



## Legislation Text

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**File #:** 19-0630, **Version:** 2

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Ad Hoc Code Enforcement Advisory Committee recommending the Board approve the **Final Passage** (Second Reading) of Ordinance **5101** to add County ordinance code Chapter **08.09** - Vegetation Management and Defensible Space. (Cont. 4/23/19 Item 28).

**FUNDING:** General Fund and Abatement Charges.

### **DISCUSSION / BACKGROUND**

At their regular meeting on April 23, 2019 (Item 28), the Board approved the Introduction of Ordinance 5101 incorporating changes reflected in Attachment C, and continued the matter to April 30, 2019 for Final Passage. During discussion of the matter on April 23rd, staff and Counsel iterated that the ordinance would be formatted to correspond with the online codified code system (Municode). Initially it was believed the new ordinance would be included in Chapter 8.08.10 - *Fire Prevention*, however it was later determined the creation of a new Chapter in the code is prudent given the scope of the ordinance. Upon consultation with the Clerk of the Board, a new Chapter 8.09 *Vegetation Management and Defensible Space* of Title 8 *Public Health and Safety* was identified as the appropriate location to insert the content of Ordinance 5101.

### Additional Background

The April 9, 2019 presentation was a proposal for a vegetation management program (Legistar Item #19-0550). This presentation allowed for the Board of Supervisors to have information on the program before the first Board of Supervisors budget workshop on April 22, 2019. If the vegetation management program was decided as a high budget priority and the first reading of the ordinance was April 23, 2019.

On January 23, 2018, the Board of Supervisors approved the Ad hoc Code Enforcement Advisory Committee to look at amending County Ordinance Code, Chapter 09.02 - Code Enforcement, pursuant to Board Policy A-3, to direct staff to study more defined code enforcement process timelines and evaluate services provided, which does not include Vacation Home Rentals (Legistar Item #18-0033).

Since the Board's approval, the ad hoc advisory committee has identified different Code Enforcement topics: vegetation management, building codes, minimum housing, vehicle abatement and solid waste. Analysis of all of these topics together would provide an overwhelming amount of information. Due to the large amount of information, the ad hoc committee decided to study different code enforcement topics separately.

The first topic the ad hoc committee decided to work on is vegetation management. The ad hoc committee met with community stakeholders numerous times to discuss vegetation management issues around the County. These meetings included county stakeholders (e.g. county fire districts, CAL FIRE, El Dorado County Fire Safe Council, County Department of Transportation, County Facilities Division, Forest Service, Bureau of Land Management, etc.). In addition, the ad hoc committee held four public meetings in different locations around the County to discuss what

vegetation management changes would help make the County's communities safer. Likewise, the committee has been collecting information from other counties around the state to see what they are doing to make their communities safer. Lastly, the ad hoc committee has provided two update presentations to the Board of Supervisors (Legistar Item #18-1462 and Legistar Item #19-0038) on the information gathering process regarding vegetation management. The Board gave conceptual approval to amend County Ordinance Code, Chapter 08.08.010 - Fire Prevention, pursuant to Board Policy A-3, to direct staff to begin working on draft vegetation management changes to the ordinance (Legistar Item #19-0197).

## **ALTERNATIVES**

The Board can decide to delay the first reading or decide not to support the vegetation management ordinance changes.

## **OTHER DEPARTMENT / AGENCY INVOLVEMENT**

County Counsel, El Dorado County fire departments/districts, CAL FIRE, different counties' fire districts around the state, and fire safe councils.

## **FINANCIAL IMPACT**

Three scenarios were proposed to the Board of Supervisors to operate the program. Each scenario includes funding for a Supervising Inspector and Inspector that will conduct complaint inspections and administration of the program (e.g. sending letters, violations, assisting in hearings, etc.). There is operating costs (e.g. supplies, mailing costs, advertising, etc.), abatement of county property costs (fuel reduction on County properties) and abatement recovery funds (e.g. funds needed to pay for the abatement of properties that do not come into compliance which should be paid back to the County) also included in each scenario. The difference in each scenario is attributed to contract inspection costs. Each scenario has a different amount of contract inspection cost due to a different amount of inspections being estimated to be done. The total for the first scenario would be \$624,000 which estimates that 2,500 contract inspections would be completed in a fiscal year. The total in the second scenario is \$585,000 which estimates that 1,875 inspections would be completed in a fiscal year. The total in the third scenario is \$545,000 which estimates that 1,250 inspections would be completed in a fiscal year. Costs would be funded through the General Fund, though there is potential to offset these costs should any grant opportunities be identified.

## **CLERK OF THE BOARD FOLLOW UP ACTIONS**

Obtain the Chair's signature on the ordinance and within 15 days, publish the summary ordinance in the Mountain Democrat newspaper.

Provide a certified copy of the ordinance to each fire district in the County, pursuant to Government Code Sections 25120 through 25132.

## **STRATEGIC PLAN COMPONENT**

Public Safety and Infrastructure

## **CONTACT**

Creighton Avila, Deputy Chief Administrative Officer