

CHAPTER 8.08. - FIRE PREVENTION

Footnotes:

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State Law reference— County authorized to adopt ordinances, rules, or regulations to provide fire prevention restrictions or regulations necessary to meet local conditions of weather, vegetation, or other fire hazards, Public Resources Code § 4117.

Sec. 8.08.010. - Title.

This chapter shall be known and may be referred to in all proceedings as the County Fire Hazard Ordinance.

(Prior Code, § 7201; Code 1997, § 8.08.010)

Sec. 8.08.020. - Reserved.

Editor's note— Ord. No. 5102, § 1, adopted June 4, 2019, repealed § 8.08.020, which pertained to hazard removal required, and derived from Prior Code, § 7202; Code 1997, § 8.08.020; and Ord. No. 3528, § 1, 1985.

Sec. 8.08.030. - Incinerator permits.

It is unlawful in the unincorporated territory of the County to burn flammable material in incinerators between May 1 and the date the Director of the Department of Forestry declares, by proclamation, that the hazardous fire conditions have abated for that year, or at any other time during any year when the Director of the Department of Forestry has declared, by proclamation, that unusual fire hazard conditions exist in the area, except upon the issuance of a permit for such burning by State or Federal forest rangers, their duly authorized agents, or the Fire Chief of any legally constituted fire protection district of the County. No permit shall be issued for the burning of any flammable materials in incinerators in the unincorporated territory of the County unless the land around the incinerator is cleared of all flammable material within a radius of at least ten feet from the incinerator, and unless the incinerator, incinerator flue and each opening in the exterior of an incinerator be covered by a screen constructed of a nonflammable material with no greater than one-fourth-inch mesh. The Director of the Department of Forestry means the State official appointed to administrate and enforce forestry regulations.

(Prior Code, § 7203; Code 1997, § 8.08.030; Ord. No. 3528, § 2, 1985)

Sec. 8.08.040. - Smoking prohibited areas.

It is unlawful for any person to ignite or smoke any cigarette, cigar, pipe, tobacco, match or cigarette lighter in any grass, grain, stubble, brush, timber-covered land, or upon any highway, road or trail therein from April 15 through November 30 of each year except in the following places:

- A. Inside vehicles on roads or highways;
- B. Within any improved campground;
- C. Within a maintained firebreak or clearing around any cabin, tent, residence, store or other like structure, or within any such structure;
- D. While stopped in a cleared or barren area of at least three feet in diameter; provided, however, that in any such case any and all burning or glowing substances are completely extinguished before being discarded.

(Prior Code, § 7204; Code 1997, § 8.08.040)

Sec. 8.08.050. - Fireworks restricted.

- A. Any person who uses, discharges or possesses any fireworks as defined in Health and Safety Code § 12511 within the unincorporated territory of the County is punishable according to the general penalties described in Chapter 1.24.
- B. Exception. The provisions of this section shall not apply to any person engaged in the preparation for or performance of public fireworks display authorized by written resolution of the Board of Supervisors in advance in full compliance with any conditions or restrictions contained in such resolution.

(Prior Code, § 7205; Code 1997, § 8.08.050)

State Law reference— State Fireworks Law, Health and Safety Code § 12500 et seq.

Sec. 8.08.060. - Campfire restrictions.

- A. It is unlawful for any person to light, maintain or use a campfire upon or near any brush-covered land, grass-covered land or forest-covered land during the time when burning permits are suspended by the Director of the Department of Forestry.
- B. When campfires are allowed, it shall be unlawful for any person to light, maintain or use a campfire upon or near any brush-covered land, grass-covered land or forest-covered land unless the following minimum requirements are complied with:
 - 1. The area within five feet of the periphery of the campfire is cleared of all flammable material and vegetation;
 - 2. One serviceable round-point shovel with a handle at least 12 inches long is ready for use at the immediate area of the campfire.

(Prior Code, §§ 7211, 7212; Code 1997, §§ 8.08.060, 8.08.070; Ord. No. 3528, § 3, 1985)

Sec. 8.08.070. - Reserved.

Sec. 8.08.080. - Enforcement.

The Director of the Department of Forestry and all his or her duly authorized agents by the laws of the State, all United States Forest Service Officers and officers of legally constituted fire protection districts are designated as, and given the powers of, peace officers for the purpose of making arrests for violations of any of the provisions of this chapter.

(Prior Code, § 7210; Code 1997, § 8.08.080; Ord. No. 3528, § 4, 1985)

Sec. 8.08.090. - Penalty for violation.

Each violation of this chapter shall be punishable according to the general penalties described in Chapter 1.24.

(Prior Code, § 7209; Code 1997, § 8.08.090)