

1 BOARD OF SUPERVISORS, COUNTY OF LAKE, STATE OF CALIFORNIA

2 ORDINANCE NO. \_\_\_\_\_

3 AN ORDINANCE ADDING ARTICLE VIII TO CHAPTER 13 OF THE LAKE COUNTY  
4 CODE REGARDING HAZARDOUS VEGETATION AND/OR COMBUSTIBLE  
5 MATERIAL

6 WHEREAS, the County of Lake, pursuant to its police power granted by Article XI,  
7 section 7 of the California Constitution, may adopt regulations to protect the health, safety,  
8 and welfare of the public; and

9 WHEREAS, the County of Lake has experienced a prolonged and debilitating series  
10 of devastating disasters caused by wild fires and the Board of Supervisors wishes to  
11 implement preventative action plans, which if taken now, can greatly reduce both the  
12 occurrence, extent and severity of wildfires in the future; and

13 WHEREAS, hazardous vegetation and/or combustible material pose a significant  
14 danger to the health, safety, and welfare of the public by fueling and propelling wildfires,  
15 thereby increasing the danger to lives, property, and the environment; and

16 WHEREAS, the Board of Supervisors supports the improved parcel defensible space  
17 obligations of Public Resources Code section 4291, but section 4291 does not address  
18 hazardous vegetation abatement and/or combustible material on unimproved parcels and the  
19 possible resulting impacts to adjacent improved parcels; and

20 WHEREAS, the Lake County Community Fire Protection Plan notes that the  
21 Legislature of the State of California has determined that the unrestricted use of grass-,  
22 grain-, brush-, or forest-covered land within the State is a potential menace to life and  
23 property from fire and that counties may adopt local ordinances and regulations to provide  
24 fire prevention hazard conditions; and

25 WHEREAS, the Lake County Natural Hazard Mitigation Plan has recommended the  
26 development of comprehensive defensible space requirements to minimize risk; and

27 WHEREAS, the Board may supplement state law by local ordinance to extend the  
28 benefits of Public Resources Code section 4291 to ensure that defensible space protections  
are accomplished on those portions of unimproved parcels adjacent to improved parcels and  
along roadways; and

1 WHEREAS, Health and Safety Code section 14930 and 14931 authorize the Board  
2 of Supervisors to proscribe, by ordinance, a procedure for the removal of weeds and other  
3 rank growths from property in the County and to make the expense a lien upon the real  
4 property in accordance with section 25845 of the Government Code; and

5 WHEREAS, it is the purpose of this Article to establish a comprehensive program  
6 for hazardous vegetation/combustible material nuisance abatement to address the increased  
7 danger to the public caused by hazardous vegetation on property within the unincorporated  
8 area of the County of Lake and to enhance the defensible space on unimproved parcels that  
9 are adjacent to improved parcels.

10 NOW THEREFORE, the Board of Supervisors of the County of Lake hereby ordains  
11 as follows:

12 **Section One:** The recitals hereinabove are true and correct and incorporated herein by  
13 reference.

14 **Section Two:** Lake County Code Article VIII is hereby added to Chapter 13 of the Lake  
15 County Code to read as follows:

16 **"Section 13-57. Title.**

17 This article shall be known as, and may be cited or referred to as: "The Hazardous  
18 Vegetation/Combustible Material Abatement Ordinance."

19 **Section 13-58. Findings and Purpose.**

20 58.1 The Board of Supervisors finds that hazardous vegetation or combustible material  
21 poses a danger to the health, safety and welfare of the public and exacerbates the risk  
22 of wild fires. Hazardous vegetation and/or combustible material requires a  
23 comprehensive abatement program in the County of Lake. Further, the  
24 establishment of defensible space benefits property owners, public safety personnel  
25 and all residents of Lake County by significantly increasing the likelihood that  
26 structures will survive a wildfire and it will provide for firefighter safety during a  
27 firestorm and assist in the protection of lives.

28 58.2 All hazardous vegetation and/or combustible materials within the unincorporated  
area of the County of Lake is deemed a public nuisance.

1 58.3 This Ordinance shall apply to all real property located in the unincorporated areas of  
2 Lake County. The removal of hazardous vegetation in the areas subject to this  
3 ordinance is recognized as an essential action a homeowner or property owner can  
4 take to increase the chances that Lake County residents, wildlife, homes, and other  
5 structures will survive a wildfire.

6 58.4 It is the purposes of this Ordinance to supplement the regulations established in  
7 Public Resources Code section 4291 and to establish a comprehensive abatement  
8 program specifically for hazardous vegetation and/or combustible materials within  
9 the unincorporated area of the County under the direction of the Lake County Fire  
10 Official, as assisted by Lake County Code Enforcement.

11 **Sec. 13-59. Definitions.**

12 59.1 *Abate and/or Abatement.* An act used to remove, destroy, eliminate, seize, impound,  
13 or any action taken to mitigate a public nuisance.

14 59.2 *Hazardous Vegetation Abatement Costs.* Any and all costs incurred by the County of  
15 Lake to abate the hazardous vegetation or combustible material on any property  
16 pursuant to this ordinance, including physical abatement costs, administration fees  
17 and any additional actual costs incurred for the abatement proceeding, including  
18 attorneys fees, if applicable.

19 59.3 *County Fire Official.* The Chief Building Official, his or her designee, or other  
20 officer of the County of Lake who is certified in fire prevention pursuant to the  
21 International Code Council (ICC) or National Fire Protection Association (NFPA), or  
22 California Department of Forestry and Fire Protection standards.

23 59.4 *County Code Enforcement Official.* A County official authorized to enforcement the  
24 nuisance abatement provisions of Chapter 13 of the Lake County Code.

25 59.5 *Hazardous Vegetation.* Vegetation that is flammable and endangers the public safety  
26 by creating a fire hazard including but not limited to seasonal and recurrent weeds,  
27 stubble, brush, dry leaves, tumbleweeds and dead or severely damaged trees.  
28 Hazardous Vegetation shall not include a commercial agricultural crop which is  
being actively grown and managed by the property owner or his or her legal tenant.

1 59.6 *Combustible Material.* All rubbish, litter or material of any kind other than  
2 hazardous vegetation that is combustible and endangers the public safety by creating  
3 a fire hazard. Said material does not include the combustible material used by a  
4 commercial enterprise licensed and/or certified to work with combustible material so  
5 long as said enterprise does so in compliance with any such license and/or  
6 certification and other legal requirements.

7 59.7 *Improved Parcel.* A portion of real property of any size which is located in an area  
8 primarily intended for residential uses, the area of which is determined by the  
9 assessor's maps and records and which may be identified by an Assessor's Parcel  
10 Number, upon which a Structure is located.

11 59.8 *Unimproved Parcel.* A portion of real property of any size, the area of which is  
12 determined by the assessor's maps and records and which may be identified by an  
13 Assessor's Parcel Number, upon which no structure is located.

14 59.9 *Structure.* Any dwelling, house, building, or other type of flammable construction  
15 attached to or near any other structure.

16 59.10 *Administrative Citation Fine.* Monetary penalties assessed and imposed as a  
17 mechanism to encourage and obtain compliance with the provisions of this Article.  
18 The issuance of citations imposing administrative fines may be performed at the  
19 discretion of the County Fire Official and the issuance of such citations constitutes  
20 only one remedy of the County to redress violations of this Article.

21 59.11 *Roadway.* For purposes of this Article, a road or roadway is any County street or  
22 road, other public road or alley, or private thoroughfare at least ten (10) feet wide that  
23 is ordinarily used for vehicular travel, open to public travel, and connects with a  
24 County road, state highway, or other public road, private road or an alley which  
25 affords primary access to an abutting lot.

26 59.12 *Frontage Road.* For purposes of this Article, frontage road is a County or other  
27 public road auxiliary to and located on the side of a highway that gives indirect  
28 access to abutting property along that highway.

**Sec. 13-60. Duty to Abate.**

60.1 Upon receipt of a notice of violation and order to abate, as discussed in section 13-62 herein, it shall be the duty of every owner, occupant, and person in control of any improved or unimproved parcel of land or interest therein, which is located in the unincorporated territory of the County of Lake to abate there from, and from all parcels, roadways and parkways, except for those roads maintained by the county, all combustible material and hazardous vegetation that constitutes a dangerous fire hazard in violation of the provisions of this Article.

60.2 **Improved Parcels**

2.1 The duty to abate hazardous vegetation and/or combustible materials on improved parcels includes, but is not limited to the following:

- a. Maintenance of a thirty-foot (30-foot) defensible space around all buildings/structures.
- b. Maintenance of ten-foot (10-foot) clearance next to a frontage road.
- c. Removal of all portions of trees within ten (10) feet of a chimney or stovepipe outlet.
- d. Maintenance of a roof on any structure free from leaves, needles, or dead or dying wood.
- e. Removal of all dead vegetation and/or combustible material from the subject property to the extent determined by the County Fire Official to be necessary to avoid an imminent risk of harm to public health, safety, and/or welfare.
- f. Maintenance of shrubbery and trees year round.

2.2 If so determined by a County Fire Official or his or her designee, as defined herein, additional defensible space outward to one hundred (100) feet from all buildings and surrounding, neighboring structures may be required depending on the property slope, fuel load and/or fuel type. The necessity for such additional defensible space will be determined according to fire safety and fire protection standards recognized by the ICC, the NFPA, and/or the California Department of Forestry and Fire Protection and the imminent risk of harm to neighboring properties.

2.3 The determination for appropriate clearance distances will be made based upon a

1 visual inspection of the parcel and shall consider all factors that place the property or  
2 adjoining structure(s) at risk from an approaching fire. These factors shall include  
3 local weather conditions, fuel type(s), topography, and the environment where the  
4 property or adjoining structure(s) is located.

5 2.4 The County Fire Official or his or her designee may mandate additional fuels  
6 management of an area more or less than the above-referenced widths or height, for  
7 the protection of public health, safety or welfare or the environment. Where the  
8 terrain, condition or environment on the Improved Parcel is such that hazardous  
9 vegetation cannot or should not be disked or mowed, the County Fire Official may  
10 require, or authorize other means of Hazardous Vegetation removal.

### 11 60.3 Unimproved Parcels

12 3.1 The duty to abate hazardous vegetation and/or combustible materials on  
13 unimproved parcels includes, but is not limited to the following:

- 14 a. Removal of flammable vegetation and other combustible growth within thirty (30)  
15 feet of neighboring structures and roadway frontage.
- 16 b. Removal of dead and dying vegetation within thirty (30) feet of neighboring  
17 structures and roadway frontage.
- 18 c. Trimming of grass and combustible surface vegetation within ten (10) feet of  
19 neighboring structures and roadway frontage must be trimmed to less than six (6)  
20 inches in height unless necessary for erosion control.
- 21 d. Pruning of all trees within ten (10) feet of neighboring structures and roadway  
22 frontage to at least six feet (6') above grade; and
- 23 e. Removal of all dead vegetation and/or combustible material from the property to  
24 the extent determined by the County Fire Official to be necessary to avoid an  
25 imminent risk of harm to public health, safety, and/or welfare.

26 3.2 A County Fire Official or his or her designee may require more clearance distance  
27 than specified in the notice of violation and order to abate for the protection of public  
28 health, safety or welfare or the environment. If so determined by a County Fire  
Official, as defined herein, additional defensible space outward to one hundred (100)

1 feet from all buildings and surrounding, neighboring structures may be required  
2 depending on the property slope, fuel load and/or fuel type. The necessity for such  
3 additional defensible space will be determined according to fire safety and fire  
4 protection standards recognized by the ICC, the NFPA, and/or the California  
5 Department of Forestry and Fire Protection and the imminent risk of harm to  
6 neighboring properties.

7 3.3 The determination for appropriate clearance distances will be made based upon a  
8 visual inspection of the parcel and shall consider all factors that place the property or  
9 adjoining structure(s) at risk from an approaching fire. These factors shall include  
10 local weather conditions, fuel type(s), topography, and the environment where the  
11 property or adjoining structure(s) is located.

12 3.4 The County Fire Official or his or her designee may mandate additional fuels  
13 management of an area more or less than the above-referenced widths or height, for  
14 the protection of public health, safety or welfare or the environment. Where the  
15 terrain, condition or environment on the Unimproved Parcel is such that hazardous  
16 vegetation cannot or should not be disked or mowed, the County Fire Official may  
17 require, or authorize other means of Hazardous Vegetation removal.

18 **Sec. 13-61. Enforcement**

19 61.1 The County Fire Official or his or her designee shall be the primary authority for  
20 enforcement of this Article, and shall administer and enforce the requirements as  
21 provided in this Article.

22 61.2 In order to facilitate informal resolution whenever possible, the County Fire Official  
23 shall take the following actions in advance of initiating the formal enforcement  
24 process provided for in this Article:

25 a. Plan and conduct hazardous vegetation/combustible material inspections and  
26 training presentations within the limits of available resources.

27 b. Seek voluntary compliance with the provisions of this Article with property  
28 owners and/or occupants found to be out of compliance.

c. Conduct host-notice/pre-abatement inspections and prepare documentation relating

1 to the areas of non-compliance.

2 d. The County Fire Official may seek the assistance of any of the County Fire Safe  
3 Councils and/or the Lake County Risk Reduction Authority for assistance in this  
4 informal process.

5 **61.3 Summary Abatement**

6 Nothing in this Article is intended to in any way limit or restrict the authority of the  
7 County Fire Official, pursuant to Health and Safety Code section 14930 and  
8 Government Code section 25845, to summarily abate any public nuisance determined  
9 by the County Fire Official to constitute an immediate threat to public health or safety  
10 without prior notice or hearing.

11 **Sec. 13-62. Abatement Proceedings.**

12 **62.1 Notice of Violation and Order to Abate.** If the County Fire Official determines that  
13 any real property is being maintained or permitted to exist in a manner prohibited by  
14 this Article, the County Fire Official shall issue a written notice to the property owner  
15 and any known person in possession of the property, of the violation and order the  
16 hazardous vegetation or combustible material to be immediately abated.

17 1.2 The notice of violation and order to abate shall specify the corrective actions  
18 required to be taken and order the property owners and persons in possession to abate  
19 the hazardous vegetation or combustible material within thirty (30) business days and  
20 state that the failure to bring the real property into compliance with this Article could  
21 subject the owner or persons in possession to civil, administrative and criminal  
22 penalties. The notice/order shall provide the property owner and person in possession  
23 of the opportunity to appeal that notice/order and appear before the Lake County  
24 Board of Supervisors and be heard prior to the abatement by the County.

25 **1.3 Additional Time.** Said thirty-day (30-day) period may be extended by the County  
26 Fire Official if that official determines additional time is justified due to the  
27 topography and/or size of a particular parcel.

28 **1.4** The failure of the notice to set forth all required contents shall not affect the  
validity of the abatement proceedings.



1     **62.2   Manner of Giving Notice.**

2             2.1 The County Fire Official shall cause a copy of the notice/order to be mailed or  
3             otherwise delivered to all known persons to be in possession and to the property  
4             owner as such person's name and address appears on the last county equalized  
5             assessment roll. If the address is unknown, that fact shall be so stated and the notice  
6             shall be addressed to the person at the county seat. Service by mail shall be deemed  
7             complete at the time of deposit in the U.S. mail. The failure of any person in  
8             possession or owner of the property to receive such notice shall not affect the validity  
9             of these proceedings.

10            2.2 In the event that, after reasonable effort, the County Fire Official is unable to  
11            serve the notice as set forth above, service shall be accomplished by posting copies of  
12            the notice along the frontage of the subject parcel(s), and at such other locations on  
13            the parcels) as are reasonably likely to provide notice to the owners) and any person  
14            known by the County Fire Official to be in possession of the parcel(s). At least two  
15            (2) copies of the notice shall be posted on a parcel pursuant to this section.

16     **62.3.   Request for a Hearing.** Any person who is adversely affected by the notice/order  
17             may appeal the determination to the Board of Supervisors.

18             3.1 Such a request must be in writing and be received within fifteen (15) calendar  
19             days of the postmark on the notice/order. Timely appeal shall stay any further action  
20             for abatement until the date set for hearing.

21             3.2 If no request for a hearing is timely made, the Lake County Board of Supervisors  
22             herein declares that abatement of the hazardous vegetation or combustible material  
23             shall have been deemed ordered by the Board of Supervisors as of the date of the  
24             postmark of the notice/order.

25     **62.4   Hearing.** Upon timely written request for a hearing, the hearing shall be scheduled  
26             with the Board of Supervisors and shall proceed according to the process described in  
27             Lake County Code section 13-7.

28             4.1 The hearing on the appeal shall occur not more the thirty (30) days after receipt of  
              a timely request for hearing and shall provide written notice of the hearing date and

1 time to the appellant at least ten (10) days prior to the date of the hearing, unless such  
2 time limits are waived in writing by both the County Fire Official and the appellant.

3 4.2 At the time fixed in the notice of hearing, the Board of Supervisors shall receive  
4 evidence from the County Fire Official and the owner or person in possession of the  
5 real property in violation, or their representatives and any other concerned persons  
6 who may desire to present oral or documentary evidence regarding the conditions of  
7 the real property or other relevant matter, if such persons are present at the hearing.  
8 Failure of the owner or person in possession to appear shall not affect the validity of  
9 the proceedings or order issued thereon.

10 4.3 Upon conclusion of the hearing, the Board of Supervisors shall make its decision  
11 and in the event it so concludes, may declare the conditions on the real property to be  
12 in violation of this Article and to constitute a public nuisance. The Board of  
13 Supervisors may direct the owner or person in possession to abate the hazardous  
14 vegetation or combustible material within a reasonable time specified, but which shall  
15 not be less than ten (10) days from the date of the Board of Supervisors' order . The  
16 order shall include notice that if the hazardous vegetation or combustible material is  
17 not abated as directed and within the time specified, the County Fire Official may  
18 abate the hazardous vegetation or combustible material and the abatement costs and  
19 any administrative penalties assessed shall be a lien and an assessment against the real  
20 property.

21 4.4 The Board of Supervisors may grant any extension of time to abate such  
22 conditions that it may deem justifiable upon good cause being shown.

23 **62.5 Abatement of Hazardous Vegetation or Combustible Material by County Fire**  
24 **Official.**

25 If, at the end of the time allowed for compliance in the original notice/order issued  
26 pursuant to this Article if no request for hearing is made, or as set forth in an order  
27 issued by the Board of Supervisors consequent to a hearing process described in  
28 section 62.4 herein, compliance has not been accomplished as directed, the County  
Fire Official may order the hazardous vegetation or other combustible material to be

1 removed by county employees or may cause the removal to be carried out by a private  
2 contractor selected by the county purchasing agent in accordance with applicable  
3 statutes and in the manner and under the terms which may be specified by the Board  
4 of Supervisors.

5 **62.6 Abatement Cost Recovery Without Further Hearing.**

6 As set forth in Government Code Section 25845, the owner and any person in  
7 possession of the real property upon which the hazardous vegetation or combustible  
8 material is found to exist shall be jointly and severally liable for all abatement costs  
9 incurred by the county without any further hearing.

10 **62.7 Notice of Abatement Costs.** At the conclusion of the abatement by the County Fire  
11 Official or designee, the County Fire Official shall issue a bill setting forth the  
12 abatement costs to the owner and person in possession of the real property. The bill  
13 shall demand payment to the County of Lake the total abatement costs and  
14 administration costs, plus attorneys' fees, if relevant, within fifteen (15) calendar days  
15 of its mailing. If said amount is not paid upon demand by the County, the abatement  
16 costs, including attorneys fees, if applicable, shall be specially assessed against the  
17 real property pursuant to Government Code Section 22845, or by any other means  
18 provided by law. The assessment may be collected at the same time and in the same  
19 manner as ordinary county taxes are collected, and shall be subject to the same  
20 penalties and the same procedure of sale in case of delinquency as are ordinary county  
21 taxes.

22 **62.8 Notice of Abatement Lien.** A notice of abatement lien may be recorded against the  
23 real property subject to this abatement proceeding, setting forth the date upon which  
24 abatement of the nuisance was ordered either by notice issued by the County Fire  
25 Official or by the Board of Supervisors after a hearing, the date the abatement was  
26 complete and the amount of abatement costs in the same manner and subject to the  
27 procedures described in Chapter 13, section 13-43, of the Lake County Code.

28 **Sec. 13-63. Violations.**

63.1 Any person who violates any of the provisions of this Article is guilty of an infraction

or misdemeanor as described in Lake County Code Chapter 13, section 13-44.

**Section 13-64. Administrative Citations.**

64.1 In addition to any corrective action, fines, and penalties as a public nuisance, violation of this Article may be punishable as an administrative violation pursuant to Lake County Code in any instance where the failure to adequately abate hazardous vegetation as required by this Article has continued into that period of time designated as the “fire season” in Lake County, thereby significantly acerbating the risk to neighboring properties and area communities generally and where that failure, as determined by the County Fire Official, puts neighboring properties at imminent risk of harm. For purposes of this Article, “fire season” shall be designated as that period of time annually when a burn ban is declared and shall continue while said ban remains in effect in the County of Lake. Said violation shall be punishable by (1) a fine of up to one hundred dollars (\$100.00) per day per violation for a first violation, (2) a fine of up to two hundred dollars (\$200.00) per day per violation for a second violation within one year; and (3) a fine of up to five hundred dollars (\$500.00) per day per violation for each additional violation within one year.

**OR IN THE ALTERNATIVE**

64.1 In addition to any corrective action, fines, and penalties as a public nuisance, violation of this Article may be punishable as an administrative violation pursuant to Lake County Code in any instance where the County Fire Official determines that the failure to adequately abate hazardous vegetation as required by this Article puts neighbors and/or nearby communities at imminent risk of harm from wildfire. The County Fire Official shall consider the location of the property where the violation exists, the nature and volume of the hazardous vegetation and/or combustible material giving rise to the risk of harm, the proximity of said hazardous vegetation/combustible material to neighboring structures, and any other relevant factors in making such a determination. Said violation shall be punishable by (1) a fine of up to one hundred dollars (\$100.00) per day per violation for a first violation, (2) a fine of up to two hundred dollars (\$200.00) per day per violation for a second

violation within one year; and (3) a fine of up to five hundred dollars (\$500.00) per day per violation for each additional violation within one year.

**64.2 Collection of Administrative Citation Fines.**

A fine under this Section may be assessed through an Administrative Citation, issued by the County Fire Official and payable directly to the County. Said fine shall be collected in accordance with the procedures specified in this Section. Payment of the fine shall not excuse the failure to correct the violations nor shall it bar further enforcement action by the County. Collections of said fines may be made by the County directly or through an agreement for such collection with State Franchise Tax Board or other collection entity.

**64.3 Procedures for Administrative Citations.**

When the County Fire Official observes a violation of this Article, the County Fire Official may issue an Administrative Citation to any responsible person. For purposes of this Article, a “responsible person” shall mean either each person committing the violation or causing a condition on a parcel of real property located within the jurisdiction of the County of Lake which gives rise to the violation, each person who has an ownership interest in that property, and/or each person who, although not an owner, nevertheless has a legal right or a legal obligation to exercise possession and control over that property. Each Administrative Citation shall contain the following information:

- (1) The date of the violation;
- (2) The address or a definite description of the location where the violation occurred;
- (3) The name, address, and other identifying information for the person being cited.
- (4) The section of this Article violated and a description of the violation;
- (5) The fine schedule for the violation;
- (6) A description of how, when and where the fine must be paid;
- (7) An order prohibiting the continuation or repeated occurrence of the violation;
- (8) A brief description of the appeal process;
- (9) The name and signature of the citing County Fire Official.

1 The person cited shall be requested to sign the citation to acknowledge receipt of the  
2 citation.

3 **64.4 Notices.**

4 All notices required under this Section shall be served on the responsible party in  
5 accordance with the provisions of Section 13-6.2 of this Chapter. The failure of any  
6 Responsible Party or other person with a legal or equitable interest in the property to  
7 receive any notice served in accordance with this section shall not affect the validity  
8 of any proceedings taken under this code.

9 **64.5 Appeal of Administrative Citation.**

10 Any recipient of an Administrative Citation may contest the citation by requesting an  
11 appeal hearing within fifteen (15) calendar days from the date of the citation. The  
12 Appeal must be in writing on a form furnished by the County specifying the basis for  
13 the appeal in detail. If the deadline to request an appeal hearing falls on a weekend or  
14 Holiday, then the deadline shall be extended until 5:00 p.m. on the next regular  
15 business day. The County shall hold a hearing within thirty days of receipt of an  
16 appeal. The person requesting the appeal hearing shall be notified of the time and  
17 place of the hearing at least ten (10) days prior to the date of the hearing. The Board  
18 of Supervisors shall hear the appeals. The failure of any person with an interest in the  
19 property to receive properly addressed notice of the hearing shall not affect the  
20 validity of any proceedings under this chapter. Failure to file an appeal in accordance  
21 with the provisions of this chapter shall constitute a waiver of rights to contest the  
22 accompanying Administrative Citation and the imposition of the fine.

23 **64.6 Hearing Procedure.**

24 The Board of Supervisors shall conduct an orderly hearing and accept evidence on  
25 which persons commonly would rely in the conduct of their business affairs in the  
26 same manner and according to the same procedures provided in Section 13-53 of this  
27 Chapter. Any fine so paid shall be refunded if it is determined, after an appeal  
28 hearing, that there was no violation as charged in the Administrative Citation.

**Sec. 13-65. Right to Judicial Review.**

1 Any person aggrieved by an administrative decision of the Board of Supervisors may  
2 obtain review of the administrative decision by filing a petition for review with the  
3 Superior Court in Lake County in accordance with the timeliness and other provisions  
4 set forth in California Government Code Section 53069.4.

5 **Sec. 13-66. Hazardous Vegetation/Combustible Material Abatement Program.**

6 This Article establishes the Hazardous Vegetation/Combustible Material Abatement  
7 Program. This Program is intended to specifically address the significant danger to  
8 the public created by the proliferation of hazardous vegetation and/or combustible  
9 material through enforcement of the abatement procedures specified herein, to  
10 implement community outreach to inform the public of the need to maintain their  
11 properties in compliance with this Article, to work with the community to address  
12 abatement solutions for the indigent and those physically unable to self-abate, and to  
13 consider best practices for the reduction of wildfire risks associated with hazardous  
14 vegetation and/or combustible materials.

15 All administrative fines and abatement monies received shall be deposited in an  
16 account designated for the enforcement of this Article and the implementation of the  
17 Hazardous Vegetation/Combustible Material Abatement Program.

18 **Sec. 13-67. Authority of the Board of Supervisors to Promulgate Regulations.**

19 The Board of Supervisors reserves its right to adopt reasonable rules, regulations, and  
20 resolutions consistent with this Article to enforce, interpret, and carry out the  
21 provisions of this Article.”

22 **Section Three:** The Board of Supervisors finds this ordinance is not a project for purposes  
23 of the California Environmental Quality Act because it has no potential for resulting in a  
24 significant environmental effect.

25 **Section Four:** All ordinances or parts of ordinances in conflict herewith are hereby  
26 repealed to the extent of such conflict and no further.

27 **Section Five:** This ordinance shall take effect on the \_\_\_\_ day of \_\_\_\_, 2019 and before the  
28 expiration of fifteen days after its passage, it shall be published at least once in a newspaper  
of general circulation printed and published in the County of Lake.

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The Foregoing Ordinance was introduced before the Board of Supervisors on  
the \_\_\_\_\_ day of \_\_\_\_\_, 2019, and passed by the following vote on the \_\_\_\_\_  
day of \_\_\_\_\_, 2019.

AYES:  
NOES:  
ABSENT OR NOT VOTING:

COUNTY OF LAKE  
  
\_\_\_\_\_  
Chair, Board of Supervisors

ATTEST: CAROL J. HUCHINGSON  
Clerk of the Board of Supervisors

APPROVED AS TO FORM:  
ANITA L. GRANT  
County Counsel

By: \_\_\_\_\_  
Deputy

By: \_\_\_\_\_