

100.87 FUEL MODIFICATION STANDARDS; REQUIREMENTS.

(A) Reduction of fire hazard. Any person who owns, leases, controls, operates, or maintains any dwelling or structure in, upon, or adjoining any mountainous area, forest-covered land, brush-covered land, grass covered land, or any land that is covered with flammable material, which area or land is within a Fire Hazard Severity Zone shall at all times do all of the following:

(1) Defensible space. Maintain around and adjacent to any building or structure defensible space by removing and clearing away, for a distance of not less than 100 feet on each side thereof or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. This does not apply to ornamental shrubbery or similar plants that are used as groundcover that do not readily support ignition of fire, and if they do not form a means of rapidly transmitting fire from the growth to any building or structure. Trees shall be permitted within the defensible space provided that the horizontal distance between the crowns of adjacent trees is not less than 10 feet. Deadwood and litter shall be regularly removed from trees. Tree crowns extending to within 10 feet of any structure shall be pruned to maintain a minimum horizontal clearance of 10 feet. Tree crowns within the defensible space shall be pruned to remove limbs located less than 6 feet above the ground surface.

(2) Additional defensible space. Maintain around and adjacent to any building or structure defensible space by removing all brush, flammable vegetation, or combustible growth which is located from 100 feet to 200 feet from any building or structure or to the property line, whichever is nearer, as may be required by the Fire Chief if he/she finds that, because of extra hazardous conditions, such application around the building or structure is needed to provide reasonable fire safety. Grass and other vegetation located more than 100 feet to 200 feet from the building or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion.

(3) Trees. Remove that portion of any tree that extends within 10 feet of the outlet of any chimney or stovepipe.

(4) Dead or dying wood. Maintain any tree adjacent to or overhanging any building free of dead or dying wood.

(5) Vegetative growth. Maintain the roof of any structure free of leaves, needles, or other dead vegetative growth.

(6) Chimney and stovepipe. Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings of not more than ½ inch in size.

(7) Disposal of flammable vegetation and fuels. Disposal, including chipping, burying, burning or removal to a landfill site approved by the local jurisdiction, of flammable vegetation and fuels caused by

site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of building permits.

(8) Greenbelts. Subdivisions and other developments, which propose greenbelts as a part of the development plan, shall locate the greenbelts strategically as a separation between wildland fuels and structures. The locations shall be approved by the Fire Department.

(9) Fuel breaks. Fuel breaks such as shaded fuel breaks, vegetation clearance, and other vegetation modification methods shall be required as condition of development for the open space areas and areas that interface between wildland fuels and structures.

(B) Additional reduction of fire hazard. Any person who owns, leases, controls, operates, or maintains any dwelling, structure, or land in, upon, or adjoining any mountainous area, forest-covered land, brush-covered land, grass covered land, or any land that is covered with flammable material, which area or land is within a Very High Fire Hazard Severity Zone or High Fire Hazard Severity Zone and 1 acre or greater in size ("Responsible Person") shall at all times do all of the following:

(1) Defensible space. Maintain around and adjacent to any building or structure defensible space by removing and clearing away, for a distance of not less than 100 feet on each side thereof, all flammable vegetation or other combustible growth. This does not apply to ornamental shrubbery or similar plants that are used as groundcover that do not readily support ignition of fire, and if they do not form a means of rapidly transmitting fire from the growth to any building or structure. Trees shall be permitted within the defensible space provided that the horizontal distance between the crowns of adjacent trees is not less than 10 feet. Deadwood and litter shall be regularly removed from trees. Tree crowns extending to within 10 feet of any structure shall be pruned to maintain a minimum horizontal clearance of 10 feet. Tree crowns within the defensible space shall be pruned to remove limbs located less than 6 feet above the ground surface. In addition, responsible persons shall:

(a) Maintain defensible space on property(s) within 100 feet of any building or structure, whether that building or structure is located on the property or on a neighboring property.

(b) A responsible person may satisfy the obligation to maintain 100 feet of defensible space around a structure located on a neighboring property by providing written consent, in a form reasonably acceptable to the Fire Chief, to the owner(s) or occupant(s) of the structure to be protected to enter responsible person's land to perform the work necessary to establish and maintain 100 feet of defensible space around the structure.

(2) Additional defensible space. Maintain around and adjacent to any such building or structure additional defensible space by removing all brush, flammable vegetation, or combustible growth which is located from 100 feet to 200 feet from any such building or structure, as may be required by the Fire Chief if he or she finds that, because of extra hazardous conditions, such application around the building or structure is needed to provide reasonable fire safety. Grass and other vegetation located more than 100 feet to 200 feet from the building or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion. Should the Fire Chief

determine that more than 100 feet of defensible space (up to 200 feet) is required for any structure, the duty to establish and maintain that defensible space shall be borne by the responsible party with respect to the land to be maintained under division (B)(1) above whether or not the structure to be protected is on property owned or controlled by the responsible person.

(3) Trees. Remove that portion of any tree that extends within 10 feet of the outlet of any chimney or stovepipe.

(4) Dead or dying wood. Maintain any tree adjacent to or overhanging any building free of dead or dying wood.

(5) Vegetative growth. Maintain the roof of any structure free of leaves, needles, or other dead vegetative growth.

(6) Chimney and stovepipe. Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings of not more than ½ inch in size.

(7) Disposal of flammable vegetation and fuels. Disposal, including chipping, burying, burning or removal to a landfill site approved by the local jurisdiction, of flammable vegetation and fuels caused by site development and construction, road and driveway construction, and fuel modification shall be completed prior to completion of road construction or final inspection of a building permits.

(8) Greenbelts. Subdivisions and other developments, which propose greenbelts as a part of the development plan, shall locate said greenbelts strategically as a separation between wildland fuels and structures. The locations shall be approved by the Fire Department.

(9) Fuel breaks. Fuel breaks such as shaded fuel breaks, vegetation clearance, and other vegetation modification methods shall be required as condition of development for such open space areas and areas that interface between wildland fuels and structures.

(C) Exceptions to divisions (A) and (B). Divisions (A) and (B) of this section shall not apply to any land or water area acquired or managed for 1 or more of the following purposes or uses:

(1) Habitat for endangered or threatened species, or any species that is a candidate for listing as an endangered or threatened species by the state or federal government.

(2) Open space lands that are environmentally sensitive parklands.

(3) Other lands having scenic values and declared by the city or by state or federal law.

(a) This exemption applies whether the land or water area is held in fee title or any lesser interest. This exemption applies to any public agency, any private entity that has dedicated the land or water areas to 1 or more of those purposes or uses, or any combination of public agencies and private entities making that dedication.

(b) This section shall not be construed to prohibit the use of properly authorized prescribed burning to improve the biological function of land or to assist in the restoration of desired vegetation.

(c) In the event that any lands adjacent to any land or water area described in subsection (a) are improved such that they are subject to Cal. Gov't Code § 51182, the obligation to comply with Cal. Gov't Code § 51182 shall be with the person owning, leasing, controlling, operating, or maintaining the occupied dwelling or occupied structure on the improved lands. All maintenance activities and other fire prevention measures required by Cal. Gov't Code § 51182 shall be required only for the improved lands, not the land and water areas described in subsection (a).