



Idyllwild Fire Protection District

PO Box 656

Idyllwild, CA 92549

RESOLUTION

019-01

FY 2019 / 2020 FIRE PREVENTION and MITIGATION FEES

IT IS HEREBY RESOLVED:

WHEREAS, the Idyllwild Fire Protection District is situated within the un-incorporated area of Riverside County and has previously adopted resolutions, 462 Mitigation Fee Schedule and 463 Fire Prevention Fee Schedule; and

Whereas, the Idyllwild Fire Protection District provides plan check and inspection services with regard to Fire Prevention and Fire Mitigation within the Idyllwild Fire Protection District jurisdiction; and

Whereas, the establishment and revision of Fire Prevention and Mitigation Fees are maintained in an ongoing effort to reimburse the cost of said services; now,

Therefore, We the Board of Fire Commissioners, hereby dissolve previously adopted resolutions 462 and 463 and replace said resolutions with resolution 019-01; and hereby adopt the revised Fire Prevention and Mitigation Fee Schedule dated March 26th, 2019.

Effective Date: April 1, 2019

Dated: March 26, 2019

Jerry Buchanan, President

Larry Donahoo, Vice President

Rhonda Andrewson, Commissioner

Ralph Hoetger, Secretary

Henry Sawicki, Commissioner



IDYLLWILD FIRE

Adopted per, Res. 019-01
 Rev. 3/26/2019
 Effective: 4/1/2019

Fire Department Fee Schedule

Whereas, Idyllwild Fire Protection District is within the unincorporated area of Riverside County and has previously adopted Resolution(s) 460 Fire Prevention Fees and 461 Fire Mitigation Fees . With the adoption of Resolution 019-01 the following fees will be utilized for all Fire Prevention and Fire Mitigation fee based transactions:

Development:			
Plan Review			Fee:
1.00	Base Mitigation Fee/Per ea. Detached unit/Per Parcel	Fire Mitigation:	\$565.00
Mitigation Fees:			
1.01	Fuel Modification Plans or Environmental Review	Review and Comment on fire impacts and mitigation:	\$126.00
1.02	Project Availability - service letter	supply and clearances for Fire Code requirements.	\$155.00
1.03	Project Availability - Master development / Improvement plans	Review and input for master planned developments	\$100.00
1.04	Zoning variance /Master water service adjustments/Cell tower sites	Review access, water supply changes and challenges	\$190.00
1.05	reviews, CUP updates and modifications	Review access, water supply changes and challenges	\$190.00
1.06	Conceptual site plan review master planned development	Review access, water supply changes and challenges	\$126.00
Prevention/Residential:			
2.01	room additions or remodels > 50% of original	applicable building code compliance.	\$180.00
2.02	Residential remodel or addition < 50%	applicable building code compliance.	\$105.00
2.03	Residential reinspection for correction/compliance	incomplete at original inspection	\$80.00
2.04	New Commercial Development or TI > 50%	applicable building code compliance.	\$205.00
2.05	Commercial remodel or TI < 50%	applicable building code compliance.	\$105.00
2.06	Commercial reinspect for correction or compliance	incomplete at original inspection	\$90.00
2.07	Vacation rentals , Air B-n-B, R-occupancy initial site and status	Review of occupancy , fire safety requirements	\$150.00

2.08	Solar array and solar voltaic systems review and inspection for fire safety	Review of system safety standards covering NFPA 1, 70 & 5000	\$245.00
2.09	including site modifications and access	applicable building code compliance.	\$150.00
2.10	Initial Licensure and safety inspections	Appropriate documentation required / NO FEE	\$150.00
2.11	Knox Box fulfillment (commercial and residential)	Ordering completed online through Knox , NO FEE	\$0.00
2.12	Occupancy Load calculations and recommendations	NO FEE	\$0.00
2.13	Water Tank , serviceability, access	Review of sizing and fire safety requirments including access.	\$205.00
2.14	Tent and /or Temporary shelter units		\$0.00
2.15	Fire Hydrant flow testing and recording , per site specific	be included in testing parameters	\$185.00
Fire Protection systems			
3.01	Special Extinguishing systems including new and modified kitchen hood and exhaust systems including applicable alarm or supervision	hood / duct system and its requirments. Any review by independent at owners expense	\$160.00
3.02	Commercial fire sprinkler system / stand pipe/FDC/ HVAC	Plan review of new commercial system (includes rough and final)	\$245.00
3.03	Commercial TI sprinkler modifications	Plan review of new commercial system (includes rough and final)	\$205.00
3.04	Commercial reinspection (ea.)	incomplete at original inspection	\$120.00
3.05	Residential sprinkler systems NFPA 13D / 13R - includes rough and final	Plan review of residential fire sprinkler system (includes rough and final)	\$180.00
3.06	Residential reinspection's	incomplete at original inspection	\$205.00
3.07	occupancy sprinkler systems, including high pile	Plan review including special hazard analysis access and extinguishing system requirments. Independent engineering review at owner cost.	\$300.00
Prevention /Commercial			
4.01	Plan resubmittal - Residential	Redline transfer for changes	\$105.00
4.02	Plan resubmittal - Commercial	Redline transfer for changes	\$160.00
4.03	i.e. meter investigation, site inspections, alt. materials	Quoted by hourly rate. Any and all requirments by independnt engineering review at owners expense	\$120.00
4.04	Non- compliance / legal	Quoted by hourly rate. Any and all requirments by independnt engineering review at owners expense	\$120.00
4.05	Special Event (Minor) ,50 people	Review with event coordinator and compliance letter (must be applied for a minimum of one month advance notice)	\$120.00

4.06	Special Event (Major)>50 or percieved>50	Review with event coordinator and compliance letter (must be applied for a minimum of one month advance notice)	\$225.00
4.07	Special event requiring standby medical / EMT staffing(Large event + per EMT PD)	Per NFPA safety guidelines / at discretion of IFPD fire marshal	\$550.00
4.08	Re-inspect for unaccusable abatement	Per incident	\$65.00
4.09	Training Room (Half Day)	scheduled 2 weeks advance(*)	\$40.00
4.10	Training Room (Full Day)	scheduled 2 weeks advance(*)	\$80.00
4.11	Plan review or service expedite fee	At discretion of Fire Chief/ Fire Marshal	\$120.00
4.12	False Alarm fee (per IFPD ordinance)	Per IFPD ordinance	\$250.00
4.13	Filming Standby (EMT) day 4 hr. min	emt coverage without equipment(*)	\$375.00
4.14	Filming Standby (EMT) day 4 hr. min , with applicable bls gear	emt coverage with equipment(*)	\$450.00
4.15	Fines for illegal fires	Per IFPD ordinance	\$225.00
4.16	Fire investigation Fees(per hr. IFPD staff)	Per IFPD ordinance	\$140.00

Please review submittal standards worksheet for required docmentation

Idyllwild Fire Protection District is the AHJ with regard to all development within the confines of Idyllwild.



Ordinance 01-19

Abatement Nuisance Clearance

AN ORDINANCE OF THE BOARD OF COMMISSIONERS OF THE IDYLLWILD FIRE PROTECTION DISTRICT (IFPD) COVERING NUISANCE, SUMMARY AND YARD ABATEMENT WITHIN THE JURISDICTIONAL LIMITS OF (IFPD) ALSO HEREIN UTILIZING RESOLUTION NO. 480 HIRING AND UTILIZING OUTSIDE VENDORS FOR THE REMOVAL AND/OR CORRECTION OF DEFECIENCIES POSING A DIRECT SAFETY HAZARD TO THE CITIZENS AND/OR PROPERTIES IN IDYLLWILD

Authority:

A district may adopt a fire prevention code by reference pursuant to [Article 2 commencing with Section 50022](#). (Chapter 1 of Part 1 of Division 1 of Title 5 of the Government Code). For that purpose, the district board shall be deemed a legislative body and the district shall be deemed a local agency.

California government code [25845](#):

(a) The board, by ordinance, may establish a procedure for the abatement of a nuisance. The ordinance shall, at a minimum, provide that the owner of the parcel, and anyone known to the board to be in possession of the parcel, be given notice of the abatement proceeding and an opportunity to appear before the board and be heard prior to the abatement of the nuisance. However, nothing in this section prohibits the summary abatement of a nuisance upon order of the board, or upon order of any other officer authorized by law to summarily abate nuisances, if the board or officer determines that the nuisance constitutes an immediate threat to public health or safety.

(b) In any action to abate a nuisance, whether by administrative proceedings, judicial proceedings, or summary abatement, the owner of the parcel upon which the nuisance is found to exist shall be liable for all costs of abatement incurred, including, but not limited to, administrative costs and any and all costs incurred in the physical abatement of the nuisance. Recovery of costs pursuant to this section shall be in addition to and shall not limit any prevailing party's right to recover costs pursuant to [Sections 1032 and 1033.5 of the Code of Civil Procedure](#) or any other provision of law.

(c) A district may, by ordinance, provide for the recovery of attorneys' fees in any action, administrative proceeding, or special proceeding to abate a nuisance. If the ordinance provides for the recovery of attorneys' fees, it shall provide for recovery of attorneys' fees by the prevailing party, rather than limiting recovery of attorneys' fees to the district if it prevails. The ordinance may limit recovery of attorneys' fees by the prevailing party to those individual actions or proceedings in which the district elects, at the initiation of that individual action or proceeding, to seek recovery of its own attorneys' fees. In no action, administrative proceeding, or special proceeding shall an

award of attorneys' fees to a prevailing party exceed the amount of reasonable attorneys' fees incurred by the district in the action or proceeding.

(d) If the owner fails to pay the costs of the abatement upon demand. The district may order the cost of the abatement to be specially assessed against the parcel. The assessment may be collected at the same time and in the same manner as ordinary property taxes are collected and shall be subject to the same penalties and the same procedure and sale in case of delinquency as are provided for ordinary taxes. All laws applicable to the levy, collection, and enforcement of taxes are applicable to the special assessment.

(e) If the board specially assesses the cost of the abatement against the parcel, the board also may cause a notice of abatement lien to be recorded. The notice shall, at a minimum, identify the record owner or possessor of property, set forth the last known address of the record owner or possessor, set forth the date upon which abatement of the nuisance was ordered by the board and the date the abatement was complete, and include a description of the real property subject to the lien and the amount of the abatement cost.

(f) However, if the board does not cause the recordation of a notice of abatement lien pursuant to subdivision (e), and any real property to which the costs of abatement relates has been transferred or conveyed to a bona fide purchaser for value, or a lien on a bona fide encumbrancer for value has been created and attaches to that property, prior to the date on which the first installment of county taxes would become delinquent, then the cost of abatement shall not result in a lien against that real property but shall be transferred to the unsecured roll for collection.

(g) Recordation of a notice of abatement lien pursuant to subdivision (e) has the same effect as recordation of an abstract of a money judgment recorded pursuant to Article 2 (commencing with Section 697.310) of Chapter 2 of Division 2 of Title 9 of Part 2 of the Code of Civil Procedure. The lien created has the same priority as a judgment lien on real property and continues in effect until released. Upon order of the board, or any officer authorized by the board to act on its behalf, an abatement lien created under this section may be released or subordinated in the same manner as a judgment lien on real property may be released or subordinated.

(h) The board may delegate the hearing required by subdivision (a), prior to abatement of a public nuisance, to a hearing board designated by the board. The hearing board shall make a written recommendation to the board. The board may adopt the recommendation without further notice of hearing or may set the matter for a de novo hearing before the board.

(i) The board may, by ordinance, delegate to a hearing officer appointed pursuant to Section 27720 the powers and duties specified by this section.

Adoption:

For the purpose of prescribing regulations governing conditions hazardous to life and property from fire, explosion or hazardous materials, those certain Codes known as the "California Fire Code", 2016 Edition (also known as the California Code of Regulations (CCR), Title 24, Part 9, a portion of the "California Building Standards Codes"), CBC ch7A and the 2015 edition of the International Fire Code (IFC), as published by the International Code Council and the whole thereof, except such portions as adopted by the SFM, and also except such portions of either of such Codes as are hereinafter added, deleted, modified or amended are hereby adopted pursuant to Section 13869 et seq. of the California Health and Safety Code (H&S), and are incorporated as fully as if set out at length herein and from the date on which this ordinance shall take effect, the provisions thereof along with the other provisions of this ordinance shall be controlling within the jurisdictional limits of the IFPD.

The Board of Commissioners of the Idyllwild Fire Protection District ordains as follows:

- ARTICLE 1:** The health and safety of Idyllwild Fire Protection District and the residents thereof, require the incorporation of the following ordinance.
- ARTICLE 2:** All native vegetation within the Idyllwild Fire Protection District constitutes a seasonal and recurrent nuisance pursuant to the Health and Safety Code.
- ARTICLE 3:** The enactment of this ordinance is pursuant to the authority of the Public Resource code -PRC 4291 ch.3 Mountainous forest, brush and grass-covered lands (4291 – 4299) and all parts therein and included here for reference.

4291.

(a) A person who owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining a mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or land that is covered with flammable material, shall at all times do all of the following:

(1) Maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line except as provided in paragraph (2). The amount of fuel modification necessary shall take into account the flammability of the structure as affected by building material, building standards, location, and type of vegetation. Fuels shall be maintained in a condition so that a wildfire burning under average weather conditions would be unlikely to ignite the structure. This paragraph does not apply to single specimens of trees or other vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation. The intensity of fuels management may vary within the 100-foot perimeter of the structure, the most intense being within the first 30 feet around the structure. Consistent with fuels management objectives, steps should be taken to minimize erosion. For the purposes of this paragraph, "fuel" means any combustible material, including petroleum-based products and wildland fuels.

(2) A greater distance than that required under paragraph (1) may be required by state law, local ordinance, rule, or regulation. Clearance beyond the property line may only be required if the state law, local ordinance, rule, or regulation includes findings that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. Clearance on adjacent property shall only be conducted following written consent by the adjacent landowner.

(3) An insurance company that insures an occupied dwelling or occupied structure may require a greater distance than that required under paragraph (1) if a fire expert, designated by the director, provides findings that the clearing is necessary to significantly reduce the risk of transmission of flame or heat sufficient to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. The greater distance may not be beyond the property line unless allowed by state law, local ordinance, rule, or regulation.

(4) Remove that portion of a tree that extends within 10 feet of the outlet of a chimney or stovepipe.

(5) Maintain a tree, shrub, or other plant adjacent to or overhanging a building free of dead or dying wood.

(6) Maintain the roof of a structure free of leaves, needles, or other vegetative materials.

(7) Prior to constructing a new building or structure or rebuilding a building or structure damaged by a fire in an area subject to this section, the construction or rebuilding of which requires a building permit, the owner shall obtain a certification from the local building official that the dwelling or structure, as proposed to be built, complies with all applicable state and local building standards, including those described in subdivision (b) of [Section 51189 of the Government Code](#), and shall provide a copy of the certification, upon request, to the insurer providing course of construction insurance coverage for the building or structure. Upon completion of the construction or rebuilding, the owner shall obtain from the local building official, a copy of the final inspection report that demonstrates that the dwelling or structure was constructed in compliance with all applicable state and local building standards, including those described in subdivision (b) of [Section 51189 of the Government Code](#), and shall provide a copy of the report, upon request, to the property insurance carrier that insures the dwelling or structure.

(b) A person is not required under this section to manage fuels on land if that person does not have the legal right to manage fuels, nor is a person required to enter upon or to alter property that is owned by any other person without the consent of the owner of the property.

(c) Except as provided in [Section 18930 of the Health and Safety Code](#), the director/fire marshal may adopt regulations exempting a structure with an exterior constructed entirely of nonflammable materials, or, conditioned upon the contents and composition of the structure, the director/fire marshal may vary the requirements respecting the removing or clearing away of flammable vegetation or other combustible growth with respect to the area surrounding those structures.

(2) An exemption or variance under paragraph (1) shall not apply unless and until the occupant of the structure, or if there is not an occupant, the owner of the structure, files with the department, in a form as the director shall prescribe, a written consent to the inspection of the interior and contents of the structure to ascertain whether this section and the regulations adopted under this section are complied with at all times.

(d) The director/fire marshal may authorize the removal of vegetation that is not consistent with the standards of this section. The director/fire marshal may prescribe a procedure for the removal of that vegetation and make the expense and lien upon the building, structure, or grounds, in the same manner that is applicable to a legislative body under [Section 51186 of the Government Code](#).

(e) The district shall develop, periodically update, and post on its Internet Web site a guidance document on fuels management pursuant to this chapter. Guidance shall include, but not be limited to, regionally appropriate vegetation management suggestions that preserve and restore native species that are fire resistant or drought tolerant, or both, minimize erosion, minimize water consumption, and permit trees near homes for shade, aesthetics, and habitat; and suggestions to minimize or eliminate the risk of flammability of nonvegetative sources of combustion such as woodpiles, propane tanks, decks, and outdoor lawn furniture.

(f) As used in this section, "person" means a private individual, organization, partnership, limited liability company, or corporation. (*Amended by Stats. 2018, Ch. 641, Sec. 7. AB 2911 Effective January 1, 2019.*)

4291.1

(a) Notwithstanding [Section 4021](#), a violation of [Section 4291](#) is an infraction hereby punishable by a fine of not less than one hundred dollars (**\$100**), nor more than five hundred dollars (**\$500**). If a person is convicted of a second violation of [Section 4291](#) within five years, that person shall be punished by a fine of not less than two hundred fifty dollars (**\$250**), nor more than five hundred dollars (**\$500**). If a person is convicted of a third violation of [Section 4291](#) within five years, that person is guilty of a misdemeanor and shall be punished by a fine of not less than five hundred dollars (**\$500**). If a person is convicted of a third violation of [Section 4291](#) within five years, the

district may perform or contract for the performance of work necessary to comply with [Section 4291](#) and may bill the person convicted for the costs incurred, in which case the person convicted, upon payment of those costs, shall not be required to pay the fine. If a person convicted of a violation of [Section 4291](#) is granted probation, the court shall impose as a term or condition of probation, in addition to any other term or condition of probation, that the person pay at least the minimum fine prescribed in this section.

(b) If a person convicted of a violation of [Section 4291](#) produces in court verification prior to imposition of a fine by the court, that the condition resulting in the citation no longer exists, the court may reduce the fine imposed for the violation of [Section 4291](#) to fifty dollars (\$50).

(Amended by Stats. 1990, Ch. 773, Sec. 1.)

[4291.3.](#)

(a) Subject to any other applicable law, a state or local fire official, at his or her discretion, may authorize an owner of property, or his or her agent, to construct a firebreak, or implement appropriate vegetation management techniques, to ensure that defensible space is adequate for the protection of a hospital, adult residential care facility, school, aboveground storage tank, hazardous materials facility, or similar facility on the property. The firebreak may be for a radius of up to [300 feet](#) from the facility, or to the property line, whichever distance is shorter.

(b) The director/fire marshal may authorize an owner of a property not listed in subdivision (a) to construct a firebreak, or implement appropriate vegetation management techniques, within a radius of up to [300 feet](#) from a structure, or to the property line, whichever distance is shorter, if it is determined by the director/fire marshal as necessary to protect life, property, and natural resources from unreasonable risks associated with wild land fires.

(Amended by Stats. 2018, Ch. 641, Sec. 8. (AB 2911) Effective January 1, 2019.)

Additionally; Health and Safety Code [Section 13861, 13879, 14875, 14930](#), et seq. Additionally, AUTHORITY TO PROMULGATE REASONABLE RULES AND REGULATIONS pursuant to Riverside County Ordinance 695.3 Section 11. The Board of Commissioners hereby reserves its right to adopt reasonable rules, regulations, and resolutions consistent with this ordinance to enforce, interpret, and carry out the provisions of this ordinance. Such rules may vary among different areas within the District.

ARTICLE 4: ABATEMENT OF CERTAIN VEGETATION AND WASTE MATTER

SECTION 1 Weeds and Other Items Declared a Public Nuisance

A. Weeds defined below growing upon the streets, sidewalks or upon private or public property within the Idyllwild Fire Protection District which by reason of its size, type, manner of growth, proximity to any building, or improvements which, when dry, will with reasonable probability constitute a fire hazard, are hereby declared to be a public nuisance and shall be abated to the satisfaction of the Fire Chief/Fire Marshal or authorized representative. **B.** Weeds are defined as provided in the [Health and Safety Code Section 14875](#) by reference and are declared a seasonal and recurrent nuisance. **C.** Cultivated and useful Trees shrubs and grasses are not declared a public nuisance. However, the Fire Chief, Fire Marshal or authorized representative may determine a hazard exists adjacent to improved property from fire exposure and require an adequate firebreak.

SECTION 1.1 Abatement

Pursuant to this Ordinance (abatement) shall be defined as the removal of the hazard or nuisance as defined by this Ordinance. It shall be the responsibility of the property owner to ensure compliance with the requirements of this section particularly if the property is protected by an open space easement or is subject to protection under the Federal endangered species protection acts. Violations of the Federal Endangered Species Protection Act shall be subject to penalties as described therein.

SECTION 2 Waste Matter Defined.

Waste matter is defined for this ordinance as unused or discarded matter having no substantial value and which is exposed to the elements or not enclosed in any structure or concealed from public view. These items consist (without limitation or exclusion by enumeration) of such matter and/or material as: rubble, asphalt, and or any other combustible non-functioning or nuisance material.

SECTION 2.1 Waste Matter Declared a Public Nuisance:

Waste matter is hereinafter defined as matter, which by reason of its location and/or character may hamper or interfere with the prevention or suppression of fire upon the premises or adjacent premises. Such waste matters shall be abated and are hereby declared a public nuisance.

SECTION 3 Notice to Abate Hazard.

If it is determined that a public nuisance as herein defined exists on any lot, premises, sidewalk, parking lot or street adjacent areas, the Fire Chief/Fire Marshal of the Fire District or his/her authorized representative upon discovery shall cause a notice to be issued to abate such nuisance. Such notice shall be titled: "Notice to Abate Hazard" and shall, in legible characters, direct the abatement of the nuisance and refer to this article and section for particulars. Notices served by means other than posting as provided by this article shall contain a description of the property reasonably sufficient to identify the location of the property and location of the nuisance thereon.

SECTION 3.1 Notice to Abate Seasonal and Recurrent Nuisances:

In the case of weeds/vegetation which have previously been declared to constitute a seasonal and/or recurring nuisance, it is sufficient to mail a post card notice to the owners of the property as they and their addresses appear upon the current Riverside county assessors tax assessment roll. Other nuisances shall be abated as per the Health and Safety Code Section 14898. The notice shall refer to and describe the property and shall state "nuisance" or dangerous weeds of a seasonal and recurrent nature are growing on the property and that the same constitutes a public nuisance, which must be abated by removal. If not removed by the property owner, the Fire Chief/ Fire Marshal or an authorized representative shall cause the abatement by removal. The cost of such removal (including attorney applicable fees) shall be assessed upon the lot and/or lands from which nuisance is removed. Such removal by the District will constitute a lien upon such lots or lands until paid or collected through tax assessment.

SECTION 3.2 Notice to Abate Hazard/ inspection process.

Addendum to Idyllwild Fire Protection Districts annual yard inspections shall clarify the order of inspections, and how they will be carried out **Annually**:

First Inspection - This will be a self inspection. Owners will be notified by a mailing from the Idyllwild Fire Department that owners should be inspecting their properties for possible violations according to the Abatement Ordinance and maintain their properties appropriately throughout the year.

Second Inspection – This will be a district wide inspection done by Idyllwild Fire Department personnel, which will consist of a visual inspection of all parcels within the Idyllwild Fire Protection District. If a violation exists, the property owner will be notified by mailed report and given **30 days** to comply.

Third inspection – This will be an inspection of properties that have not complied with the Abatement Ordinance and have been given a second notice to comply within 30 days. The Idyllwild Fire Protection District and/or approved abatement inspectors will be doing the inspection, and the property owners will be given an additional **14 days** to comply.

If after 14 days from the third inspection notice, a violation still exists, procedures will be enacted as per Article 6 of this Abatement Ordinance. This procedure will be conducted by the Fire Chief/Fire Marshal or Deputy Fire Marshal, and/or contracted abatement vendors.

SECTION 3.2.1 Continuous nuisance (ongoing investigations)

If it is determined that a public nuisance as herein defined exists on any lot, premise, sidewalk, parking lot or street adjacent to such areas, the Fire Chief/ Fire Marshal of the Fire District upon discovery of such condition shall cause a courtesy compliance order to be issued to **immediately** self-inspect and abate such nuisance allowing 30 (thirty) days to comply with such order. If, after the 30 (thirty) days has passed, a public nuisance still exists on such lot, premise, sidewalk, parking lot or street adjacent to such area, the Fire Chief/ Fire Marshal of the Fire District shall cause a notice to be issued to abate such nuisance, allowing 14 (fourteen) days to comply with such notice. Such notice shall be headed: "**NOTICE TO ABATE HAZARD**" and shall, in legible characters, direct the abatement of the nuisance and refer to this article and section for particulars. If, after the 14 (fourteen) days has passed, a public nuisance still exists on such lot, premise, sidewalk, parking lot or street adjacent to such area, the Fire Chief / Fire Marshal of the Fire District shall cause a final notice to be issued to abate such nuisance, allowing 10 (ten) days to comply with such notice. Notices served by means other than posting as provided by this article shall contain a description of the property reasonably sufficient to identify the property and location of the nuisance thereon.

ARTICLE 5: Service of Notice to Abate Hazard:

The notice required by this ordinance may be served by one of the following: (a) By personal service on the owner, adult occupant or adult in charge or control of property. -OR- (b) By regular mail addressed to the owner or person in charge and control of the property at the address shown on the last available Riverside county assessors tax assessment roll or otherwise

known. -OR- (c) By posting in a conspicuous place on the land or adjacent public right of way a notice in conformance with [Sections 14981 and similar to Section 14892 of the Health and Safety Code](#), not more than 100 feet in distance apart along such right of way with at least one notice posted on each lot or parcel.

ARTICLE 6: Appeal to The Board:

At any time after the receipt of the abatement notice and up to seven days prior to the final clearance date as specified on the notice, the owner or person occupying or controlling said lot or premise may appeal to the Idyllwild Fire Protection District Board of Commissioners. Such appeal shall be in writing and shall be filed with the Board Secretary. At a regular meeting of the Board of Commissioners, not less than seven (7) days nor more than thirty(30) days, the board shall proceed to hear such appeal and the decision of the Board of Directors thereupon shall be final and conclusive. An administration fee of fifty dollars (**\$50.00**) shall accompany any appeal filed. Application of waiver shall be in the form of a letter signed by the owner or appropriate delegate. If the appeal is not accompanied by the fee or application waiver, (and acceptance thereof by the Board Secretary) then the appeal will be administratively denied. If the appeal is successful in reversing the prior demand for abatement then the above administration fees shall be refunded to the appellant.

ARTICLE 7 Abatement of Nuisance by the Fire Chief:

If the owner fails or neglects to abate the nuisance as herein defined within the time specified, the Fire Chief shall cause such nuisance to be removed and/or abated pursuant to [Sections 14900 and 14901 of the Health and Safety Code](#). The abatement work may be done by private contractors pursuant the adoption of [Resolution no. 480](#). A report of the proceedings and an accurate account of the cost of abating the nuisance on each separate property shall be filed with the Idyllwild Fire Protection District. District representative(s) may enter on private property for the purpose of removing the applicable fire hazard.

ARTICLE 8 Cost of Abatement and Removal:

Costs for abatement shall include any and all administrative costs including, but not limited to, cost of mailing, fire district personnel's time, computer retrieval, attorney fees, contractor's abatement costs and all other fees as a cause of nescience abatement.

ARTICLE 9 Government Code Provisions Adopted and Collection Assessments:

The provisions of [Section 25845, 39580 through 39586 of the Government Code and Section 14930 of the Health and Safety Code](#) of the State of California are incorporated by reference and made as part of this ordinance. The County Auditor shall enter each assessment in the County Tax Roll opposite the parcel of land. The amount of the assessment shall be collected at the time and in the manner of ordinary county taxes; and, if delinquent, the amount is subject to the same penalties and procedure of foreclosure and sale as provided for ordinary county taxes. In the alternative, if the Fire District determines that it is in the best interest of the district and its citizens, the Fire District may contract out the abatement process. In order to facilitate this process, it is decreed that should a noticed party not comply to the satisfaction of the District, the Fire District may abate the problem on behalf of the landowner. Upon said abatement the district may assess all related costs per [Government Code Section 25845](#). The assignee of said claim shall be authorized to sue for collection of moneys due.

Upon collection on said lawsuit the Fire District shall receive the first moneys up to what is owed to the District for services performed; after the Fire District has been satisfied the contractor shall be paid for their work and then any other assignee shall be paid. (see Resolution 480)

ARTICLE 10: Violation:

The owner, occupant or agent of any lot or premise within the Idyllwild Fire Protection District who shall permit or allow the unlawful continuance of a fire hazard and/or public nuisance as defined in this Ordinance upon any lot or premises owned, occupied or controlled by him/her, or who shall violate any of the provisions of this ordinance, shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not more than one thousand dollars (**\$1000.00**), or to imprisonment for a period not exceeding six (6) months, or both such fine and imprisonment.

Maintenance Requirements.

Annually and continually required maintenance requirements are available on the district web site @ idyllwildfire.com and are included here as part of ordinance 2019-1-1:

HOME IGNITION ZONE: WITHIN 30 FEET OF ALL STRUCTURES

- A. REMOVE ALL BRANCHES OR FLAMMABLE MATERIAL OF ANY KIND WITHIN 10' OF ANY STOVE PIPE CHIMNEY OR VENT EXITING THE STRUCTURE OF ANY KIND.
- B. REMOVE LEAVES, NEEDLES OR OTHER VEGETATION ON ROOFS GUTTERS, DECKS, PORCHES AND STAIRWAYS ETC. The roof of any structure will be free of leaves, pine needles or other dead materials.
- C. REMOVE ALL DEAD OR DYING TREES, BRANCHES, SHRUBS OR OTHER PLANTS ADJACENT TO OR OVERHANGING BUILDINGS. Dead or dying tree branches that touch or overhang a structure will be removed
- D. PRUNE LOWER BRANCHES OF TREES TO A HEIGHT OF 6 TO 15 FEET (OR 1/3 TREE HT FOR TREES UNDER 18 FEET)
- E. REMOVE ALL DEAD OR DYING GRASS LEAVES NEEDLES OR OTHER VEGETATION.
- F. REMOVE OR SEPARATE LIVE FLAMMABLE GROUND COVER AND SHRUBS. Flammable chaparral species (like Manzanita and Chamise) shall be thinned and dead trees will be removed.

REDUCE FUEL ZONE (30 – 100 FEET OF ANY ALL STRUCTURES OR TO PROPERTY LINE)

- G. MOW DEAD OR DYING GRASS TO A MINIMUM OF 4" IN HEIGHT, TRIMMING MAY REMAIN ON THE GROUND (THIS INCLUDES DEPTH OF DECORATIVE WOOD CHIPS OR MULCH). Pine needles, weeds or duff will not exceed a depth of 3 inches.
- H. LIVE FLAMMABLE GROUND COVER LESS THAN 18" IN HEIGHT MAY REMAIN BUT OVERHANGING AND ADJACENT TREES MUST BE PRUNED TO A HEIGHT OF 6 – 15 FEET
- I. REDUCE FUELS IN ACCORDANCE WITH THE CONTINUOUS TREE CANOPY STANDARD, SEE ADDENDUM.
- J. REDUCE FUELS IN ACCORDANCE WITH THE HORIZONTAL SPACING STANDARD, SEE ADDENDUM

DEFENSIBLE AND REDUCED FUELS ZONE (W/100 FEET OF ALL STRUCTURES OR PROPERTY LINE)

- K. LOGS OR STUMPS NOT EMBEDDED IN THE SOIL MUST BE REMOVED OR ISOLATED FROM STRUCTURES OR OTHER VEGETATION.
- L. REMOVE ALL DEAD OR DYING BRUSH AND TREES AND ALL DEAD OR DYING TREE BRANCHES WITHIN 15 FEET OFF THE GROUND

OTHER REQUIREMENTS

- M. CLEAR ALL FLAMMABLE VEGETATION TRASH AND OTHER COMBUSTIBLE MATERIALS 10' ABOVE AND AROUND PROPANE TANKS. Abandoned or unused propane tanks to be removed within 14 days of service change.
- N. Street addresses will be posted in numbers at least **4 inches** high and clearly visible in **contrasting colors** from the public street. Be advised any and all new submissions for any/ all development after date of ordinance will be required to provide address numbers to be reflective and/or back lit.
- O. Chimneys will be covered with wire screen per cbc ch. 7A.
- P. CLEAR 10' AROUND AND 15' ABOVE FUELS (WOOD PILES, LUMBER, HOUSEHOLD SUPPLIES ETC. Firewood piles within 10 feet of a house will be covered with a tarp. This includes firewood piled against a house or under a deck. We do not recommend stacking firewood against your house. Firewood may also be stored in a covered shed.
- Q. REMOVE FLAMMABLE MATERIALS STORED UNDER DECKS AND OR SIMILAR OVERHANGS.
- R. CLEAR VEGETATION 10' FOR SIDES AND 15' FROM ABOVE ALL DRIVEWAYS AND TURNAROUNDS. TURNAROUND AND DEAD-END DRIVES WILL BE HELD TO CFC APP."D" REQUIREMENTS.
- ** Piles of flammable waste in any yard, vacant lot or open space will be removed. This includes piles of plant trimmings, grass, weeds, construction debris, and rubbish or litter of any kind.
- ** Private easements need to be cleared to provide access for fire equipment.
All owners of property (this also includes vacant land) will provide fire clearance for adjacent neighbors if the adjacent property includes a structure AND if that structure is within 100 feet of the common property line. It is recommended that a 30' wide area for fuel break be maintained for protection around the property.

These requirements are covered in an addendum which will outline different methods to protect natural trees and vegetation around your dwelling and still maintain a fire safe perimeter.

The Board of Directors hereby declares that facts exist pursuant to Section 36937 of the Government Code of the State of California constituting an urgency, to wit: That in order to promote and protect the public health, safety and welfare of the citizens of the Idyllwild Fire Protection District by reason of certain vegetation and other items constituting a potential health and fire hazard requiring immediate regulation and control by the Fire District; That the Board of Directors does hereby determine that such facts constitute an urgency, that the passage of this ordinance is urgent due to the severity and frequency of annual vegetation within the District, and shall take effect immediately upon adoption pursuant to Section 36937 of the Government Code of the State of California. Page 4 of 5

The Board of Directors hereby declares that should any section, paragraph, sentence or word of this ordinance or of the Codes or Ordinances referenced herein be declared for any reason to be invalid, it is the intent of the Board that it would have adopted all other portions of this ordinance independent of the elimination therefrom of any such portion as may be declared invalid.

- Attachment(s);
- a. "Notice to Abate" inspection form
 - b. Updated Escrow inspection form