SONOMA COUNTY FIRE PREVENTION DIVISION
INFORMATION BULLETIN

SUBJECT: INSPECTION AND ABATEMENT OF HAZARDOUS VEGETATION AND COMBUSTIBLE MATERIAL

**Code References:** Sonoma County Code Chapter 13A, Ord. No. 6148
Government Code of the state of California Section 25845 and 25845.5; 2010 California Fire Code (CFC), Chapter 3, Section 304.1; California Health and Safety Code Section 14930 and Section 14931; California Public Resources Code (PRC), Section 4291; California Government Code (GC), Section 51182.

**NOTE:** This Information Bulletin is a summary of Sonoma County interpretations of County and State Codes. Information contained herein applies to typical instances and may not address all individual circumstances.

**General Information:**
Sonoma County Fire Prevention Division is coordinating a program for annual Inspection and Abatement of Hazardous Vegetation and Combustible Material in conjunction with several Sonoma County Fire Districts. The inspection program is to improve compliance to the requirements of Sonoma Ordinance No. 6148, in areas across the county that are at risk to wildland fire.

The ordinance applies to parcels in Sonoma County which are:

- Improved (with structures)
- Unimproved (without structures)
- Zoned for five (5) acres or less
- In Unincorporated areas, or where the local Agency Having Jurisdiction has adopted the ordinance

It is the purpose of the Hazardous Vegetation and Combustible Material Inspection and Abatement Program to protect the lives and property of the citizens of Sonoma County while at the same time protecting rare and sensitive plant and animal species and the environment.

Inspection Notices for Hazardous Vegetation and Combustible Material Abatement will be mailed to property owners or properties where inspections may occur. The Notice lists the basic requirements of the Abatement of Hazardous Vegetation and Combustible Material Ordinance. Please make every effort to bring your property into compliance before the inspection. Field inspections are performed by Fire Prevention Staff and/or Local Fire District personnel.
Step by Step Process:

1. **Notice of upcoming inspections mailed**
2. **First inspections will occur after Notice is mailed**
   - (a) If property passes first inspection, thank you!
   - (b) If property fails first inspection, property owner has 30 business days to bring the property into compliance.
3. **Second Inspection**
   - (a) If property passes second inspection: Thank you. You may be billed for second inspection.
   - (b) If property fails second inspection: notice of violation and order to abate mailed to property owner via certified mail.
   - (c) Property owner has the right to request a hearing. If no request is made within 15 calendar days, abatement procedures may begin.
4. **Abatement procedures initiated**
5. **Property posted and noticed for abatement**
6. **Property abated by order of Sonoma County Fire Chief or designee**
7. **Bill sent to property owner reflect costs of inspections, abatement, attorney fees if applicable and fines. If payment is not made, a lien may be placed on the property.**

If you received an **Inspection Notice** for Abatement of Hazardous Vegetation and Combustible Material from the Sonoma County Fire Prevention Division, it is important that you act promptly. Inspect your property and determine if it is in compliance with regulations as outlined on the color flyer. If any portion of your property is not in compliance, you must take steps to abate the problem prior to the inspection date listed on the notice to avoid inspection charges. Property owners may be billed for inspections and related costs if the property remains out of compliance following inspection.

Field inspections focus on fire safety as well as other general public safety and nuisance concerns. If a property is inspected and is not in compliance, a notice of violation and order to abate ("notice/order") will be sent to the property owner at the person's name and address appears on the last county equalized assessment roll. The notice/order shall specify the corrective actions required to be taken and order the property owners and persons in possession to abate the hazardous vegetation or combustible material within thirty (30) business days and state that the failure to bring the real property into compliance with this chapter could subject the owner or persons in possession to civil, administrative and criminal penalties. Inspections will typically occur 15 to 30 days after notices are mailed. However, it is required to keep property in compliance year-round.

**Properties in Compliance at the Time of Inspection: No fees charged**

If your property is already in compliance when you receive the notice and/or at the time of inspection, we thank you for your efforts, time and cooperation. You will not be billed for the inspection. Please
remember that inspections are conducted throughout the year, and the property must be maintained year-round in order to remain in compliance, and to avoid any charges.

Properties Not in Compliance at the time of inspection may be billed for inspections, related costs, and potentially for the cost of abatement of violations.

Property owners not in compliance may be billed at a minimum for the second inspection and all related costs. The fee for each hazardous vegetation and combustible material abatement inspection is outlined in the current Sonoma County Fire Prevention Division Fee Schedule available at www.sonomacounty.ca.gov/PRMD/Fire-Prevention/Fire-Prevention-Fees/.

If a problem remains on a property after the Second Notice of Violation and Order to Abate has been sent, the county fire chief may order the hazardous vegetation or other combustible material to be removed at the expense of the property owner. Any person who is adversely affected by the notice/order may appeal the determination to a hearing officer appointed by the county. The request for a hearing must be made in writing and submitted to the enforcing officer within fifteen (15) calendar days of the postmark on the notice/order. In the event a hearing is requested and the hearing officer appointed by the Board of Supervisors deems the real property to be a public nuisance and orders the county fire chief to abate the hazardous vegetation or combustible material, the property owner will also be responsible for attorneys’ fees, and other costs associated with the hearing and abatement costs.

If the hazardous vegetation or combustible material is not abated as directed and within ten (10) business days, the county fire chief may abate the hazardous vegetation or combustible material and the abatement costs shall be a lien and an assessment against the real property.

The property owner is responsible, and will be billed for all Sonoma County Fire Prevention Division costs related to the abatement of the property. These costs include, but are not limited to, the investigation of complaints, the inspection of properties, the preparation, service and/or publication of administrative notices and other related clerical costs, as well as the actual removal of hazardous vegetation and combustible materials and/or rubbish from the property. Costs related to abatement of properties will be billed to the property owner by invoice from the County of Sonoma. Unpaid costs will be assessed to the tax rolls as a lien against the property.

Definitions:

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<th>Abate and/or Abatement:</th>
<th>&quot;Abate&quot; and/or &quot;abatement&quot; means an act used to remove, destroy, eliminate, seize, impound, or any action taken to mitigate a public nuisance.</th>
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<tr>
<td>Abatement costs:</td>
<td>Any and all costs incurred by the County of Sonoma to abate the hazardous vegetation and combustible materials on any property pursuant to Chapter 13A of the Sonoma County Code, including physical abatement costs, administration fees and any additional actual costs incurred by the Sonoma County Fire Prevention Division for the abatement proceeding, including attorney's fees, if applicable.</td>
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<td><strong>Combustible Material:</strong></td>
<td>Means rubbish, litter or material of any kind other than hazardous vegetation that is flammable and endangers the public safety by creating a fire hazard.</td>
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<td><strong>County Fire Chief or designee:</strong></td>
<td>The fire chief of the county of Sonoma or his/her designated representative, including: (1) Chiefs of all fire protection districts within the territory of the political subdivision with the county where he/she serves, and their deputies; (2) All employees of the Sonoma County Fire Prevention Division; and (3) Such other officers as are designated by the board of supervisors or the county fire chief.</td>
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<td>** Improved Parcel:**</td>
<td>A portion of land of any size, the area of which is determined by the assessor's maps and records and may be identified by an assessor's parcel number upon which a structure is located.</td>
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<td><strong>Person:</strong></td>
<td>Means natural person or corporation.</td>
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<td><strong>Structure:</strong></td>
<td>Any dwelling, house, building or other type of flammable construction including but not limited to a wood fence attached to or near any other structure.</td>
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<td><strong>Unimproved Parcel:</strong></td>
<td>A portion of land of any size, the area of which is determined by the assessor's maps and records and may be identified by an assessor's parcel number upon which no structure is located.</td>
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**Sonoma County Code Section Sec. 13A-4. - Duty to abate hazardous vegetation and combustible material.** To view the full ordinance, please visit [www.sonomacounty.ca.gov/Fire-Prevention/County-Fire-Code](http://www.sonomacounty.ca.gov/Fire-Prevention/County-Fire-Code).

Upon receipt of a notice of violation and order to abate, as discussed in Section 13A-7, it shall be the duty of every owner, occupant, and person in control of any improved or unimproved parcel of land or interest therein, which is located in the unincorporated territory of the county of Sonoma as that territory is determined and classified by the board of supervisors to abate there from, and from all parcels, roadways and parkways, except for those roads maintained by the county, all combustible material and hazardous vegetation, that constitutes a fire hazard which may endanger or damage neighboring property pursuant to the requirements of the notice of violation and order to abate received. The removal of vegetation pursuant to this chapter shall not exceed that set forth in the notice of violation and order to abate. The notice of violation and order to abate and any clearance shall conform to guidelines issued by the county fire chief or designee, and which he/she may amend periodically.

The requirements of this section will be satisfied if the following requirements are met by the method described in a notice of violation and order to abate:

(a) For improved parcels:
(1) Maintain a thirty-foot defensible space around all buildings/structures.
   a. The grass needs to be cut six inches (6") or less.
   b. The tree branches need to be limbed up six feet (6') from the ground.
   c. Shrubs need to be maintained.
   d. Climbing vines must be removed from trees and structures.

(2) Additional defensible space outward to one hundred feet (100') from all buildings and surrounding, neighboring structures may be required depending on the property slope, fuel load and/or fuel type.
   b. Fuel type — Type of vegetation.
   c. Property slope — Steepness of property.

(3) Maintain a ten-foot minimum clearance next to the roadside; more may be required.
   a. The roadside clearance may be extended more than ten feet (10').

(4) Remove all portions of trees within ten feet (10') of chimney and/or stovepipe outlets.
   a. Property owners are responsible for maintaining trees year round.
   b. Trees need to be cut ten feet (10') away from the chimney in any direction.

(5) Maintain trees adjacent to or overhanging a structure free of dead/dying wood.
   a. Cut the trees back and remove any dead or dying wood.

(6) Maintain the roof of any structure free of leaves, needles, or other dead/dying wood.
   a. Remove any leaves, needles, branches, or debris from the roof and/or gutters.

(7) Install a spark arrester on chimney and/or stovepipe outlets.
   a. The spark arrester must be constructed of heavy wire mesh with openings not to exceed one-half inch (½").

(8) Provide street address numbers that are clearly visible from the roadside, minimum height: Four inches (4").
   a. The address numbers should be posted on the house.
   b. If the house sits back from the street, post the address at the beginning of the driveway and on the house.
   c. The address numbers should be in a contrasting color for visibility.

(9) Remove all tree limbs within six feet (6') of the ground.
   a. Remove lower hanging tree branches from the ground up six feet (6').

(10) Remove dead/dying vegetation from property.
    a. Remove any and all dead/dying vegetation from the property.

(b) For unimproved parcels:
    (1) Flammable vegetation and other combustible growth within ten feet (10") of neighboring structures and roadway frontage shall be removed;
    (2) Dead and dying vegetation within ten feet (10') of neighboring structures and roadway frontage shall be removed;
    (3) Grass and combustible surface vegetation within ten feet (10') of neighboring structures and roadway frontage must be trimmed to less than four inches (4") in height unless necessary for erosion control;
    (4) All trees within ten feet (10') of neighboring structures and roadway frontage must be pruned to at least six feet (6') above grade; and
    (5) Combustible material shall be removed from the property.
(c) The county fire chief or his or her designee may require more clearance distance than specified in the notice of violation and order to abate for the protection of public health, safety or welfare or the environment.

(d) The determination for appropriate clearance distances will be made based upon a visual inspection of the parcel and shall consider all factors that place the property or adjoining structure(s) at risk from an approaching fire. These factors shall include local weather conditions, fuel type(s), topography, and the environment where the property or adjoining structure(s) is located.

**ENDANGERED OR PROTECTED SPECIES**

For those parcels which contain an endangered or protected species which limit or prohibit the required abatement of a parcel, the property owner must notify the Fire Department, in writing, prior to the compliance date each year; all supporting documentation must also be provided by the property owner.