



## FIRE DEPARTMENT INFORMATION BULLETIN #007

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### SUBJECT: WEED ABATEMENT

**Code References:** Santa Rosa City Codes (SRCC), Title 9, Chapter 9-08 and Title 13, Chapter 32-010; 2001 California Fire Code (CFC), Section 1103.2.4; California Public Resources Code (PRC), Section 4291; California Government Code (GC), Section 51182.

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

#### **WEED ABATEMENT – General Program Information:**

The Santa Rosa Fire Department's Fire Prevention Bureau coordinates an annual Weed Abatement inspection program throughout the City. Each year, the program begins with the Santa Rosa City Council, through resolution, declaring weeds and rubbish to be a public nuisance, and a Public Notice being published in the Press Democrat news paper. Weed Abatement Notices are mailed to property owners or properties that have had recurring problems or those properties where a problem is anticipated during the dry season. The Notice is sent as a reminder to property owners, and because over 2,000 notices are sent, the Notice is written in general terms and does not identify specific problems.

The Notice lists the basic requirements of the City's Weed and Rubbish Abatement Ordinance, and lists a date by which properties must be brought into compliance. After the compliance date, field inspections of parcels are performed by Fire Prevention personnel on a regular basis.

If you received a Weed Abatement Notice from the Fire Department, it is important that you act promptly. Inspect your property and determine if your property is in compliance. 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 any charges. Property owners are billed for inspections and related costs if the property is not in compliance at the time of inspection. **The current minimum charge for a property found to be in violation is \$210.00.** If your property is already in compliance when you receive the notice, we thank you for your efforts, time and cooperation. Please remember that inspections are conducted throughout the dry season, and the property must be maintained throughout the dry season (typically May 15th through November 1st) in order to remain in compliance, and to avoid any charges.

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 Weed Abatement Violation Notice will be sent to the property owner, listing the violation(s) and a date for the next inspection. The property owner will be billed for the required additional inspections and all related costs. **The current minimum charge for a property found to be in violation is \$210.00.** If a problem remains on a property after the Weed Abatement Violation Notice has been sent, the Fire Department is authorized to hire a contractor to abate the property at the expense of the property owner. No additional notices or warnings will be sent before the property is abated.

The property owner is responsible, and will be billed for all Fire Department 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 weeds and/or rubbish from the property. Costs related to abatement of properties will be billed to the property owner by invoice from the City. Unpaid costs will be assessed to the tax rolls as a lien against the property.

#### **DEFINITIONS:**

- Abatement:** The removal of combustible growth and material from property, including the investigation, inspection, preparation, service and/or publication or administrative notices and other related clerical costs, actual removal of weeds and/or rubbish whether performed by the Fire Department or a contractor.
- Combustible Growth:** Annual grasses, weeds, vines, ferns or other vegetation that will support fire and its growth, intensity and spread that is not decorative or cultivated.
- Cost of Abatement:** Any and all costs incurred by the Fire Department to enforce the Weed and Rubbish Ordinance including, but not limited to, investigation, inspection, preparation, service and/or publication or administrative notices and other related clerical costs, actual removal of weeds and/or rubbish whether performed by the Fire Department or a contractor.
- Cutting:** The use of rotating blades to reduce the height of combustible growth.
- Disking:** The turning of soil and combustible growth.
- Dry Season:** That time of year during which, based on seasonal weather pattern and precipitation averages, the typical rainfall is expected to be minimal. For the purposes of the Weed and Rubbish Abatement Ordinance, the "dry season" is typically May 15th to November 1st, and is also characterized by lower humidity, lower fuel moisture, and higher daily temperatures, resulting in increased fire danger.
- Firebreak:** An area without combustible material that will support or communicate fire. Firebreaks are constructed by thorough disking or scraping the soil with a tractor or other similar means.
- Roadside Ditch:** The open ditch and area immediately adjacent to the roadside pavement edge.
- Handwork:** The abatement of combustible growth or materials by hand, by mower or by power assisted weed trimmers.
- Planter Strip:** The planter or landscape area between the street curb and the edge of the sidewalk.
- Regrowth:** Any combustible growth which returns after abatement.
- Rubbish:** Combustible waste or refuse, non-combustible waste matter, refuse, dirt, and worthless or useless articles or property.
- Weeds:** Weeds, grass, ferns, vines and other similar natural growth, other than growth ordinarily and customarily planted for decorative purposes and which has been planted for decorative purposes and is under continuing cultivation and maintenance.

## WEED ABATEMENT REQUIREMENTS

1. All abatement shall be performed prior to May 15th. Inspections of properties will begin after May 15th. Owners of properties where any growth or material remaining or found on properties which is not in compliance with the Weed and Rubbish Abatement Ordinance after that date shall be charged for all costs related to the abatement of the property, including the inspection.
2. All parcels which are less than 5 acres in size must have all combustible growth in excess of 4" in height disked, or cut and removed.
3. Vines within 20 feet of any combustible building or fence shall be cut and removed.
4. Disking is the preferred method of abatement by many property owners. In general, cutting will often not maintain the property in a satisfactory manner for the remainder of the dry season, requiring the property owner to cut the property multiple times during the dry season.
5. Regardless of the abatement method used by the property owner, all properties are subject to inspections throughout the dry season, as well as notification and abatement proceedings if the property is not maintained in compliance with City requirements. Properties must be maintained throughout the entire dry season.
6. Rubbish left, deposited or abandoned on property must be removed. Any dead vegetation and prunings must also be removed.
7. Any item interfering with the process of abatement that obstructs, limits the use of, or damages equipment shall be removed.
8. Sidewalks, planter strips, alleys and ditches adjacent to a parcel are the responsibility of the property owner, and must be maintained by the property owner to be in compliance.
9. To abate any parcel which is 5 acres or larger in size, firebreaks may be considered as an alternative to clearing the entire parcel. Property owners may submit a Fire Hazard Reduction Plan to the Fire Department for review, including the request to construct firebreaks on the property. The Fire Hazard Reduction Plan must be accepted, and the use of firebreaks must be specifically approved by the Fire Department prior to the compliance date. If the use of firebreaks is approved by the Fire Department, a minimum 30 foot wide firebreak must be constructed along all property lines. All combustible growth must be cut and removed from within a minimum of 30 feet from all structures and all access roads on the property. All combustible growth must also be removed from any sidewalks, planter strips, alleys or ditches which are adjacent to the parcel. Additional 30 foot wide "cross cut" firebreaks must be constructed throughout the remainder of the parcel in order to divide the remaining combustible material into separate sections, no more than 2.5 acres in size.
10. Any hillside or otherwise steep property with natural obstructions or terrain features which prohibit the safe use of disking equipment must still be abated, often requiring handwork. If the conditions of the property are such as to also prohibit safe handwork, the use of an approved fire trail or firebreak may be acceptable, but only as part of a Fire Hazard Reduction Plan which has been approved by the Fire Department. All Fire Hazard Reduction Plans must be reviewed and approved by the Fire Department each year, prior to the compliance date.
11. All parcels are inspected and processed individually, regardless of owner or location. All parcels are subject to inspection and must be maintained.

12. If a parcel is to be hayed or used for grazing, the property owner must notify the Fire Department in writing prior to the compliance date each year. Parcels which are approved for haying or grazing must still comply with the City requirements around the property lines of the parcel. All combustible growth must also be removed from any sidewalks, planter strips, alleys or ditches which are adjacent to the parcel.

## **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.

## **FREQUENTLY ASKED QUESTIONS**

**“What do I do if I am not the owner of the property listed on the Notice?”** If you received a Weed Abatement Notice and you do not own the property listed, please contact the Fire Department at 707-543-3540. Property owner information is provided to the City by the Sonoma County Assessor’s Office. To change or verify property owner information, contact the Sonoma County Assessor’s Office at 707-565-1888.

**“My parcel is too wet to cut, and my tractor gets stuck in the mud. What can I do?”**  
Although it may be a preferred method by some property owners, the use of a tractor is not the only method available to abate a parcel. Even when a tractor is used, it often cannot be used to abate the entire parcel (hand work is needed around the perimeter of the parcel in addition to the tractor work). If a parcel is too wet for a tractor to operate, it is still the responsibility of the property owner to maintain the parcel; perhaps a tractor is not the most appropriate tool to use. As an example, there are many parcels in the City that are too steep to allow the use of a tractor, but the property owners still have the responsibility to maintain their parcels, and most of them do maintain their parcels.

**“I cut my weeds before the deadline, so why did I still receive an Inspection Notice?”**  
Property owners must maintain their property throughout the dry season. If a property is cut prior to the deadline, and the growth returns prior to an inspection, then the property could be found in violation. In this case, the property owner would be responsible for the reinspection fee. Property owners should inspect their properties on a regular basis to check for regrowth, or any new problems, such as dead trees, or items dumped on the property without permission.

**“I cut my weeds after the deadline, and I received an Inspection Notice. Since the weeds are cut now, can the reinspection fee be waved?”** Basically, the program is “fee based”, and the fees are based on a service that is provided. Since the service (the reinspection) has already been provided, we cannot cancel the related fees.

**“I want to abate the weeds on my property, but who can I hire for this type of work?”**  
The Fire Department maintains a listing of contractors in this area who perform various types of abatement work. Although the Fire Department cannot specify or recommend any particular contractor, this list is made available to the public as a resource. Call the Fire Department at 707-543-3540 for a list of Weed Abatement Contractors.

**“I cut my weeds and pruned my trees. Can I burn the cut material?”** Due to restrictions from the Bay Area Air Quality Management District, open burning is not permitted in the City of Santa Rosa. Yard waste must be disposed of properly in your household yard waste container, or taken to the Sonoma County Landfill site for recycling.

**“How do I report a weed problem?”** You can report a weed abatement problem to the Fire Department at 707-543-3540, during regular business hours. Before you call, please have the specific problem and location available.

**“When will my property be inspected?”** The first notices are mailed to property owners in April. Inspections for over 2,000 properties begin after May 15th; there is no pre-set schedule for the inspection of any particular parcel. If a property is not in compliance at the time of inspection, the property owner will be billed for all related costs.

**“How often will my property be inspected?”** Properties are inspected for compliance throughout the dry season. If a property is not in compliance when inspected, the property owner will be billed for all related costs.

**“How much of the weeds do I need to cut?”** Here are some examples of properties that were found to be in violation; photographs were taken before and after the weeds were cut.

**Before abatement**



**After abatement**



**Before abatement**



**After abatement**



## APPEALS INFORMATION

Appeals or protests must be submitted to the Fire Department in writing within 14 days of receipt of the disputed Notice. Appeals and protests cannot be accepted or resolved by telephone. Photographs are taken during the field inspections, showing the violation(s) on the property. The inspection photographs may be reviewed by property owners at the Fire Department during normal business hours.

## MORE INFORMATION

California is approximately 101 million acres in size, and over half of that is covered with flammable vegetation, making our state the highest fire risk area in the United States. Fire protection is everyone's responsibility, and you can do much to help reduce the fire risk of your property.

You and your family should develop an emergency plan. Fires happen suddenly and are unexpected. Having a plan in place prior to a fire can not only save time in an emergency, but help save lives and property. Develop a plan of what to do in the event of a fire on or near your property. This plan should include a predetermined meeting place safely away from the property for family members to gather, and for different available routes of travel from the property.

You can take steps to reduce the fire risk of your property by doing the following:

- Trim trees and shrubs away from buildings and chimneys;
- Remove dead leaves, branches and needles from roofs and rain gutters;
- Keep your property free of combustibles, such as dried vegetation and prunings;
- Keep access roads and driveways trimmed to allow for Fire Department access;
- Make sure your address is clearly visible from the roadway.

Additional helpful information may be found at:

The City's entire Weed and Rubbish Abatement Ordinance, Santa Rosa City Code, Chapter 9-08, can be found on the Internet at: <http://qcode.us/codes/santarosa/>

You can locate your parcel using the City GIS Map System at: [www.srcity.org](http://www.srcity.org)

Use the "Find it Fast" drop-down menu and select "GIS Maps".

"Fire Safe Landscaping": <http://www.firesafecouncil.org/education/landscaping/>