

Attachment 9 Redline Draft

CHAPTER 13A

DUTY TO MAINTAIN DEFENSIBLE SPACE AND ABATE HAZARDOUS VEGETATION AND COMBUSTIBLE MATERIAL¹

Sec. 13A-2. Authority.

This chapter is enacted ~~by ordinance~~ pursuant to ~~the powers granted to the board of supervisors concerning the abatement of hazardous vegetation and combustible material as contained in Sections 14930 and Section 14931 of the California Health and Safety Code regarding the abatement of hazardous vegetation and combustible material and section of the state of California. Additional authority for the abatement of nuisances, establishment of procedures, and establishment of real property liens through the board of supervisors as provided in Section 25845 and 25845.5 of the California Government Code regarding general nuisance abatement of the state of California.~~

Sec. 13A-3. Definitions.

"County fire warden/fire marshal" means the fire warden/fire marshal 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 within the county where he/she serves, and their deputies may assist with conducting inspections and sending notices of violation to the fire warden/fire marshal to enforce;
- (2) All employees of the county of Sonoma fire prevention and hazardous materials division; and
- (3) Such other officers as are designated by the board of supervisors or the county fire warden/fire marshal.

Sec. 13A-6. Summary abatement proceedings.

In addition to the authority granted by law to the county fire warden/fire marshal in exigent situations, and pursuant to California Health and Safety Code §25845, as amended, the county fire warden/fire marshal is authorized to enter real property and summarily abate any public nuisance determined by the county fire warden/fire marshal to constitute an immediate threat to public health or safety without prior notice or hearing. The costs of the summary abatement shall become a lien against the property, pursuant to the procedures set forth in Sonoma County Code sections 1-7 and 1-7.3

Sec. 13A-7. Abatement proceedings—Notice of violation and order to abate.

The fire warden/fire marshal is ~~authorized to enforce the provisions of this Chapter and is the enforcing officer for Chapter 13A. Violations of this Chapter may be enforced in accordance with the provisions and procedures set forth in Chapter, including but not limited to sections 1-7, 1-7.1, 1-7.3 and 1-7.6, or any other applicable provision of law, at the discretion of the enforcing officer. and may enforce through the code enforcement administrative procedures set forth in Sonoma County Code Chapter 1. If the county fire warden/fire marshall determines that any real property is being maintained or permitted to exist in a manner prohibited by this~~

~~chapter, the county fire warden/fire marshal may issue a written notice to the property owner and any known person in possession of the property as set forth in Sonoma County Sections 1-7.3 through 1-7.6, of the violation and order the hazardous vegetation or combustible material to be immediately abated. The notice of violation and order to abate 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) calendar 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 as set forth in Sonoma County Code Sections 1-7 and 1-7.1 and as authorized in Public Resources Code section 4291.1.~~