

## Article II. - Miscellaneous Fire Control Regulations

### 8.16.200 - Vegetation management and yard debris removal.

It shall be the duty of the chief of the fire department or an authorized representative and/or the director of the community development department or an authorized representative to enforce the requirements of the "vegetation management and yard debris removal" section(s).

( [Ord. No. 787, § 1\(Exh. A\), 8-22-2017](#) )

### 8.16.210 - Definitions.

1. Improved property: Any property with a building or structure.
2. Unimproved property: Any property without a building or structure.
3. Building or structure: Any structure used for support or shelter of any use or occupancy.
4. APN: Assessor's parcel number as assigned by the county of Nevada.
5. Surface fuels: Loose surface litter on the soil surface, normally consisting of fallen leaves or needles, twigs, bark, cones, and small branches that have not yet decayed enough to lose their identity; also grasses, low and medium shrubs, tree seedlings, heavier branches and downed logs.
6. Aerial fuels: All live and dead vegetation above surface fuels, including tree branches, twigs and cones, snags, moss, and high brush. Examples include trees and large bushes.
7. Ladder fuels: Fuels that can carry a fire vertically between or within a fuel type.
8. Flammable vegetation: Includes, but not limited to, dead pine needles or leaves, dry grasses of over four inches in height, tree limbs, bushes, trees less than six inches diameter at breast height (DBH), manzanita, dense berry thickets or other dry invasive or noxious plants, that constitute a fire hazard and endanger people or property.
9. Combustible material: Heavy fuels, slash, refuse piles, dead trees or tree limbs (either standing or downed), that constitute a fire hazard and endanger people and/or property.
10. Refuse piles: Accumulations of flammable vegetation, rubbish and/or scrap materials, including, but not limited to, waste paper, wood, hay, straw, weeds, litter or other flammable waste.
11. Heavy fuels: Materials of large diameter such as snag logs and large tree limbs that ignite and are consumed more slowly than flash fuels such as tree needles, leaves and grasses.
12. Approved warming device: A portable or fixed, outdoor, solid-fuel-burning fireplace that may be constructed of steel, concrete, clay or other noncombustible material. It may be open in design or may be equipped with a small hearth opening and a short chimney or chimney opening in the top. All devices shall be equipped with spark-arresting screens.

( [Ord. No. 787, § 1\(Exh. A\), 8-22-2017](#) )

#### 8.16.220 - Abatement procedures.

In order to reduce fire hazards and nuisances associated with weeds, other flammable vegetation, refuse piles, and/or combustible materials upon or in front of private improved or unimproved property, the city council may conduct proceedings pursuant to Chapter 9.28 of this Code. Such proceedings may include requiring abatement of fire hazards throughout the city, entering upon private property and performing abatement where the private property owner does not abate. The cost of such abatement will be assessed upon the nuisance property under Chapter 1.14 of this Code, and such costs will constitute a lien upon the land until paid and will be collected upon the next tax roll upon which real property taxes are collected.

( [Ord. No. 787, § 1\(Exh. A\), 8-22-2017](#) )

#### 8.16.230 - Duty to abate flammable vegetation and combustible material.

It shall be the duty of every owner, occupant, or person in control of any private land, whether improved or unimproved, within the City of Grass Valley, to abate therefrom on such property, at his or her own expense, all weeds, flammable vegetation and other combustible materials that constitute a fire hazard. The obligation to abate all weeds, flammable vegetation and other combustible materials shall comply with the following, shall be completed by June 1 of each year, and shall be maintained through fire season as declared by the California Department of Forestry and Fire Protection (CAL FIRE):

1. Improved or Unimproved Property Less Than or Equal to One Acre: The entire property shall be mowed/cleared so that weeds are no higher than four inches above mineral soil, the roof of every building and/or structure shall be free of leaves, pine needles, "flammable vegetation" as defined in Section 8.16.210 and/or "combustible materials" as defined in Section 8.16.210. No portion of any tree shall be within ten feet of the outlet of a chimney, stovepipe and/or electrical power service drop. Any plant, tree, or shrub adjacent to or overhanging a building and/or structure shall be free of dead or dying wood. Trees shall be free of branches six feet up from the ground, if height of the tree does not allow the six feet of clearance, the chief of the fire department or an authorized representative will determine appropriate clearance.
2. Improved and/or Unimproved Property Greater Than One Acre: As measured from the property line, a thirty-foot perimeter surrounding the property shall be mowed or cleared, so that weeds are no higher than four inches above mineral soil, the roof of every building and/or structure shall be free of leaves, pine needles, "flammable vegetation" as defined in Section 8.16.210 and of "combustible materials" as defined in Section 8.16.210. No portion of any tree shall be within ten feet of the outlet of a chimney, stovepipe, and/or electrical power service drop. Any plant, tree, or shrub adjacent to or overhanging a building and/or structure shall be free of dead or dying wood. Trees shall be free of branches six feet up from the ground, if height of the tree does not allow the six feet of clearance, the chief of the fire department or an authorized representative will determine appropriate clearance.

( [Ord. No. 787, § 1\(Exh. A\), 8-22-2017](#) )

8.16.240 - Emergency vehicle access.

1. No property owner may allow any portion of any vegetation on his or her property to interfere with street and emergency vehicle access, regardless of whether the access is along a public street or along a private residential access road. Vegetation must be trimmed back a minimum distance of three feet from the edge of street pavement. Vegetation must also be trimmed to a minimum height of thirteen feet six inches above street pavement. The chief of the fire department or an authorized representative may provide written notice to the property owner requiring vegetation to be trimmed for a specified additional distance when the fire chief determines the vegetation would otherwise interfere with street or emergency vehicle access. If the property owner fails to maintain these clearance requirements, the city may abate this nuisance without further notice and at the property owner's expense. This subsection shall not apply to cultivated ground-cover such as green grass, ivy, succulents, or similar plants used as ground-covers, provided they do not constitute a fire hazard.
2. Without notice, the chief of the fire department may also summarily abate weeds or hazardous growth on private property that in any way hinders emergency access and may charge the property owner for the costs of the abatement.

( [Ord. No. 787, § 1\(Exh. A\), 8-22-2017](#) )

8.16.250 - City abatement of hazardous vegetation or yard debris condition(s)—Lien.

Hazardous vegetation or yard debris shall be abated under Chapters 1.10 and 1.11 of this Code, and costs of abatement may be recovered under Chapter 1.14 of this Code.

( [Ord. No. 787, § 1\(Exh. A\), 8-22-2017](#) )

Article III. - Prohibitions

8.16.300 - Open burning.

It shall be unlawful for any person to ignite, permit, or maintain an open fire within the city limits of the City of Grass Valley.

This prohibition is not intended to prohibit fires in approved warming devices or devices used for cooking such as barbeques that are located on property that the individual using such device has legal authority to occupy.

( [Ord. No. 787, § 1\(Exh. A\), 8-22-2017](#) )

8.16.310 - Authorized burning.

1. Training Burns. Fire department training burns may be permitted with the prior written approval of the chief of the fire department and Northern Sierra Air Quality Management District.
2. Special Permits. The chief of the fire department may issue special permits to authorize burning for the health and safety of the public.
3. Special Permit. The chief of the fire department or an authorized representative may issue special permits to authorize burning for ceremonial purposes.
4. Burning may be permitted in improved designated areas, including, but not limited to, city-provided fire pits or barbeques in parks and other public areas.

( [Ord. No. 787, § 1\(Exh. A\), 8-22-2017](#) )

8.16.320 - Fire protection requirements.

In order to provide and maintain fire protection during the use of approved warming devices or during authorized special permit burning, the following shall be required:

1. During use/operation an area within ten feet of the device shall be free and clear of flammable vegetation, combustible materials and/or refuse piles, as defined in [Section] 8.16.210.
2. Responsible person, eighteen years of age or older, in attendance with shovel until fire is dead out.
3. Water hose connected to an operational water supply shall present at use/operation site.
4. Operation site shall be within two hundred fifty feet of an operational fire hydrant.
5. Operation site shall be within one hundred fifty feet of a California Fire Code compliant fire access road.

( [Ord. No. 787, § 1\(Exh. A\), 8-22-2017](#) )

8.16.330 - Exception—Special permit ceremonial operations.

Special permit ceremonial operations only: If an operational water supply is not present the chief of the fire department or an authorized representative will determine an appropriate alternative method of fire protection.

( [Ord. No. 787, § 1\(Exh. A\), 8-22-2017](#) )

Article V. - Violations—Penalty

8.16.500 - Penalty.

Any person who violates any of the provisions of this chapter is guilty of a misdemeanor punishable under Chapter 1.12 of this Code. Each separate day or any portion thereof during which any violation occurs or continues is a separate offense. The application of the aforementioned penalty shall not be held to prevent the enforced removal of the prohibited conditions.

( [Ord. No. 787, § 1\(Exh. A\), 8-22-2017](#) )