

ORDINANCE NO. 623

AN ORDINANCE PROHIBITING DOMESTIC HABITATION  
OR SLEEPING WITHIN VEHICLES, BUILDINGS AND OTHER AREAS  
AT THE MONTEREY PENINSULA AIRPORT

**WHEREAS**, the Monterey Peninsula Airport lacks suitable public facilities to accommodate its use as a safe and healthy place of domestic habitation or sleep, and

**WHEREAS**, property at the Monterey Peninsula Airport which is leased or rented by the Monterey Peninsula Airport District to private persons or other entities (other than property the lease or rental agreement for which explicitly and specifically authorizes the use of such property as a place of domestic habitation or sleep) also lacks suitable facilities to accommodate its use as a safe and healthy place of domestic habitation or sleep; and

**WHEREAS**, allowing domestic habitation or sleep without suitable facilities for the same would constitute a detriment to the health, comfort, convenience, safety, welfare and prosperity of the users and occupants of the airport and surrounding neighborhoods;

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

1. **Prohibition.** It shall be unlawful for any person to use or occupy or permit the use or occupancy of any vehicle, boat camper, trailer, hangar, garage, shed, shop, office, warehouse or other building or structures or any vacant parcel of land for the purpose of domestic habitation or sleep within the Monterey Peninsula Airport (including, but not limited to, parking lots and storage yards).

2. **Exemption.** The use of property or portions of property leased or rented from the Monterey Peninsula Airport District (a) for which the lease or rental agreement explicitly and specifically authorizes use of the property or portions thereof for domestic habitation or sleep; and (b) on which all facilities called for in said lease or rental agreement to support use of the property or portions thereof as a place of domestic habitation or sleep have been constructed and accepted as complete by the Monterey Peninsula Airport District; shall be exempt from the prohibitions imposed by this Ordinance, provided that the use of the property or portions thereof as a place of domestic habitation or sleep is confined

strictly to the property or portions thereof so authorized by the explicit and specific provisions of the lease or rental agreement with the Monterey Peninsula Airport District. No assignment or sublease of any such property or portion thereof can authorize any use beyond that authorized by the lease with the Monterey Peninsula Airport District. No lease or rental agreement for the parking or storage of any recreational vehicle shall be deemed to authorize the occupancy of such recreational vehicle for domestic habitation or sleep.

**3. Penalties and Enforcement.** Any person violating any of the provisions of this Ordinance shall be deemed guilty of an infraction punishable;

(a) a fine not exceeding \$100.00 for the first violation within a one-year period;

(b) a fine not exceeding \$200.00 for a second violation within a one-year period; or

(c) a fine not exceeding \$500.00 for each additional violation within a one-year period.

**4. Severability.** If any provision, clause, sentence or paragraph of this Ordinance or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the other provisions of this Ordinance which can be given effect without the invalid provision or application and to this end, the provision of this Ordinance are declared to be severable.

**5. Effective Date.** This Ordinance shall take effect thirty (30) days from and after the date of its adoption.

**PASSED AND ADOPTED BY THE BOARD OF DIRECTORS OF THE MONTEREY PENINSULA AIRPORT DISTRICT** this 12th day of February, 1997, by the following roll call vote:

**AYES: DIRECTORS:** Faul, Irwin, Searle, Chairman Nakamura

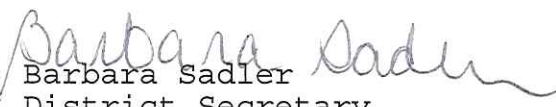
**NOES: DIRECTORS:** None

**ABSENT: DIRECTORS:** Haskell

Signed this 12th day of February, 1997

  
Kei Nakamura, Chairman

A T T E S T

  
Barbara Sadler  
District Secretary