



**BOARD OF SUPERVISORS
AGENDA LETTER**

Agenda Number:

Clerk of the Board of Supervisors
105 E. Anapamu Street, Suite 407
Santa Barbara, CA 93101
(805) 568-2240

Department Name: Fire
Department No.: 031
For Agenda Of: July 12th, 2011
Placement: Departmental
Estimated Tme: 07/12/11 15 Minutes
Continued Item: No
If Yes, date from:
Vote Required: Majority

TO: Board of Supervisors

FROM: Department Michael Dyer, Fire Chief x5500
Director(s)
Contact Info: Eric Peterson, Acting Fire Marshal x5554

SUBJECT: Public Hearing for the 2011 Hazard Reduction Program

County Counsel Concurrence

As to form: Yes

Auditor-Controller Concurrence

As to form: N/A

Other Concurrence: N/A

As to form: N/A

Recommended Actions:

That the Board of Supervisors;

1. Declare all properties, whose owners have not complied with a notice to abate, as a fire nuisance; and
2. Authorize the issuance of infraction citations (as outlined in the Santa Barbara County Code Chapter 15, Section 15.3, Chapter 49, section 49.14) and necessary abatement work relative to the 2011 Fire Department Defensible Space Program (Weed Abatement).

Summary Text:

The Fire Department's Defensible Space Program is an on-going annual program to mitigate fire hazards countywide, while providing protection of lives and property. The program is mandated by the California Health and Safety Code, the California Government Code, and the 2010 California Fire Code (as adopted with amendments by the Board of Supervisors in Chapter 15 of the Santa Barbara County Code) and its penalties are governed by law.

This program provides a "Defensible Space" that allows firefighters to protect buildings and structures from encroaching wildfires as well as minimizing the chance that a structure fire will escape to the surrounding wildland. Generally, a homeowner's clearing responsibility is limited to 100 feet away from his or her building or structure or to the property line, which ever is less, and limited to their land. (Endangered, rare, or threatened plant species are protected and exempt under the California Environmental Quality Act guidelines.)

A certified letter was sent on June 24th to all property owners which failed a visual inspection, which occurred in mid-June. Between now and the end of July, the following will occur:

Up to three more inspections of the properties which failed the June inspection will be made if necessary. If the property is still not in compliance, the owners will be given citations on each of these inspections, clearly stating the required work. In the unlikely event of non-compliance after three inspections, a private contractor will be utilized to perform the necessary clearing. The extent of this work will vary with each property, and will be overseen by Fire personnel. Expenses incurred will be levied against the subject parcel in the form of a lien on the owner's property tax bill pursuant to Santa Barbara County Code Chapter 15 Section 15.3 (i). The Fire Department will be repaid for expenses incurred by this process.

A public hearing is required by your Board and is standard procedure for the Defensible Space Program. A sample of the "Notice to Abate Fire Nuisance" sent to the affected property owners is attached. The notice also indicates the date and time of the Public Hearing and ensures them the opportunity and right to express their views.

Fiscal and Facilities Impacts:

None related to this action.

Special Instructions:

Please send a copy of the minute order to the attention of Rose Pueschel, Fire Department.

Attachments:

Sample "Notice to Abate Fire Nuisance"
List of non-compliant parcels as of 6/24/2011

Authored by:

Eric Peterson, Acting Fire Marshal

cc: