

## ANALYSIS

This urgency ordinance allows for the prompt abatement of uncontrolled fire ash and debris on residential and commercial properties impacted by the January 2025 fires in the unincorporated County of Los Angeles ("County") where the property owners either neglected to take necessary procedural steps relating to debris clearance at their properties, or the property owners opted out of the Government-sponsored Program but then neglected to adequately proceed with debris clearance.

Properties that have uncontrolled fire ash and debris in the unincorporated County, and whose owners have not timely submitted a Right of Entry form to the County by April 15, 2025, have not had a licensed contractor obtain a Fire Debris Removal Permit from the County by June 1, 2025, or have not completed removal of fire ash and debris by June 30, 2025, will be declared a public nuisance and health hazard. All properties declared a public nuisance under this ordinance may be summarily abated by the Director of Public Works after providing notice to the property owners. Summary abatement means the Director will enter the subject property and remove fire ash and debris until the nuisance conditions are mitigated. The cost of abatement will be charged to the property owner and, if not paid, will be placed as a lien on the property.

Under this ordinance, property owners have a right to appeal the notice to summarily abate their property.

The ordinance also grants County Counsel the authority to enforce any of the ordinance's provisions.

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By 

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HL:lm

Requested: 02/28/2025  
Revised: 04/25/2025

**ORDINANCE NO. \_\_\_\_\_**

This urgency ordinance adds Chapter 1.26 to Title 1 – General Provisions and is referred to as Urgency Ordinance to Summarily Abate Conditions of Nuisance/Health Hazard Due to Uncontrolled Fire Ash and Debris from the January 2025 Windstorm and Critical Fire Events. The ordinance advances the Los Angeles County Health Officer's Local Health Emergency Order Prohibiting the Unsafe Removal, Transport, and Disposal of Fire Debris to Protect Community Safety, originally issued by the Los Angeles County Health Officer on January 15, 2025, as subsequently revised. Under the ordinance, the Board of Supervisors finds that residential and commercial properties located within unincorporated County of Los Angeles (County) areas containing uncontrolled fire ash and debris from structures that were damaged or destroyed by the January 2025 Windstorm and Critical Fire Events and: (1) for which neither a Right of Entry form nor an opt-out application has been submitted to the County by April 15, 2025; (2) for which an opt-out application was submitted but a Fire Debris Removal Permit has not been obtained by June 1, 2025; and/or (3) for which removal of fire ash and debris has not been completed by June 30, 2025, constitute a present and continuing nuisance and health hazard to the community. The ordinance sets forth procedural requirements to summarily abate those nuisance conditions.

The Board of Supervisors of the County of Los Angeles ordains as follows:

**SECTION 1.** Chapter 1.26 is hereby added to read as follows:

**CHAPTER 1.26     URGENCY ORDINANCE TO SUMMARILY ABATE**  
**CONDITIONS OF NUISANCE/HEALTH HAZARD DUE TO UNCONTROLLED**  
**FIRE ASH AND DEBRIS FROM THE JANUARY 2025 WINDSTORM AND**  
**CRITICAL FIRE EVENTS**

**1.26.010                    Title.**

**1.26.020                    Findings and Declarations.**

**1.26.030                    Nuisance Abatement of Properties Failing to Timely**  
**Remove Fire Ash and Debris.**

**1.26.040                    Severability.**

**1.26.010                    Title.**

This Chapter shall be known as the "Urgency Ordinance to Summarily Abate Conditions of Nuisance/Health Hazard Due to Uncontrolled Fire Ash and Debris from the January 2025 Windstorm and Critical Fire Events."

**1.26.020                    Findings and Declarations.**

A.     This urgency ordinance (Ordinance) is adopted pursuant to Article XI, section 7 of the California Constitution and sections 25123, subdivision (d) and 25131 of the Government Code to protect against an immediate threat to the public safety, health, and welfare, and shall take effect immediately upon its approval by at least a four-fifths vote of the Board of Supervisors of the County of Los Angeles (Board). The Board finds that this Ordinance is necessary for the immediate preservation of the public safety, health, and welfare based upon the following facts:

1. Beginning on January 7, 2025, the County of Los Angeles (County) was impacted by critical fire weather, severe straight-line winds, and catastrophic wildfires (January 2025 Windstorm and Critical Fire Events), including the Palisades Fire, Eaton Fire, Hurst Fire, Kenneth Fire, Hughes Fire, and multiple other fires (Critical Fire Areas). These unprecedented simultaneous events caused loss of life; widespread damage; destruction to thousands of residential structures, businesses, public facilities and infrastructure; power outages; downed trees; road closures; rockslides; and significant fire ash and debris. The January 2025 Windstorm and Critical Fires Events affected public and private properties in multiple jurisdictions, including unincorporated County areas and the cities of Malibu, Los Angeles, Pasadena, and Sierra Madre.

2. On January 7, 2025, the Chair of the Board proclaimed a State of Local Emergency ("Proclamation of Local Emergency") pursuant to Chapter 2.68 of the Los Angeles County Code due to the conditions of disaster and extreme peril caused by the January 2025 Windstorm and Critical Fire Events.

3. On January 7, 2025, Governor Newsom issued Executive Order (EO) N-2-25, pursuant to the California Emergency Services Act, to proclaim a state of emergency within the County regarding the January 2025 Windstorm and Critical Fire Events.

4. On January 10, 2025, the County Local Health Officer declared a local health emergency ("Declaration of Local Health Emergency") due to the serious adverse health impacts to County residents caused by the January 2025 Windstorm and Critical Fire Events.

5. On January 14, 2025, the Board ratified both the Proclamation of Local Emergency and the Declaration of Local Health Emergency.

6. The potential for widespread toxic exposures and threats to public health and the environment exists in the aftermath of a major wildfire disaster. It is well-documented that fire ash and debris from residential and commercial structures potentially containing hazardous materials, if left in place and not controlled by proper removal and disposal, can pose substantial detrimental health effects for the public health and safety.

7. Exposure to uncontrolled fire ash and debris may lead to acute and chronic detrimental health effects and may potentially cause long-term detrimental public health and environmental impacts. Uncontrolled fire ash and debris can pose significant threats to public health through potential inhalation of dust particles and contamination of drinking water supplies. Improper handling can expose workers to toxic materials and improper transport and improper disposal of fire ash and debris can spread hazardous materials throughout the community.

8. Removal and disposal procedures for uncontrolled fire ash and debris are needed immediately to protect public health, and to facilitate coordinated and effective mitigation of immediate threats resulting from the January 2025 Windstorm and Critical Fire Events.

9. On January 15, 2025, the County Health Officer issued a Local Health Emergency Order Prohibiting the Unsafe Removal, Transport, and Disposal of Fire Debris to Protect Community Safety (Emergency Order), finding that the

January 2025 Windstorm and Critical Fire Events created an imminent threat to public health in the County in the form of contaminated fire debris from household hazardous waste and materials and structural debris resulting from the destruction of thousands of structures.

10. The Emergency Order, as revised on March 24, 2025, prohibits property owners in the Critical Fire Areas from removing, transporting, or disposing of fire ash and debris until a hazardous materials inspection and clearance has been conducted by the United States Environmental Protection Agency (U.S. EPA) on their property, and they either:

a. Complete and submit a Right of Entry form to participate in the 2025 Los Angeles Wildfires Debris Removal Program (Government-sponsored Program); or

b. Complete and submit an opt-out application and receive approval from the County and a fire debris removal permit from the applicable local authority to proceed with the safe removal of fire ash and debris.

11. Many of the property owners impacted by the January 2025 Windstorm and Critical Fire Events have begun or will soon begin the process of rebuilding their homes and businesses. A cornerstone of the safe and speedy rebuilding effort is the clearing of fire ash and debris from burned properties. The vast majority of these property owners are participating in the removal of fire ash and debris from their properties by opting into the Government-sponsored Program, which is operated by the United States Army Corps of Engineers (USACE) at no out-of-pocket

cost to homeowners thanks to support from the federal government, by completing and submitting a Right of Entry form by the April 15, 2025, deadline imposed by the Federal Emergency Management Administration (FEMA).

12. Alternatively, approximately 10 percent of property owners have opted out of the Government-sponsored Program by submitting an opt-out application for permission from the County to obtain a fire debris removal permit from the applicable local authority for private contractors to safely remove fire ash and debris from their properties.

13. A total of approximately 12,000 properties were eligible to participate in the Government-sponsored Program, of which roughly half are located in the unincorporated County. The County has not received either a Right of Entry form or an opt-out application for some of the properties across all local jurisdictions, including a small number of properties in unincorporated areas, despite extensive efforts to notify these non-responsive property owners that they must take action before the specified deadline. Further, while the vast majority of owners of eligible properties in the unincorporated County who opted out of the Government-sponsored Program have obtained a Fire Debris Removal Permit and have completed or commenced removal of fire ash and debris on their properties, a significant number of such property owners have not yet obtained a Fire Debris Removal Permit and/or have not yet completed removal of fire debris from their properties.

14. As neighbors move to quickly recover from the fires, they must have confidence that all properties will be cleared quickly of fire ash and debris as soon as possible so that they can rebuild without risk. Expedited actions are therefore required to ensure the timely removal of fire ash and debris from properties in the unincorporated County to avoid the adverse health impacts of uncontained fire ash and debris to the community at large, including to the property owners who have participated in the property clean-up programs and are beginning the rebuild process.

15. As provided for below, any property located in the Critical Fire Areas within the unincorporated County that contains Fire Debris from structures damaged or destroyed by the January 2025 Windstorm and Critical Fire Events, whose owner(s): (1) has (have) not timely submitted a Right of Entry form or opt-out application to the County by April 15, 2025; (2) has (have) not caused a properly licensed contractor to obtain a FDR Permit from the County by June 1, 2025; and/or (3) has (have) not completed the Removal of Fire Debris from their property by June 30, 2025, is hereby declared a public nuisance and health hazard.

16. It is essential that this Ordinance become immediately effective to mitigate immediate threats posed by uncontrolled fire ash and debris to the public health and safety and the environment, and to facilitate an orderly response to the January 2025 Windstorm and Critical Fire Events.

**1.26.030                      Nuisance Abatement of Properties Failing to Timely  
Remove Fire Ash and Debris.**



**A. Definitions.**

For purposes of this Ordinance:

1. "Board" means the Board of Supervisors of the County of Los Angeles.
2. "County" means the County of Los Angeles.
3. "Critical Fire Areas" mean the burn areas of the January 2025 Windstorm and Critical Fire Events.
4. "Director" means the Director of Los Angeles County Public Works, or their designee, acting as the County Engineer, the Road Commissioner, the Chief Engineer of the Los Angeles County Flood Control District, and the administrator of the Los Angeles County Waterworks Districts and the Consolidated Sewer Maintenance District.
5. "Emergency Order" means the Local Health Emergency Order Prohibiting the Unsafe Removal, Transport, and Disposal of Fire Debris to Protect Community Safety, originally issued by the County Health Officer on January 15, 2025, as subsequently revised.
6. "Fire Debris" means fire ash and other debris, including Hazard Trees, resulting from the January 2025 Windstorm and Critical Fire Events, but does not include intact structures or portions thereof.
7. "FDR Permit" means a Fire Debris Removal Permit issued by the County to authorize a property owner and their properly licensed contractor to safely remove and dispose of Fire Debris under the Local Program.

8. "Government" means the County of Los Angeles, State of California, United States federal government, and tribal representatives, including their officers, employees, agencies, and independent contractors.

9. "Government-sponsored Program" means the 2025 Los Angeles Wildfires Debris Removal Program operated by U.S. ACOE, in conjunction with other federal, State, and local agencies.

10. "Hazard Trees" mean trees that are still in place but are damaged by fire to the extent they pose an immediate threat to life, public health and safety, or significant damage to improved property.

11. "January 2025 Windstorm and Critical Fire Events" mean the critical fire weather, severe straight-line winds, and catastrophic wildfires, including the Palisades Fire, Eaton Fire, Hurst Fire, Kenneth Fire, Hughes Fire, and multiple other fires that began in the County on or about January 7, 2025, causing loss of life; widespread damage; destruction to thousands of residential structures, businesses, public facilities, and infrastructure; power outages; downed trees; road closures; rockslides; and significant debris.

12. "Local Program" means the local requirements established by the County for Removal of Fire Debris from properties (located within the unincorporated County and the cities of Los Angeles and Malibu) that opt out of the Government-sponsored Program. The Local Program is administered by the County.

13. "Removal of Fire Debris" means and includes all cleanup of Fire Debris created by the January 2025 Windstorm and Critical Fire Events, including the

containment, removal, transport, and disposal of such Fire Debris, but does not include the removal of personal property from impacted properties unless such removal of personal property involves the cleanup and removal of Fire Debris from the property.

14. "USACE" means the United States Army Corps of Engineers

15. "U.S. EPA" means the United States Environmental Protection Agency.

**B. Term of this Ordinance.**

This Ordinance shall take effect immediately upon adoption and shall remain in effect until the Removal of Fire Debris has been completed on all commercial and residential properties (located in the unincorporated County) that were damaged by the January 2025 Windstorm and Critical Fire Events.

**C. Requirements to Timely Remove Fire Debris.**

Property owners in the Critical Fire Areas within the unincorporated County who either opted out of the Government-sponsored Program or did not complete and submit a Right of Entry form to join the Government-sponsored Program by the April 15, 2025, deadline must, through a properly licensed contractor, obtain an FDR Permit from the County no later than June 1, 2025, for the Removal of Fire Debris from the owners' property and must complete the Removal of Fire Debris from the owners' property no later than June 30, 2025.

**D. Nuisance Abatement for Failure to Timely Remove Fire Debris.**

1. Any property located in the Critical Fire Areas within the unincorporated County that contains Fire Debris from structures damaged or destroyed

by the January 2025 Windstorm and Critical Fire Events, whose owner(s): (1) has (have) not timely submitted a Right of Entry form or opt-out application to the County by April 15, 2025; (2) has (have) not caused a properly licensed contractor to obtain a FDR Permit from the County by June 1, 2025; and/or (3) has (have) not completed the Removal of Fire Debris from their property by June 30, 2025, is hereby declared a public nuisance and health hazard.

2. Any property declared a public nuisance in accordance with this Ordinance shall be subject to nuisance abatement pursuant to Chapter 23 of Title 1 of the Los Angeles County Code and other applicable laws and regulations.

3. In addition to any other nuisance abatement procedures provided by law, the Director may allow the Government to enter onto any property deemed a public nuisance under this Ordinance so that the Government may summarily abate the nuisance upon satisfaction of the summary abatement procedures set forth below, as applicable.

a. Unless emergency conditions preclude doing so, the Director shall first issue a Summary Abatement Notice and Order to the property owner(s) listed on the last equalized tax roll. The Summary Abatement Notice and Order shall be posted in a conspicuous location on the property to be abated, published in a newspaper of general circulation, and shall be mailed, to the property owner(s) at the address(es) listed on the last equalized tax roll or such other address(es) provided by the property owner(s), at least seven (7) calendar days prior to commencement of abatement work on that property.

b. Property owner(s) may submit a written appeal of the Summary Abatement Notice and Order to the Director (as specified in the Summary Abatement Notice and Order) by no later than seven (7) calendar days from the date the Summary Abatement Notice and Order was posted. The written appeal shall state the basis for the appeal. The Director shall review the appeal and shall issue a written decision no later than seven (7) calendar days after receipt. The Director's decision on the appeal to uphold, rescind, or modify the Summary Abatement Notice and Order shall be final. A copy of the Director's determination shall be mailed, promptly upon its issuance, to the appellant(s) at the address(es) listed on the last equalized tax roll or such other address(es) provided by the appellant(s). Failure to appeal within the time prescribed shall constitute a waiver of the right to contest the summary abatement.

c. After the completion of summary abatement, the Director shall promptly deliver to the property owner(s), by mail to the address(es) listed on the last equalized tax roll or such other address(es) provided by the property owner(s), a Post-Abatement Notice indicating the actions taken by the Government; the reasons for the actions; the costs of the abatement, including a request that such costs be paid by the property owner(s) to the County within 60 days; and that a lien will be recorded against the property if the property owner(s) fail(s) to pay the abatement costs within sixty (60) days.

d. After the mailing of the Post-Abatement Notice and the expiration of the sixty (60) days to pay the abatement costs, the Director is hereby authorized to cause a lien to be recorded against the property in the amount of the abatement costs.

4. In lieu of, or in addition to, the authority provided under this Ordinance, County Counsel, or their designee, are authorized to pursue any legal enforcement action they deem necessary or appropriate related to any violation of, or any non-compliance with, any provision of this Ordinance without further Board approval.

5. The remedies identified in this Ordinance are in addition to, and do not supersede or limit, any and all other remedies, civil or criminal, available at law or in equity.

**1.26.040 Severability.**

If any provision of this Ordinance or the application thereof to any person, property, or circumstance is held invalid, such invalidity shall not affect other provisions or applications of this Ordinance that can be given effect without the invalid provisions or applications thereof, and, to this end, the provisions of this Ordinance are hereby declared to be severable.

**SECTION 2. Immediate Effect.**

This Ordinance shall be in full force and effect immediately upon its passage by a four-fifths or greater vote by the Board.

[TITLE1CH26HLCC]