

EL DORADO HILLS FIRE DEPARTMENT FIRE PROTECTION STANDARD



Hazardous Vegetation on Unimproved Properties STANDARD #W-001 EFFECTIVE 5-4-2020 REVISED 4-1-22

I. PURPOSE:

To ensure that unimproved properties located within the jurisdiction of the El Dorado Hills County Water District (EDHCWD), hereafter known as the El Dorado Hills Fire Department (EDHFD) comply with the current resolution of the district pertaining to **hazardous vegetation** that poses both a Fire Hazard and a public nuisance.

II. SCOPE:

This standard applies to unimproved properties regardless of size. The abatement of **hazardous vegetation** posing a Fire Hazard in the community shall occur in accordance with the specifications described in this standard by no later than **May 1st** each year unless otherwise directed by the Fire Chief. It shall be the duty of every owner, occupant, and person in control of an unimproved parcel of land or having an interest therein, to abate therefrom, and from all unimproved parcels of land, all **hazardous vegetation**, that constitutes a Fire Hazard and public nuisance which may endanger or damage neighboring property or forestland.

III. AUTHORITY CITED:

- A. California Health & Safety Code (HSC) including Section 13879 and Section 14875 et seq. pertaining to hazardous weeds and rubbish.
- B. El Dorado County Code (EDCC) Chapter 8.09 on Vegetation Management and Defensible Space.
- C. California Fire Code (CFC) Chapter 49 on Requirements for Wildland Urban Interface Fire Areas.

IV. DEFINITIONS:

- A. **Fire Hazard.** A set of conditions involving natural and ornamental vegetation that constitutes a threat to real property (i.e., structures, barns, sheds, out buildings, combustible fences), and not just capable of burning.

- B. Hazardous Vegetation.** Vegetation that is flammable and endangers public safety by creating a fire hazard including, but not limited to, seasonal and recurrent weeds, stubble, brush, dry leaves or needles, plants known by a fire professional to be highly flammable, ground ladder fuels that allow fire spread into trees and shrubs, tumbleweeds and dead trees. Hazardous Vegetation shall not include rangeland, pastureland, forestland/TPZ, and agricultural land, except to the extent that such vegetation impacts the maintenance of defensible space around homes, structures, public and private rights of way, access to roads, and along public utility lines, and shall also not include a commercial agriculture crop that is being actively grown and managed by the property owner or their legal tenant.
- C. Improved Parcel.** A portion of real property of any size which is located in an area primarily intended for residential uses, the area of which is determined by the assessor's maps and records and which may be identified by an Assessor's Parcel Number, upon which a structure is located.
- D. Roadway.** For purposes of this article, a road or roadway is any County street or road, other public road or alley, or private thoroughfare at least ten (10) feet wide that is ordinarily used for vehicular travel, open to public travel, and connects with a County road, state highway, other public road, private road or an alley which affords primary access to an abutting lot.
- E. Structure.** Any dwelling, house, building, or other type of flammable construction attached to or near any other structure.
- F. Unimproved Parcel.** A portion of real property of any size, the area of which is determined by the assessor's maps and records and which may be identified by an Assessor's Parcel Number, upon which no structure is located.
- G. Weeds.** Vegetation growing upon streets, sidewalks, or private property, including any of the following types:
1. Weeds which bear seeds of a downy or wingy nature.
 2. Sagebrush, chaparral, and any other brush or weed which attains such large growth as to become, when dry, a fire menace to adjacent improved property.
 3. Weeds which are otherwise noxious or dangerous.
 4. Poison oak or poison ivy when the conditions are such as to constitute a menace to public health.

5. Dry grass, stubble, brush, litter, or other flammable materials which endanger public safety by creating a fire hazard.

H. **Wildfire Risk Area.** Refers to lands that are covered with grass, grain, brush or forest, whether privately or publicly owned, which is so situated or is of such inaccessible location that a fire originating upon it would present an abnormally difficult job of suppression or would result in great or unusual damage through fire or such areas designated by the enforcement official.

V. GENERAL REQUIREMENTS:

A. All **hazardous** vegetation shall be removed on unimproved properties that are **one (1.0) acre** in size or smaller.

1. All **dry grass and other weeds** located on the unimproved parcel shall be removed or cut to a maximum height of two (2) inches.
2. Tree limbs within six (6) feet of the ground that permit fire spread into the tree canopy and promote ember distribution shall be removed.
3. All downed trees, branches or woody debris smaller than eight (8) inches in diameter shall be removed.
4. Debris piles that contain combustible material that can easily support fire ignition and spread shall be removed.

B. All **hazardous** vegetation shall be removed on unimproved properties over one-acre **(1.01)** in size to provide defensible space **within one hundred (100) feet from real property and twenty (20) feet along roadways.**

1. All **dry grass and other weeds** located within the designated defensible space zone shall be removed or cut to a maximum height of two (2) inches.
2. Tree limbs within six (6) feet of the ground that permit fire spread into the canopy and promote ember distribution shall be removed.
3. All downed trees, branches, or woody debris smaller than eight (8) inches in diameter shall be removed.
4. Debris piles that contain combustible material that can easily support fire ignition and spread shall be removed.

5. **Hazardous vegetation** located within twenty (20) feet of roadways shall be removed or cut to a maximum height of two (2) inches to reduce fire spread from roadside ignition sources and to maintain emergency evacuation routes for the local community.
- C. Unimproved properties located within a development subject to a Fire Department approved Fire Safe Plan shall comply with the terms of that plan as required by CFC § 4903 regardless of size.
- D. Unimproved properties located in areas designated by the Fire Marshal as a Wildfire Risk Area for that year shall also be evaluated against the provisions of this standard and EDCC Chapter 8.09 regardless of size.
- E. Unimproved properties known to contain, or that the property owner believes, may contain habitat for rare, threatened or endangered plant or animal species shall contact the California Department of Fish and Wildlife at least ten (10) days in advance of vegetation management work. If the property owner is aware of any federal or state listed species then the appropriate wildlife agency shall be consulted prior to beginning work. It is possible that a permit may be required from the appropriate agencies (e.g. U.S. Fish and Wildlife Services and/or the California Department of Fish and Wildlife) prior to work beginning on the property.
- F. All brush or woody vegetation debris shall be chipped or removed from the property.
- G. Non-vegetative debris (i.e., trash, tires, construction) shall be removed from the property.
- H. The Fire Marshal may require greater clearances, at his/her discretion, where public health safety or welfare so dictate, or where geographic, topographic or vegetation circumstances dictate.

VI. ACCEPTABLE METHODS OF CLEARANCE:

- A. **Disking.** The discs shall be set at an angle sufficient to cut the sod loose and adequately bury the growth of weeds, grass, or noxious vegetation existing at the time. Disking shall include rototilling or cultivating. Disking shall be done each time the growth exceeds six (6) inches in height.
- B. **Scraping.** Area shall be scraped clear, and all debris shall be removed from the required clear area.

- C. **Mowing.** Height of vegetation shall not exceed two (2) inches at completion. Mowing shall be done each time growth exceeds six (6) inches in height. Mowing shall include hand-operated weed eaters, flail, and rotary mowers.
- D. **Spraying.** If sprays or pre-emergent are utilized prior to growth of vegetation, preventing growth of vegetation, then this will be an acceptable method of abatement. Any time growth of vegetation exceeds six (6) inches height, it shall be removed by another acceptable method of abatement.
- E. **Grading shall not take place without all appropriate permits required by the County of El Dorado.**

VII. CORRECTIVE ACTIONS


- A. After declaring a fire hazard nuisance pursuant to this Section, the Fire Marshal or authorized designee may require that the responsible party take corrective action(s) to abate the nuisance and fire hazard. Such actions may include, but are not limited to the following:
 - 1. Removing hazardous vegetation, combustible material, weeds, rubbish, or other obstructions or materials that are a fire hazard.
 - 2. Taking specific action(s) to come into compliance the regulations and rules that prescribe the maintenance of defensible space around structures and real property.


VIII. INSPECTIONS BY THE FIRE DEPARTMENT:

- A. An **Initial Notice to Abate Fire Hazard and Destroy Weeds** shall be sent by U.S. Mail or other approved means to all unimproved property owners of parcels by April 15th of each year.
- B. If the property is still deemed a Fire Hazard on or after May 1st of each year a **Final Notice to Abate Fire Hazard and Destroy Weeds** will be mailed to the property owner by certified U.S. Mail. In addition to the mailed notice, the property will have one or more signs conforming with the provisions of HSC §§ 14891-14894 placed on them to notify the property owner of the notice to abate this concern.
- C. The property owner will have no less than ten (10) days to abate the Fire Hazard or appeal this decision to the EDHCWD board at their May monthly meeting. If the Fire Hazard has not been abated by the end of the ten (10) day notice, or the end of their appeal period, whichever is greater, the Fire Department will dispatch a weed abatement contractor to abate the Fire Hazard in accordance with the provisions of this Standard.

- D. A notice of the hearing prescribed in HSC § 14892 shall be published once in a newspaper of general circulation printed and published in the county, not less than 10 calendar days prior to the date of the hearing.
- E. The amount of the cost for abating the fire hazard and the amount incurred by the Fire Department in enforcing abatement shall constitute a special assessment against the property from which removal occurs and are a lien on the property for the amount of the respective assessments as described in the current EDHCWD resolution.

Approved By:


Ronald A. Phillips, Project Management
Specialist


Maurice Johnson, Fire Chief

HOW TO DISTINGUISH CHANGES TO THIS STANDARD FROM PRIOR STANDARD PROVISIONS

| Indicates a new standard section has been added.

RED indicates language changes have been made since the previous version of this standard.