

## Placer County, CA

### Chapter 9 PUBLIC PEACE, SAFETY AND WELFARE Article 9.32 FIRE PREVENTION

#### Part 3. Fire Hazards

##### 9.32.060 Short title.

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This part shall be known and may be referred to in all proceedings as the Placer County fire hazard regulations. (Prior code § 7.20)

##### 9.32.070 Fire breaks required—Roofs to be kept clean.

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Every person owning, controlling, renting or operating any cabin, tent, residence, store, hotel, motel, house trailer, apiary or other building, structure or improvement in any unincorporated territory in the county shall, during the period from April 15th, but, in any event, not later than June 1st to December 1st of each year, the date to be at the discretion of the state or United States Forest Rangers or duly appointed agents thereof or the chief of a legally constituted fire protection district:

A. Maintain a fire break or clearing around such cabin, tent, residence, store, hotel, motel, house trailer, apiary or other building, structure or improvement, free from all flammable material, for a distance of thirty (30) feet from any portion of such building, structure or improvement; provided, that the state or United States Forest Ranger or chief of a legally constituted fire protection district may, by ten (10) days' written notice plainly posted on the property to be cleared or delivered to the occupant thereof, require a distance greater than thirty (30) feet but not to exceed one hundred (100) feet to be cleared where the state or United States Forest Ranger or chief of a legally constituted fire protection district determines that the greater distance is necessary to protect such improvements. Where the distance from the building, structure or improvement to the property line of the parcel upon which the building, structure or improvement is located is less than the distance required to be cleared, the adjacent owner or lessee shall clear an area on his or her own property, sufficient to provide the required fire break. This subsection shall not apply to trees, except where dead or where the foliage of such trees shall be within ten (10) feet of the chimney of any building or structure, nor shall it apply to ornamental or cultivated shrubs or ground coverings preserved for decorative effect, provided they do not form a means of readily transmitting fire from the native growth to any building, structure or improvement.

B. Keep the roofs of all cabins, tents, residences, stores, hotels, motels, house trailers or other like structures or improvements free from leaves, needles or other flammable debris. (Prior code § 7.21)

### **9.32.080 Burning permits.**

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A. It is unlawful, in the unincorporated territory of the county for any person to set fire to or burn brush, stumps, logs, fallen timber, fallows, slash or grass, forest land or any other flammable material, and it is unlawful for any person to set fire to or burn flammable material in incinerators between April 15th and December 1st of each year, except upon the issuance of a permit of such burning, issued by state or federal forest rangers, their duly authorized agents or the chief or officers of any legally constituted fire protection district of the county.

B. The permit shall be issued in writing and shall state the times at which any of the terms and conditions subject to such burning shall be done, and it is unlawful for any such person to violate any of the terms, provisions or conditions of such permit. Regardless of such permit, any person burning any material or setting any fire shall observe all reasonable and proper care and precautions in so doing, and nothing contained in such permit shall relieve or exonerate any such person from civil liability by any reason of any violation of law.

C. No permit shall be issued for the burning of any flammable material in incinerators in the unincorporated territory of the county unless such incinerator is constructed of a fireproof material and all openings from which fire or sparks may escape are covered by a mesh screen not larger than one-fourth inch. The area around the incinerator shall be kept clear of any rubbish, dry grass, weeds, vegetative growth or other combustible or flammable material for a radius of at least fifteen (15) feet from such incinerator.

D. No permit shall be required under this section for the owner of any property or for any person with written authorization in his immediate possession from the owner of the property to light or maintain in the unincorporated territory in the county, a camp or cooking fire, cooking grill or barbecue device, provided the land around such camp or cooking fire, cooking grill or barbecue device is cleared of all flammable material within a radius of at least ten (10) feet and that at any camp or cooking fire, cooking grill or barbecue device not located in dooryard premises, there shall be one able-bodied person in actual attendance of such fire at all times. (Prior code § 7.22)

### **9.32.090 Smoking in danger areas prohibited—Exceptions.**

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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 the fifteenth day of April through the first day of December 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, that in any such case, all burning or glowing substance shall be completely extinguished before being discarded. (Prior code § 7.23)

**9.32.100 Use, possession, etc., of fireworks prohibited—Exceptions.**

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No person shall use, discharge or possess any fireworks, as defined in Sections 12505 or 12529 of the State Health and Safety Code, within the unincorporated territory of the county. Violation of this section shall be a misdemeanor, punishable by either a fine not exceeding two thousand dollars (\$2,000.00) per occurrence, or imprisonment in the county jail for a term no exceeding six months. This provision shall not apply to Pyrotechnic Operators licensed by the State of California engaged in the preparations for or performance of a public fireworks display, providing that the Operator possess any applicable local permits regulating the use, discharge or possession of fireworks, and any and all discharge of fireworks occurs only between six p.m. December 30, 2004, and nine p.m. March 22, 2005. (Ord. 5341-B § 1, 2004: Ord. 5327-B § 1, 2004: Ord. 5246-B § 1, 2003: Ord. 5006-B (part), 1999: prior code § 7.24)

**9.32.110 Enforcement of part.**

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The state forester and all agents duly authorized 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 power of peace officers for the purpose of enforcing the provisions of this part and for making arrests for violations of any of the provisions of this part. (Prior code § 7.25)

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B. The permit shall be issued in writing and shall state the times at which any of the terms and conditions subject to such burning shall be done, and it is unlawful for any such person to violate any of the terms, provisions or conditions of such permit. Regardless of such permit, any person burning any material or setting any fire shall observe all reasonable and proper care and precautions in so doing, and nothing contained in such permit shall relieve or exonerate any such person from civil liability by any reason of any violation of law.

C. No permit shall be issued for the burning of any flammable material in incinerators in the unincorporated territory of the county unless such incinerator is constructed of a fireproof material and all openings from which fire or sparks may escape are covered by a mesh screen not larger than one-fourth inch. The area around the incinerator shall be kept clear of any rubbish, dry grass, weeds, vegetative growth or other combustible or flammable material for a radius of at least fifteen (15) feet from such incinerator.

D. No permit shall be required under this section for the owner of any property or for any person with written authorization in his immediate possession from the owner of the property to light or maintain in the unincorporated territory in the county, a camp or cooking fire, cooking grill or **barbecue** device, provided the land around such camp or cooking fire, cooking grill or **barbecue** device is cleared of all flammable material within a radius of at least ten (10) feet and that at any camp or cooking fire, cooking grill or **barbecue** device not located in dooryard premises, there shall be one able-bodied person in actual attendance of such fire at all times. (Prior code § 7.22)