

MOTION BY SUPERVISOR LINDSEY P. HORVATH
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April 29, 2025

**Adoption of Urgency Ordinance to Enable Prompt Abatement of Fire Debris from
Uncleared Properties**

As reflected in this Board's April 1, 2025 adoption of the motion entitled "Proactively and Urgently Removing Fire Debris from Non-responsive Properties," many of the properties impacted by the January 2025 Fires have begun or will soon begin the process of rebuilding their homes. A cornerstone of the safe and speedy rebuilding effort is the clearing of fire ash and debris from the burned properties. At no out-of-pocket cost, the vast majority of these property owners are participating in the removal of fire debris from their properties by opting into the government-run Private Property Debris Removal (PPDR) program, operated by the United States Army Corps of Engineers (USACE), and thanks to support from the federal government. USACE has more than 200 debris removal crews working countywide and is remarkably clearing more than 3,000 properties every month. Estimates from USACE indicate that the majority of the debris removal may be completed as early as the end of June.

Since the launch of the PPDR, property owners were given a clear choice on whether to participate. The application consists of a Right of Entry (ROE) form, which

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helps to guarantee private property ownership, captures insurance details, and relevant information about the home in question. If property owners are insured, they are required to provide their insurance information and if they have sufficient insurance coverage for debris removal, their insurance will be charged after the program is complete.

Alternatively, approximately 10% of property owners have opted out of the PPDR and are therefore required to obtain permits for private contractors to safely remove the fire debris. Those who opt out must fill out a form notifying the County of their intention to do so and hire contractors to perform any remaining hazardous materials removal and to remove the fire ash and debris. To facilitate this process, the County's Department of Public Works has set up a simple process for those contractors to apply for and receive a debris removal permit for the property in the County's EPIC LA system. The County has repeatedly messaged to the public that those who opted out had until June 30, 2025 to complete the debris removal.

The application for PPDR program and the opt-out form for those who did not want to participate opened on January 28, 2025 and the deadline to sign up for the PPDR program was April 15, 2025. LA County is administering both the PPDR program and the opt-out form for the benefit of fire-damaged properties in unincorporated communities, as well as the cities of Los Angeles, Malibu, Pasadena, and Sierra Madre.

Thanks to the hard work of the Department of Public Works and the cooperation of the many survivors of these tragic fires, the vast majority of property owners have either opted-in to the PPDR program, ensuring that USACE has already or soon will be clearing their property of all fire ash and debris, or they have opted-out and are in the

midst of having private contractors removing that fire ash and debris. However, there are some property owners who either never decided on how to have their property cleared or who opted-out but have not made any effort to have their property cleared.

As neighbors move to quickly recover from the fires, they must have confidence that these "non-responsive" properties will be cleared quickly of this remaining fire ash and debris to avoid the health impacts of uncontained fire ash and debris to themselves and the community at large. Therefore, speedy abatement of this public health nuisance is essential.

The existing Nuisance Abatement enforcement timeline in the current County Code, could allow these non-responsive properties to remain covered in uncontained fire ash and debris into next year. For the health and safety of the community that delay in correcting this health hazard is simply unacceptable. Expedited actions to meet these conditions are required to address properties in unincorporated LA County.

WE, THEREFORE, MOVE that the Board of Supervisors take the following actions:

1. Find that, as reflected in the County Health Officer's order, dated January 15, 2025, as subsequently amended, uncontained fire ash and debris on residential properties impacted by the January 2025 Fires constitutes a present health hazard, which requires speedy nuisance abatement to address this emergency situation.
2. Adopt by at least a four-fifths vote the attached urgency ordinance, including the findings therein, to allow for the prompt abatement of uncontained fire ash and debris on non-responsive residential properties impacted by the

January 2025 Fires. Properties will have until June 1, 2025 to pull a debris removal permit and until June 30, 2025 to complete removal of debris.

3. Find that, adoption of this ordinance is exempt from the provisions of the California Environmental Quality Act ("CEQA") pursuant to the Governor Newsom's January 31, 2025 Executive Order N-4-25 and also pursuant to California Public Resources Code, section 21080, subdivision (b)(3), which applies to projects undertaken, carried out by, or approved by a public agency to maintain, repair, restore, demolish or replace property or facilities damaged or destroyed as a result of a disaster in a disaster-stricken area in which a state of emergency has been proclaimed by the Governor pursuant to Chapter 7 of Division 1 of Title 2 of the Government Code and also pursuant to section 21080, subdivision (b)(4) regarding specific actions necessary to prevent or mitigate an emergency. These exemptions are also reflected in State CEQA Guidelines, section 15269, subdivisions (a) and (c). The January 2025 Windstorm and Critical Fire Events and their aftermath constitute a sudden unexpected occurrence, involving clear and imminent danger, demanding immediate action to prevent or mitigate loss of, or damage to life and property.

4. Direct LA County Public Works to provide additional notice to the non-responsive and opt-out property owners during this same period, using whatever additional means of contact that Public Works has located (such as telephone number, email address, or text message).

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