

**SONOMA COUNTY FIRE PREVENTION DIVISION  
INFORMATION BULLETIN****SUBJECT: Inspections and Duty to Maintain Defensible Space and Abate  
Hazardous Vegetation and Combustible Material****Code References:**

Sonoma County Code Chapter 13A, Ord. No. 6148 and  
Title 14 of the California Code of Regulations Sections 1299.01-1299.05

**NOTE:** This Information Bulletin is a summary of Sonoma County interpretations of County and State Codes. Information contained herein applies to typical instances and may not address all individual circumstances.

**General Information:**

Sonoma County Fire Prevention Division is coordinating a program for defensible space inspections. In conjunction with several fire districts throughout the county, the inspection program is to improve compliance to the requirements of Sonoma County Code Ordinance 13A, "Duty to Maintain Defensible Space and Abate Hazardous Vegetation and Combustible Material."

The ordinance applies to parcels in Sonoma County which are:

- In unincorporated areas (i.e., not within municipalities)
- Improved (with structures)
- Unimproved (without structures)

It is the purpose of the Hazardous Vegetation and Combustible Material Inspection and Abatement Program to protect the lives and property of the citizens of Sonoma County while at the same time protecting rare and sensitive plant and animal species and the environment.

Inspection Notices for Hazardous Vegetation and Combustible Material Abatement will be mailed to property owners or properties where inspections may occur. The Notice lists the basic requirements of Sonoma County Code Ordinance 13A, "Duty to Maintain Defensible Space and Abate Hazardous Vegetation and Combustible Material." Please make every effort to bring your property into compliance before the inspection. Field inspections are performed by County of Sonoma Fire Prevention Staff and/or Local Fire District personnel.

Step by Step Process:

1. **Notice of upcoming inspections mailed**
2. **First inspections will occur after Notice is mailed**
  - a. If property passes first inspection, thank you!
  - b. If property fails first inspection, property owner has 30 calendar days to bring the property into compliance.
3. **Second Inspection: Note: You may be billed for a second inspection.**
  - a. If property passes second inspection: Thank you.
  - b. If property fails second inspection: notice of violation and order to abate mailed to property owner via certified mail.
  - c. Property owner has the right to request a hearing. If no request is made within 15 calendar days, abatement procedures may begin.
4. **Abatement procedures may be initiated**
5. **Property posted and noticed for abatement**
6. **Property abated by order of County of Sonoma Fire Warden/Fire Marshal or designee**
7. **Bill sent to property owner reflect costs of inspections, administrative, abatement, attorney fees if applicable, and fines. If payment is not made, a lien may be placed on the property.**

If you received an **Inspection Notice** for Abatement of Hazardous Vegetation and Combustible Material from the Sonoma County Fire Prevention Division, it is important that you act promptly. Inspect your property and determine if it is in compliance with regulations as outlined on the color flyer. If any portion of your property is not in compliance, you must take steps to resolve the problem prior to the inspection date listed on the notice to avoid inspection charges. Property owners may be billed for inspections and related costs if the property remains out of compliance following inspection.

Field inspections focus on fire safety as well as other general public safety and nuisance concerns. If a property is inspected and is not in compliance, a notice of violation and order to abate ("notice/order") will be sent to the property owner at the person's name and address appears on the last county equalized assessment roll. The notice/order shall specify the corrective actions required to be taken and order the property owners and persons in possession to abate the hazardous vegetation or combustible material within thirty (30) calendar days and state that the failure to bring the real property into compliance with this chapter could subject the owner or persons in possession to civil, administrative and criminal penalties. Inspections will typically occur 15 to 30 days after notices are mailed. However, it is required to keep property in compliance year-round.

**Properties in Compliance at the Time of Inspection: No fees charged**

If your property is already in compliance when you receive the notice and/or at the time of inspection, we thank you for your efforts, time and cooperation. You will not be billed for the inspection. Please remember that inspections are conducted throughout the year, and the property must be maintained year-round in order to remain in compliance, and to avoid any charges.

**Properties Not in Compliance at the time of inspection may be billed for inspections, related costs, and potentially for the cost of abatement of violations.**



**Sonoma County Permit and Resource Management Department**  
2550 Ventura Avenue Santa Rosa CA 95403-2859 (707) 565-1900  
[www.PermitSonoma.org](http://www.PermitSonoma.org)



Property owners not in compliance may be billed at a minimum for the second inspection and all related costs. The fee for each hazardous vegetation and combustible material abatement inspection is outlined in the current County of Sonoma Fire Prevention Division Fee Schedule available at [www.sonomacounty.ca.gov/PRMD/Fire-Prevention/Fire-Prevention-Fees/](http://www.sonomacounty.ca.gov/PRMD/Fire-Prevention/Fire-Prevention-Fees/) .

If a problem remains on a property after the Second Notice of Violation and Order to Abate has been sent, the County of Sonoma Fire Warden/Fire Marshal may order the hazardous vegetation or other combustible material to be removed at the expense of the property owner. Any person who is adversely affected by the notice/order may appeal the determination to a hearing officer appointed by the county. The request for a hearing must be made in writing and submitted to the enforcing officer within fifteen (15) calendar days of the postmark on the notice/order. In the event a hearing is requested and the hearing officer appointed by the Board of Supervisors deems the real property to be a public nuisance and orders the County of Sonoma Fire Warden/Fire Marshal to abate the hazardous vegetation or combustible material, the property owner will also be responsible for attorneys' fees, and other costs associated with the hearing and abatement costs.

If the if the hazardous vegetation or combustible material is not abated as directed and within ten (10) business days, the County of Sonoma Fire Warden/Fire Marshal may abate the hazardous vegetation or combustible material and the abatement costs shall be a lien and an assessment against the real property.

The property owner is responsible, and will be billed for all Sonoma County Fire Prevention Division costs related to the abatement of the property. These costs include, but are not limited to, the investigation of complaints, the inspection of properties, the preparation, service and/or publication of administrative notices and other related clerical costs, as well as the actual removal of hazardous vegetation and combustible materials and/or rubbish from the property. Costs related to abatement of properties will be billed to the property owner by invoice from the County of Sonoma. Unpaid costs will be assessed to the tax rolls as a lien against the property.

### Sec. 13A-3. Definitions

The following definitions apply to this chapter:

**“Abate” and/or “abatement”** means an act used to remove, destroy, eliminate, seize, impound, or any action taken to mitigate a public nuisance.

**“Abatement costs”** means any and all costs incurred by the County of Sonoma to abate the hazardous vegetation or combustible material on any property pursuant to this chapter, including physical abatement costs, administration fees and any additional costs incurred by the County of Sonoma for the abatement proceeding, including attorney's fees, if applicable.

**“Combustible material”** means rubbish, firewood piles, litter or material of any kind other than hazardous vegetation that is flammable and endangers the public safety by creating a fire hazard.

**“County Fire Warden/Fire Marshal”** means the Fire Warden/Fire Marshal of the County of Sonoma or his/her designated representative.



- (1) Chiefs of all fire protection districts within the territory of the political subdivision within the county where he/she serves, and their deputies may assist with conducting inspections and sending notices of violation to the Fire Warden/Fire Marshal to enforce;
- (2) All employees of the County of Sonoma Fire Prevention and Hazardous Materials Division and
- (3) Such other officers as are designated by the Board of Supervisors or the County Fire Warden/Fire Marshal.

**“Defensible space”** is the buffer that landowners are required to create on their property between a structure and the plants, brush and trees or other items surrounding the structure that could ignite in the event of a fire.

**“Hazardous vegetation”** means vegetation that is flammable and endangers the public safety by creating a fire hazard including but not limited to seasonal and recurrent weeds, stubble, brush, dry leaves, etc.

**“Improved parcel”** means a portion of land of any size, the area of which is determined by the assessor’s maps and records and may be identified by an assessor’s parcel number upon which a structure is located.

**“Person”** means natural person or corporation.

**“Structure”** means any dwelling, house or building.

**“Unimproved parcel”** means a portion of land of any size, the area of which is determined by the assessor’s maps and records and may be identified by an assessor’s parcel number upon which no structure is located.

**Sonoma County Code Section Sec. 13A-4.** - Duty to abate hazardous vegetation and combustible material. To view the full ordinance, please visit [www.sonomacounty.ca.gov/Fire-Prevention/County-Fire-Code](http://www.sonomacounty.ca.gov/Fire-Prevention/County-Fire-Code).

#### **Sec. 13A-4. Duty to remove hazardous vegetation and combustible material.**

All hazardous vegetation or combustible material located on real property within the unincorporated area of the County of Sonoma is deemed a public nuisance and poses a hazard to the safety of the landowners, residents in the vicinity, users of public highways and to the public generally. All property owners, occupants and persons in control of any improved or unimproved parcel of land or interest therein which is located in the unincorporated area of the County (collectively referred to as “Owner” in this Chapter 13A) shall comply with the vegetation management requirements set forth in Chapter 13A.

Vegetation management in the Riparian Corridor Combining Zone streamside conservation area is subject to the allowed land uses, activities and permit requirements set forth in Chapter 26-65-040 of the Sonoma County Code. Owner shall also comply with all other federal, state and local laws, including environmental protection laws. The intensity of fuels management may vary within the 100 foot perimeter of the structure, the most intense management requirements shall be within the first 30 feet around the structure. Compliance with the provisions of this Chapter 13A is required throughout the year.



The requirements of this section will be satisfied if the following requirements are met:

- (a) For improved parcels in the Local Responsibility Area:
  - (1) Maintain a thirty-foot defensible space around all structures.
    - a. The grass needs to be cut six inches (6") or less. Do not cut to bare mineral soil.
    - b. The tree branches need to be limbed up six feet (6') from the ground.
    - c. Shrubs need to be maintained.
    - d. Climbing vines must be maintained to be clear of dead and dying materials or removed from trees and structures.
  - (2) Additional defensible space outward to one hundred feet (100') from all structures may be required depending on the property slope, fuel load and/or fuel type.
  - (3) Within ten feet of roadway frontage:
    - a. Remove dead and dying vegetation
    - b. Remove tree branches up to six feet (6') above the ground
    - c. Trim grasses to four inches (4") or less but not to the bare soil.
  - (4) Remove all portions of trees within ten feet (10') of chimney and/or stovepipe outlets.
    - a. Property owners are responsible for maintaining trees year round.
    - b. Trees need to be cut ten feet (10') away from the chimney in any direction.
  - (5) Maintain trees adjacent to or overhanging a structure free of dead/dying wood. Cut the trees back and remove any dead or dying wood.
  - (6) Maintain the roof of any structure free of leaves, needles, or other dead/dying wood. Remove any leaves, needles, branches, or debris from the roof and/or gutters.
  - (7) Install a spark arrester on chimney and/or stovepipe outlets.

The spark arrester must be constructed of heavy wire mesh with openings not to exceed one-half inch (½").
  - (8) Provide street address numbers that are clearly visible from the roadside, minimum height: Four inches (4").
    - a. The address numbers should be posted on the house.
    - b. If the house sits back from the street, post the address at the beginning of the driveway and on the house.
    - c. The address numbers should be reflective in a contrasting color for visibility pursuant to Sonoma County Code Chapter 13.
  - (9) Remove all tree limbs and branches within six feet (6') of the ground.
  - (10) Remove dead/dying vegetation from property.



- (b) For unimproved parcels in the State Responsibility Area and Local Responsibility Area:
- (1) Flammable vegetation and other combustible growth within ten feet (10') of structures and roadway frontage shall be removed;
  - (2) Dead and dying vegetation within ten feet (10') of structures and roadway frontage shall be removed;
  - (3) Grass and combustible surface vegetation within ten feet (10') of structures and roadway frontage must be trimmed to less than four inches (4") in height unless necessary for erosion control;
  - (4) All trees within ten feet (10') of structures and roadway frontage must be pruned to at least six feet (6') above grade; and
  - (5) Combustible material shall be removed from the property.

(c) Exemptions:

(1) Agricultural crops and agricultural operations as defined in Sonoma County Code section 13-6 are exempt. This exempts defensible space and vegetation management responsibilities for agricultural crops. It also exempts agricultural buildings such as barns, hay barns, dairy milking facilities and agricultural exempt buildings. To protect residents, defensible space shall be required around habitable dwellings and residential accessory structures similar to, but not limited to, pool houses, art studios and private detached garages. Roads used for agricultural purposes also are exempt from this Chapter.

(2) Cannabis cultivation operations are exempt. This exempts defensible space and vegetation management responsibilities for cannabis cultivation. It also exempts cannabis cultivation buildings approved by the Fire Code Official. To protect residents, defensible space shall be required around habitable dwellings and residential accessory structures similar to, but not limited to, pool houses, art studios and private detached garages. Roads used solely for cannabis cultivation purposes also are exempt from this Chapter.

