAL SUBDIVISION FAILS TO ENACT REGULATIONS, THE ADMINISTRATION SHALL ADMINISTER AND ENFORCE APPROPRIATE REGULATIONS FOR ANY NOISE ZONE WHOLLY OR PARTIALLY WITHIN THE JURISDICTION OF THE SUBDIVISION. APPEALS FROM DECISIONS OF THE ADMINISTRATION SHALL BE MADE IN THE MANNER PRESCRIBED IN SUBSECTIONS (D), (E), AND (F) OF THIS SECTION.

41.

(A) THE PURPOSE OF THIS SECTION IS TO PROVIDE A POSITIVE BASIS TO ABATE EXISTING NOISE PROBLEMS IN COMMUNITIES SURROUNDING AIRPORTS AND TO PREVENT THE DEVELOPMENT OF NEW NOISE PROBLEMS.

(B) AS USED IN THIS SECTION, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED:

(1) "CUMULATIVE NOISE EXPOSURE" MEANS A CALCULATED OR A MEASURED VALUE FOR THE EXPOSURE TO AIRCRAFT NOISE IN A 24-HOUR PERIOD AT A GIVEN LOCATION.

(2) "LIMIT FOR CUMULATIVE NOISE EXPOSURE" MEANS THE MAXIMUM CUMULATIVE NOISE EXPOSURE FOR A GIVEN LAND USE WHICH IS COMPATIBLE WITH THAT LAND USE.

(3) "NOISE ZONE" MEANS AN AREA OF LAND SURROUNDING AN AIRPORT WITHIN WHICH THE CUMULATIVE NOISE EXPOSURE VALUE IS EQUAL TO OR GREATER THAN THE LOWEST LIMIT FOR CUMULATIVE NOISE EXPOSURE ESTABLISHED BY THE ADMINISTRATOR.