

ORDINANCE NO. 907

AN ORDINANCE ADOPTING THE 2007 CALIFORNIA FIRE CODE WITH AMENDMENTS

WHEREAS, the Fire Marshal of the State of California has adopted the 2007 edition of the California Fire Code, regulating and governing the safeguarding of life and property from fire and explosion hazards arising from the storage, handling, and use of hazardous substances, materials and devices, and

WHEREAS, certain amendments to the building standards contained in the 2007 edition of the California Fire Code, as set forth in Exhibit "A" to this Ordinance are reasonably necessary to protect the health, welfare and safety of the tenants, occupants and users of the Monterey Peninsula Airport because of local geological, topographic and climatic conditions, and

WHEREAS, the Board of Directors of the Monterey Peninsula Airport District hereby makes the following findings with respect to local geological, topographic and climatic conditions relating to the amendments to the 2007 edition of the California Fire Code:

A. The Monterey Peninsula Airport is within a very active seismic area. Severe seismic action could disrupt communications, damage gas mains, cause extensive electrical hazards, and place extreme demands on fire protection systems and equipment.

B. The topography of the Monterey Peninsula Airport is such that access to portions of the airfield (particularly those on the boundaries of the airport) cannot readily be made without traversing steep slopes or exiting the airport and entering from neighboring properties.

C. The climate of the Monterey Peninsula is one in which extended dry spells may occur. In combination with the chaparral-like character of the vegetation that occurs on the airport periphery, the climate creates increased fire and fire suppression concerns.

D. The local geological, topographic and climatic conditions pose an increased hazard in the acceleration, spread, magnitude, and severity of potential fires at the Monterey Peninsula Airport.

E. The provisions of this Ordinance establishing certain more restrictive standards than the 2007 edition of the California Fire Code will better prevent fire damage which can result from local conditions.

WHEREAS, the Monterey Peninsula Airport District in regulating and governing conditions hazardous to life or property in the occupancy of buildings and premises at the

Monterey Peninsula Airport; desires to adopt the 2007 edition of the California Fire Code, with certain amendments to address local geological, topographic and climatic conditions, to provide for the issuance of permits and collection of fees therefore; and to repeal all ordinances adopting previous fire codes and amendments,

NOW, THEREFORE, THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT DO ORDAIN AS FOLLOWS:

Section 1. That document, three (3) copies of which are on file in the office of the fire code official of Monterey Peninsula Airport District, being marked and designated as the California Fire Code, 2007 edition, including Appendix Chapters 1, 4, A, B, C and D (see California Fire Code, Appendix Chapter 1, Section 101.2.1, 2007 edition), as published by the International Code Council, be and is hereby adopted as the Fire Code of the Monterey Peninsula Airport District regulating and governing the use of hazardous substances, materials and devices, and from conditions hazardous to life or property in the occupancy of buildings and premises as herein provided; providing for the issuance of permits and collection of fees therefore; and each and all of the regulations, provisions, penalties, conditions and terms of said Fire Code on file in the office of the fire code official of the Monterey Peninsula Airport District are hereby referred to, adopted, and made a part hereof, as if fully set out in this ordinance, with the additions, insertions, deletions, and changes prescribed in Section 2 of this Ordinance.

Section 2. That the sections of the Fire Code shown in Exhibit "A" hereto are hereby revised and amended as indicated in such Exhibit.

Section 3. That the geographic limits referred to in certain sections of the 2007 California Fire Code are hereby established as follows:

Section 3204.3.1.1 (geographic limits in which the storage of flammable cryogenic fluids in stationary containers is prohibited): none

Section 3404.2.9.5.1 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks outside of buildings is prohibited): none

Section 3406.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited): none

Section 3804.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas): none

Section 4. That Ordinance No. 657 of Monterey Peninsula Airport District entitled "An Ordinance of the Monterey Peninsula Airport District Adopting the 1997 Edition of the Uniform Fire Code, Volumes 1 and 2, Prescribing Regulations Governing Conditions Hazardous to Life and Property From Fire, Hazardous Materials or Explosion in the Monterey Peninsula Airport;

Providing for the Issuance of Permits for Hazardous Uses or Operations; Providing for Penalties for the Violation Thereof; Establishing a Bureau of Fire Prevention, Providing Officers Therefor and Defining Their Powers and Duties; and Repealing Ordinance No. 571 and all Other Ordinances and Parts of Ordinances in Conflict Therewith" and all other ordinances or parts of ordinances in conflict herewith are hereby repealed.

Section 5. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Monterey Peninsula Airport District hereby declares that it would have passed this ordinance, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 6. That nothing in this ordinance or in the Fire Code hereby adopted shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 4 of this ordinance; nor shall any just or legal right or remedy of any character be lost, impaired, or affected by this ordinance.


Section 7. That the Secretary of the Monterey Peninsula Airport District is hereby directed to cause this ordinance to be published in a newspaper of general circulation within the County of Monterey, State of California.

Section 8. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect thirty (30) days from and after the date of its final passage and adoption, but not earlier than January 1, 2008.

PASSED TO PRINT BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT: This 14th day of November, 2007, by the following roll call vote:

AYES:	DIRECTORS:	DeVoe, Sabo, Searle, Chair McIntosh
NOES:	DIRECTORS:	None
ABSTAIN:	DIRECTORS:	None
ABSENT:	DIRECTORS:	Miller

Signed this 14th day of November, 2007



Charles R. Hayes, District Secretary

Publication Date: November 17, 2007