

Chad
City Attorney

INTRODUCED BY COUNCIL MEMBER _____
OFFICE OF THE CITY CLERK
OAKLAND

2004 MAY 13 PM 4:16 ORDINANCE NO. _____ C.M.S.

**ORDINANCE AMENDING THE OAKLAND MUNICIPAL CODE TO
ADD CHAPTER 10.57 ESTABLISHING A 200-YARD MARINE
SECURITY ZONE FOR THE WATERS SURROUNDING THE
OAKLAND INTERNATIONAL AIRPORT**

WHEREAS, the Oakland International Airport is a significant transportation hub and economic engine for the City of Oakland; and

WHEREAS, the safety of people who work at and travel to and from the airport is of paramount importance; and

WHEREAS, a 200-yard marine security zone for the waters surrounding the runway and other facilities at the Oakland International Airport would enhance security; and

WHEREAS, the marine security zone would be consistent with a federal security zone established in the same area and will be marked by warning buoys to be installed by the United States Coast Guard; and

WHEREAS, the establishment of a local ordinance establishing the security zone is necessary for the zone to be enforced by California law enforcement officers; now, therefore

THE COUNCIL OF THE CITY OF OAKLAND DOES ORDAIN AS FOLLOWS:

Section 1.

The Oakland Municipal Code is hereby amended to add the following:

CHAPTER 10.57 – Oakland International Airport 200-yard Marine Security Zone

10.57.010 Establishment of Security Zone

A security zone is hereby established within the navigable waters of San Francisco Bay extending 200 yards seaward from the high tide mark of the shorelines surrounding the Oakland International Airport. The zone shall be marked by a bouy system installed and maintained by the United States Coast Guard.

10.57.020 Entry Prohibited

No person, vessel or boat shall enter the security zone without the express permission of the United States Coast Guard Captain of the Port.

10.57.030 Enforcement by citation method

Section 10.57.010 may be enforced by the method provided for in Chapter 1.24 of this code, and by Sections 853.5 through 853.3 of the Penal Code of the State of California.

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10.57.040 Violation – Penalties

Violations of this chapter shall constitute an infraction punishable by a fine of \$250 for a first offense and \$500 for a second or subsequent offense.

Section 2. Severability

If any paragraph, sentence, phrase, clause, or word is found unconstitutional or unenforceable by any court of competent jurisdiction, said decision shall not affect any other portion of the ordinance. The City Council finds and declares that it would have adopted this ordinance even without said paragraph, sentence, phrase, clause, or word.

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 20_____

PASSED BY THE FOLLOWING VOTE:

AYES- BROOKS, BRUNNER, CHANG, NADEL, QUAN, REID, WAN, and PRESIDENT DE LA FUENTE

NOES-

ABSENT-

ABSTENTION-

ATTEST: _____
CEDA FLOYD
City Clerk and Clerk of the Council
of the City of Oakland, California

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Notice & Digest

ORDINANCE AMENDING THE OAKLAND MUNICIPAL CODE TO ADD CHAPTER 10.57 ESTABLISHING A 200-YARD MARINE SECURITY ZONE FOR THE WATERS SURROUNDING THE OAKLAND INTERNATIONAL AIRPORT

This ordinance will add Chapter 10.57 to the Oakland Municipal Code, establishing a 200-yard security zone within the navigable waters of the San Francisco Bay seaward from the shoreline of the Oakland International Airport. Enactment of this ordinance will also establish violations of the ordinance as infractions of law, punishable by a fine of \$250 for a first offense and \$500 for subsequent offenses.

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