COUNTY OF LOS ANGELES

FIRE DEPARTMENT

1320 NORTH EASTERN AVENUE
LOS ANGELES, CALIFORNIA 90063-3294
(323) 881-2401

P. MICHAEL FREEMAN
FIRE CHIEF
FORESTER & FIRE WARDEN

January 30, 2007

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, CA 90012

Dear Supervisors:

RESOLUTION DECLARING HAZARDOUS BRUSH, DRY GRASS, WEEDS, AND COMBUSTIBLE GROWTH OR FLAMMABLE VEGETATION, TO INCLUDE NATIVE AND ORNAMENTAL VEGETATION, ON IMPROVED PARCELS IN LOS ANGELES COUNTY AS PUBLIC NUISANCES

(ALL DISTRICTS)
(3-VOTES)

IT IS RECOMMENDED THAT YOUR BOARD:

1. Adopt the attached resolution declaring hazardous brush, dry grass, weeds, and combustible or flammable vegetation, to include native and ornamental vegetation, on improved properties as public nuisances and establishing the following dates and times for Hearing of Protests by the Brush Clearance Referee: February 27, 2007, at 9:30 a.m. in the conference room of the Agricultural Commissioner, located at 12300 Lower Azusa Road, Arcadia; and February 28, 2007, at 9:30 a.m. in the Antelope Valley at 335A E. Avenue K-6, Lancaster.

2. Set March 27, 2007, at 9:30 a.m. as the date and time for hearing on the Brush Clearance Referee's Report to abate hazardous brush, dry grass, weeds, and combustible growth or flammable vegetation, to include native and ornamental vegetation, on improved parcels in Los Angeles County.

PURPOSE OF RECOMMENDED ACTION:

Enclosed is the annually required resolution declaring hazardous brush, dry grass, weeds, and combustible growth or flammable vegetation, to include native and ornamental vegetation, on improved parcels in Los Angeles County as public nuisances. Such declared improved properties will be inspected by the Consolidated Fire Protection District of Los Angeles County (County of Los Angeles Fire Department) to verify that said hazardous brush, dry grass, weeds, and combustible growth or flammable vegetation, to include native and ornamental vegetation, have attained such a growth as to become a fire menace to the parcel or adjacent improved properties or are otherwise noxious or dangerous.

JUSTIFICATION:

Improved properties, found by inspection to be overgrown with combustible growth or flammable vegetation, are determined to be a potential or existing hazard.

1. Said hazardous brush, dry grass, weeds, and combustible growth or flammable vegetation, to include native and ornamental vegetation, have attained such a growth as to become a fire menace and constitute a public nuisance to the parcel or adjacent improved properties or are otherwise noxious or dangerous.

2. The County of Los Angeles Fire Department has a duty to protect the public safety and to take any and all actions necessary to abate public nuisances.

IMPLEMENTATION OF STRATEGIC PLAN GOALS

This action is consistent with the County Strategic Plan Goals of Public Safety and Organizational Effectiveness. Ensuring that brush clearance requirements are properly enforced enhances public safety in fire-prone areas. Providing a mechanism for Fire Department personnel to enforce brush clearance requirements will ensure that necessary defensible space is properly maintained.

FISCAL IMPACT:

There are no net County costs.

FINANCING:

The County of Los Angeles Fire Department will assess charges directly to private property owners of declared improved parcels if they fail to comply with two official notices to abate hazards that constitute a public nuisance as identified by the County of Los Angeles Fire Department. Private property owners of declared improved parcels receive their first notice via the Fire Department's "Improved Property Annual Brush Clearance Notice" which is mailed in February and provides notice of a right to a hearing before the Brush Clearance Referee. A second notice is given to property owners via the Fire Department's "Official Inspection Report" which is issued when the local fire station conducts its annual inspection of the property. Costs for abatement enforcement services beyond the annual inspection program are recovered by assessments. The Auditor-Controller certified the abatement enforcement cost of $231 per parcel when it was established in 1996. The assessment amount has not been increased since it was established and based on the 73 non-compliant parcels found in 2006, the estimated cost recovery when reported to and confirmed by the Board of Supervisors is $16,863.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS:

Notices to destroy hazardous brush, dry grass, weeds, and combustible growth or flammable vegetation, to include native and ornamental vegetation, will be mailed to the owners of declared improved properties in the form required by Section 14892 of the California Health and Safety Code after your Board approval. An affidavit of mailing will be returned to your Board when the mailing of notices as provided in Section 14896 of the California Health and Safety Code has been completed. After the notices have been mailed, public hearings will be held in Arcadia and

the Antelope Valley, where owners of improved property, with objections or questions, will be heard and given due consideration. A summary of the concerns and questions of the improved property owners will be submitted in the Brush Clearance Referee's Report to the Board of Supervisors prior to the public hearing at the end of March.

IMPACTS ON CURRENT SERVICES:

There are no impacts on current services.

Very truly yours,

P. MICHAEL FREEMAN

PMF:jt

Enclosures

c: Chief Administrative Officer
County Counsel
Agricultural Commissioner/Weights and Measures

RESOLUTION OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF LOS ANGELES
DECLARING PUBLIC NUISANCES

WHEREAS, hazardous brush, dry grass, weeds, and combustible growth or flammable vegetation, to include native and ornamental vegetation, where growing upon improved real property often attain such growth as to become, when dry, a fire menace to the improved real property or adjacent improved parcels, or which are otherwise noxious or dangerous; and

WHEREAS, the presence of hazardous brush, dry grass, weeds, and combustible growth or flammable vegetation, to include native and ornamental vegetation, upon improved real property, are conditions which endanger the public safety and constitute public nuisances which must be abated; and

WHEREAS, the County of Los Angeles has a duty to protect the public safety and to take any and all actions necessary to abate the above-described public nuisances; and

WHEREAS, the Consolidated Fire Protection District of Los Angeles County (County of Los Angeles Fire Department) will conduct annual inspections to verify existing hazards and public nuisances of hazardous brush, dry grass, weeds, and combustible growth or flammable vegetation, to include native and ornamental vegetation, upon the hereinafter identified real property; and

WHEREAS, Part 5, Division 12 of the California Health and Safety Code (Sections 14875 through 14922, inclusive), authorizes the Board of Supervisors, by resolution, to declare public nuisances and to authorize the abatement thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES AS FOLLOWS:

SECTION 1. Board Findings. The Board of Supervisors of the County of Los Angeles hereby finds that hazardous brush, dry grass, weeds, and combustible growth or flammable vegetation, to include native and ornamental vegetation, upon each improved parcel of real property hereinafter described in Exhibit 1 (collectively the "Real Property"), as verified by inspection by the County of Los Angeles Fire Department, are hereby declared to be public nuisances which must be abated.

SECTION 2. Notice. (a) The Fire Chief of the County of Los Angeles Fire Department (the "Chief") is hereby designated, authorized, and directed to give notice to destroy hazardous brush, dry grass, weeds, and combustible growth or flammable vegetation, to include native and ornamental vegetation, upon the Real Property.

(b) Not less than 10 days prior to the 27th of February, 2007, the Chief shall cause notice to be given to each Real Property owner by mail as their names and residential addresses appear from the last equalized assessment roll, or as they are known to the Assessor, and said notice shall be substantially in the form as provided in Exhibit 2 of this resolution.

SECTION 3. Hearing. Tuesday, the 27th of February, 2007, at the hour of 9:30 a.m., in the conference room of the Agricultural Commissioner, located at 12300 Lower Azusa Road, Arcadia, California; and Wednesday, the 28th of February, 2007, at the hour of 9:30 a.m. in the Antelope Valley at 335A E. Avenue K-6, Lancaster, are fixed by this Board as the dates, times and places when and where any and all owners of Real Property having any objections to the proposed removal of hazardous brush, dry grass, weeds, and combustible growth or flammable vegetation, to include native and ornamental vegetation, may appear before the Brush Clearance Referee and show cause why said hazardous brush, dry grass, weeds, and combustible growth or flammable vegetation, to include native and ornamental vegetation, should not be removed in accordance with this resolution. The objections of the Real Property owners will then and there be heard and given due consideration.

SECTION 4. Recovery of Costs. (a) The Chief is hereby authorized and directed to recover abatement enforcement costs of $231 per parcel for all Real Property when the owner fails to comply with the second official notice to abate hazards on the Real Property described in Exhibit 1 and identified during physical inspection by the County of Los Angeles Fire Department. The recovery of these costs is vital to the ongoing operation governing the identification and abatement of those properties that constitute a public nuisance and endanger the public safety.

(b) The owners of the Real Property, upon which the public nuisance exists, shall be presented, both in writing and during the above referenced hearing before the Brush Clearance Referee, with information regarding the cost of inspection and abatement enforcement.

The foregoing resolution was adopted on the _____day of _____, 2007, by the Board of Supervisors of the County of Los Angeles and ex officio the governing body of all special assessment and taxing districts, agencies and authorities for which said Board so acts.

SACHI A. HAMAI
EXECUTIVE OFFICER-CLERK
of the Board of Supervisors of the County of Los Angeles

By _____
Deputy

APPROVED AS TO FORM:

RAYMOND G. FORTNER, JR.
COUNTY COUNSEL

By _____
Deputy

EXHIBIT 1

DESCRIPTION OF PROPERTIES

In accordance with Part 5, Division 12 of the California Health and Safety Code (commencing with Section 14875), the Real Property, upon which a public nuisance exists, are described in the attached Declaration List of Properties which is on file with the Executive Office of the Board of Supervisors and is also available for review on the Internet at http://bos.co.la.ca.us/Categories/Agenda/Agendahome.asp

EXHIBIT 2

NOTICE TO DESTROY HAZARDOUS BRUSH, DRY GRASS, WEEDS, AND COMBUSTIBLE GROWTH OR FLAMMABLE VEGETATION, TO INCLUDE NATIVE AND ORNAMENTAL VEGETATION

NOTICE IS HEREBY GIVEN THAT ON the 30th of January, 2007 the Board of Supervisors of the County of Los Angeles passed a resolution declaring that hazardous brush, dry grass, weeds, and combustible growth or flammable vegetation, to include native and ornamental vegetation, were growing upon certain improved real property as specifically described by parcel number in the resolution, to constitute public nuisances which, after inspection by the County of Los Angeles Fire Department have been verified to be existing public nuisances and in violation of the County of Los Angeles Fire Code (the "Fire Code") pertaining to clearance of brush and vegetative growth. This brush and vegetative growth must be removed and the public nuisance abated by the owner, or the County authorities will abate the public nuisance and the cost of removal assessed upon the parcel, and such cost will constitute a lien upon the parcel until paid. The Board of Supervisors also authorized and directed the County of Los Angeles Fire Department to recover their costs related to the enforcement of the Fire Code. Reference is made to said resolution for additional details.

All parcel owners any having objections to the proposed removal of brush, dry grass, weeds, combustible growth or flammable vegetation, to include native and ornamental vegetation, are hereby notified that they may attend a hearing with the County Brush Clearance Referee as follows: (1) in the conference room of the Agricultural Commissioner at 12300 Lower Azusa Road, Arcadia, CA 91006 on Tuesday, February 27, 2007 at 9:30 a.m., or (2) in the Antelope Valley at the Los Angeles County Administrative Building, 335A East Avenue K-6, Lancaster, CA 93535, on Wednesday, February 28, 2007 at 9:30 a.m. If the parcel owner does not want to present objections to the proposed removal of hazardous brush, dry grass, weeds, and combustible growth or flammable vegetation, to include native and ornamental vegetation, or the recovery of enforcement and abatement costs, he/she need not appear at the above mentioned hearing(s). Objections, which are not resolved, will be reported to the Board of Supervisors. If the parcel owner wishes to present further objections, he/she may appear at the Board of Supervisors hearing in Room 381B, Kenneth Hahn Hall of Administration, 500 West Temple Street, Los Angeles, CA 90012 on Tuesday, March 27, 2007, at 9:30 a.m.

Dear Improved Property Owner,

This is not a citation or summons. This is the first brush clearance notice and a reminder that the County of Los Angeles Fire Department will be conducting annual brush clearance inspections within the next few months.

The County Fire Code states that parcel owners are responsible throughout the year for the maintenance of all brush, flammable vegetation (native and/or ornamental), and other combustible materials situated on their property.

General clearing requirements are listed on the reverse side of this notice. Please review these clearing requirements and take appropriate action prior to the annual inspection date for your area. Abatement of potential or existing hazards prior to the inspection saves the Fire Department and yourself valuable money and time and insures a safer community.

Inspections are scheduled to begin April 1 in the Antelope Valley, June 1 in the Coastal Area, and May 1 in all other areas. If hazardous fire conditions exist on your property at the time of inspection, you will be issued an Official Inspection Report which will indicate existing violations and provide specific clearing instructions and a compliance deadline.

In most cases, it is more cost effective to do the work yourself or to hire a vendor to do the work. A vendor list is available at your local fire station.

For additional information regarding specific clearing requirements, contact your local fire station or the Brush Clearance Unit at (626) 969-2375.

NOTICE IS HEREBY GIVEN THAT ON JANUARY 30, 2007 THE BOARD OF SUPERVISORS OF THE COUNTY OF LOS ANGELES

Passed or will pass a resolution declaring that hazardous brush, dry grass, weeds, combustible growth or flammable vegetation to include native and ornamental vegetation where growing upon or in front of said improved property as specifically described by parcel number in the resolution, to be a potential fire hazard or nuisance which, upon inspection by the County of Los Angeles Fire Department is verified to be an existing hazard or nuisance and violation of the County Fire Code pertaining to clearance of brush and vegetative growth, must be removed and the nuisance abated by the County authorities and the cost of removal assessed upon the land. In addition, the Board of Supervisors authorized and directed the County of Los Angeles Fire Department and the Agricultural Commissioner to recover their costs related to the enforcement of the fire code. All property owners having objection to the removal of brush, dry grass, weeds, combustible growth or flammable vegetation including natives and ornamentals are hereby notified that they may attend a brush clearance referee meeting (1) in the Antelope Valley, at the **LOS ANGELES COUNTY ADMINISTRATIVE BLDG., 335 A EAST AVE. K-6, LANCASTER, CA 93535, ON WEDNESDAY, FEBRUARY 28, 2007 AT 9:30 A.M.** (2) A MEETING OF THE

BRUSH CLEARANCE REFEREE AT 12300 LOWER AZUSA RD, ARCADIA, CA 91006-5872, ON FEBRUARY 27, 2007 AT 9:30 A.M.UNTIL NOON PROTESTS WHICH ARE NOT RESOLVED WILL BE SENT BEFORE THE BOARD OF SUPERVISORS

when their objections will be heard and given due consideration

ASSESSORS I.D. NUMBER			THIS NOTICE DATED
MAPBOOK	PAGE	PARCEL	02-05-07

FIRE CHIEF

PROPERTY DESCRIPTION

SEQNM 329

COUNTY OF LOS ANGELES FIRE DEPARTMENT
PREVENTION BUREAU
BRUSH CLEARANCE UNIT
605 N. ANGELENO AVENUE
AZUSA, CA 91702-2904
(626) 969-2375

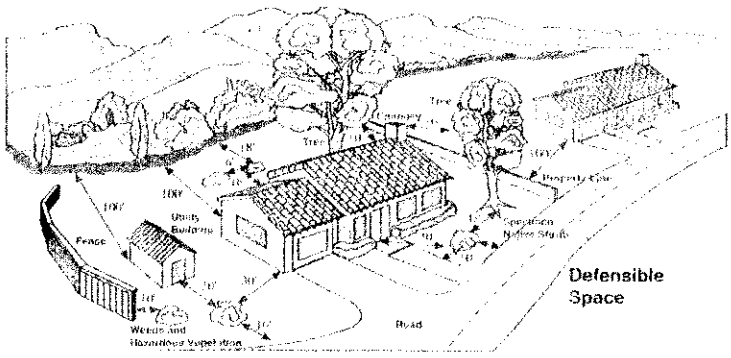
Thousands of homes are in serious danger of destruction by fire because of their proximity to brush-covered areas. Homes with wood shake roofs, wood siding, decks, patio covers or exposed eaves are particularly vulnerable to the spread of fire. Despite efforts by firefighters, wildland fires fanned by strong winds, can destroy homes. It is your legal responsibility to take the necessary action to clear vegetation around any given structures. A fire safe landscape creates a defensible space to help protect against approaching wildfires.

1. All flammable vegetation identified as a fire hazard by the inspection officer shall be mowed or cut to a stubble height of 3 inches, for 30 feet around any structure or 50 feet in high hazard areas (County of Los Angeles Fire Code 1117.2.2(2),1117.2.3).
2. Create a firebreak for the next 70 feet, for a total of 100 feet, around any structure by clearing, trimming, thinning, cutting back and removing flammable vegetation. For high hazard areas, this distance can be increased to a maximum of 200 feet (County of Los Angeles Fire Code 1117.2.2(3),1117.2.3).
3. Single specimens of trees, ornamental shrubbery, or ground covers are permissible, provided that they do not form a means of transmitting fire from native growth to the structure (County of Los Angeles Fire Code 1117.2.2(2)). It is recommended that specimens shall be spaced a minimum of 15 feet or 3 times their diameter from other specimens, structures or surrounding native brush.
4. Access roads shall be maintained with a minimum of 10 feet of brush clearance on each side. Fire access roads shall have an unobstructed vertical clearance clear to the sky. Trees overhanging fire access roads shall be maintained to provide adequate vertical clearance (County of Los Angeles Fire Code 902.2.2.1).
5. Provide a minimum of 3 feet of brush clearance around all fire hydrants (County of Los Angeles Fire Code 1001.7.2).
6. It is strongly recommended that all trees and shrubs shall be maintained free of dead wood and litter. Trees and shrubs may be required to be trimmed up from the ground 1/3 of their height.
7. Trees are best trimmed during dormancy or during the winter months. Care should be taken when trimming trees during the spring as this is the nesting season for many species of birds.

All plants will burn under extreme fire weather conditions. Fire resistant plants burn at a relatively low intensity, at slow rates of spread and with short flame lengths. To best protect your home from fire, it is recommended that fire resistant plants be used when landscaping. A list of these plants can be obtained through the County of Los Angeles Fire Department, Brush Clearance Unit, telephone number (626) 969-2375.

MINIMUM DISTANCES REQUIRED

EXTRA HAZARDOUS AREAS MAY REQUIRE 200 FEET OF CLEARANCE



NOTE: Small lots may make these clearance distances impossible. You are only responsible to clear up to your property lines. Clearance of property adjacent to your lot is the responsibility of the adjacent property owner.

IF YOU ARE UNCLEAR AS TO THE CLEARANCE REQUESTED, PLEASE CONTACT YOUR LOCAL FIRE STATIOI