

CARMEL VALLEY FIRE PROTECTION DISTRICT

ORDINANCE # 07-09

ORDINANCE FOR THE ADOPTION OF THE 2007 CALIFORNIA FIRE CODE WITH  
AMENDMENTS

An ordinance of the CARMEL VALLEY FIRE PROTECTION DISTRICT adopting 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 from conditions hazardous to life or property in the occupancy of buildings and premises in the Carmel Valley Fire Protection District; providing for the issuance of permits and collection of fees therefore; repealing Ordinance #02-08 and 04-01 of the Carmel Valley Fire Protection District and all other ordinances and parts of ordinances in conflict therewith.

The Board of Directors of the Carmel Valley Fire Protection District does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the fire code official of Carmel Valley Fire Protection District, being marked and designated as the California Fire Code, 2007 edition, including Appendix Chapters 1, 4, A, B, C, D, M, and R (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 Carmel Valley Fire Protection District, in the State of California, 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 Carmel Valley Fire Protection 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 shown in Exhibit "A" hereto are hereby revised.

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):

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):

Section 3406.2.4.4 (geographic limits in which the storage of Class I and Class II liquids in above-ground tanks is prohibited):

Section 3804.2 (geographic limits in which the storage of liquefied petroleum gas is restricted for the protection of heavily populated or congested areas):

Section 4. That Ordinance #02-08 of the Carmel Valley Fire Protection District entitled An Ordinance of the Carmel Valley Fire Protection District Adopting the Uniform Fire Code Prescribing Regulations Governing Conditions Hazardous to Life and Property from Fire, Hazardous Materials or Explosion and Providing for the Issuance of Permits for Hazardous Use or Operations and Ordinance #04-01 of the Carmel Valley Fire Protection District entitled An Ordinance of the Board of Directors of the Carmel Valley Fire Protection District Amending the Uniform Fire Code and Establishing a Citation Program for the Carmel Valley Fire Protection District, 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 <governing body> 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 impending 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 clerk of the Board of Directors is hereby ordered and 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.

PASSED, APPROVED AND ADOPTED this 15<sup>th</sup> day of November, 2007 at a regular meeting of the District Directors held on November 15, 2007 at 26 Via Contenta, Carmel Valley, California, on a motion made by Director seconded by Director and duly carried with the following roll call vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

Dated: November 15, 2007

ATTEST:

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Susan Croswell, Board Clerk

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Pete Garneau, Board President

APPROVED AS TO FORM:

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William D. Ross, District Counsel

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Sidney R. Reade, Fire Chief