

ORDINANCE No. 90 - 736

AN ORDINANCE OF THE GREENHORN COMMUNITY SERVICES DISTRICT
REQUIRING A FIRE FUEL CLEAR ZONE 100 FEET AROUND STRUCTURES.

The Board of Supervisors of the County of Plumas, acting in its ex-officio capacity as the Governing Board of the Greenhorn Community Services District ORDAINS as follows:

SECTION ONE. Declaration of Facts and Policy.

WHEREAS, the governing board finds and declares:

A. The forest fire of June 1990 burned hundreds of acres in and around the Greenhorn Community Services District ("CSD"). The wind blew the fire away from structures, fortunately. The CSD Fire Department attempted to protect structures in case the wind shifted. The Department realized that its efforts would be futile in many cases where large amounts of brush, slash, dead wood, and other fire fuel were located very close to the structures. In many instances, the fire fuel had accumulated on vacant parcels adjacent to structures but under different ownership, so the owner of the structure was without legal authority to remove the fire fuel.

B. It would greatly promote the health, safety and welfare of the residents of the district if this ordinance were adopted to require fire fuel clear zones of 100 feet around each structure, irrespective of parcel boundaries and ownerships. Such clear zones would give the CSD Fire Department a better chance at protecting life and property in the event a forest fire moved into the vicinity of structures within the district. The CSD currently comprises about 385 vacant lots, most of which are not only heavily wooded but are also covered with brush, slash, fallen and standing dead trees and other potential fire fuel. There are 55 residences. Clearly, it is not reasonable to require clearing of fire fuel from vacant parcels, but it is reasonable to require a fire fuel clear zone of 100 feet around each structure.

SECTION TWO.

1.0 This ordinance shall be known as the "Fire Fuel Clear Zone Ordinance of the Greenhorn Community Services District."

1.1 Within a perimeter defined by a line drawn 100 feet from the closest point on each structure within the district, it shall be prohibited for forest fire fuel to accumulate and for any landowner to fail to remove accumulated fire fuel, whether or not the structure within the perimeter is owned by the landowner.

1.2 Responsibility for enforcing section 1.1 of this ordinance shall rest with the Fire Chief of the CSD Fire Department.

1.3 Compliance shall be obtained by sending a notice of violation, with a copy of the inspection report, to the landowner at the landowner's address of record. The notice shall give at least 90 days for the landowner to comply by voluntarily having the fire fuel removed. A subsequent verification of compliance inspection shall be conducted, and if a violation persists then another inspection report and notice of violation shall issue, giving the landowner at least 30 days to comply. The second notice shall inform the landowner that the district will contract for the fire fuel removal and obtain reimbursement of its expenses and administrative costs from the landowner.

1.4 If voluntary compliance by the landowner cannot be obtained by the district, the district shall invoice the landowner for the district's cost of removing the fire fuel plus administrative costs. The invoice shall be mailed to the landowner's address of record, and if payment is not received within 60 days then another invoice shall issue. If the second invoice remains unpaid for 30 days, then the amount of the invoice, plus interest, shall be placed on the county assessment roll and collected as the regular property taxes are collected. Placement on the assessment roll shall occur prior to September 1 of each year by resolution of the governing board transmitted to the county auditor.

1.5 For purposes of this ordinance the following terms shall be defined as follows:

(a) "Fire fuel" means dead wood and other forms of dead vegetation, whether fallen or still standing, intact or slash; excluded from this definition is cut firewood intended for combustion indoors.

(b) "Accumulate" means to be present in such quantity as to be a fire hazard to any structure that is 100 feet away or less as determined by the Fire Chief of the CSD after an on-site inspection.

(c) "Structure" means any building for which a county building permit would be required for construction, whether occupied or unoccupied.

SECTION THREE. Effective Date, Publishing, Codification.

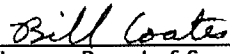
This ordinance shall be effective 30 days after its adoption, and shall be published in the Feather River Bulletin once within 15 days of its adoption. It shall be an uncodified ordinance.

The foregoing ordinance was duly passed and adopted by the Board of Supervisors of the County of Plumas, State of California, at a regular meeting of said Board held on the 4th day of September, 1990, by the following vote:

AYES: Supervisors: Woodhall, Schramel, Smith, Coates


NOES: Supervisors: None

ABSENT: Supervisors: Scroggs



Chairman, Board of Supervisors

ATTEST:



County Clerk and ex-officio Clerk of
said Board of Supervisors

PUBLISH: Feather River Bulletin