

EXHIBIT “A”

Chapter 6.16 VEGETATION MANAGEMENT AND DEFENSIBLE SPACE

Section 6.16.010 – Title.

This chapter shall be known and may be referred to in all proceedings as the City of Riverside Vegetation Management and Defensible Space Ordinance. The purpose of this ordinance is to provide for the removal of hazardous vegetation and combustible materials situated within the City’s limits to reduce the potential for fire and to promote the safety and welfare of the community.

Section 6.16.020 – Findings.

- A. The City Council of Riverside (“City”) finds and declares that the uncontrolled growth and/or accumulation of weeds, grasses, hazardous vegetation, combustible materials, or obstructions on sidewalks, streets, and on lands or lots within the City is dangerous or injurious to neighboring property and the health, safety, and welfare of the City’s residents. The City further finds that such growth and accumulation constitute a public nuisance as defined under the Riverside Municipal Code, as it creates fire hazards, reduces the value of private property, promotes blight and deterioration, invites plundering, constitutes an unattractive nuisance, and poses a hazard to the health, safety, and general welfare of the public.
- B. It is the intent of the City that this Ordinance shall create an annual program for the abatement of the growth and/or accumulation of weeds, grasses, shrubs, dormant brush, slash, tree limbs, hazardous vegetation, and combustible materials on parcels located within High or Very High Fire Hazard Severity Zones within the City, and the ongoing maintenance of those parcels, to prevent hazardous vegetation from growing back.
- C. The City of Riverside is located in a wildland/suburban interface area where many native and non-native plant species within the jurisdictional boundaries of the City are highly flammable during dry periods. These conditions have contributed to significant wildfires having the potential of catastrophic losses to life, property, and the environment. The risk of significant wildfires continues to increase due to various factors.
- D. The City of Riverside has a diverse and complex landscape, including hillsides, open spaces, and grass-covered wildlands, which have the potential to fuel catastrophic fire events.
- E. Of paramount importance to the City Council and the residents of the City of Riverside is the protection of lives and property from the threat of fire, as well as ensuring the safety of fire and law enforcement personnel during wildfires.
- F. The purpose of this Ordinance is to establish a hazardous vegetation and combustible material abatement program that protects the lives and property of the residents of the

City of Riverside within High and Very High Fire Hazard Severity Zones determined by the California Department of Forestry and Fire Protection (CAL FIRE).

- G. It is the City of Riverside's intent to create fire-safe communities, thereby providing residents with better opportunities for affordable fire insurance.
- H. California Environmental Quality Act (CEQA). The subject project is Categorically Exempt (Class 4) from provisions of CEQA, pursuant to 14 CCR section 15304. The subject project is also exempt under the “common sense” exemption in 14 CCR section 15061(b)(3) because it does not involve activity that will have a significant effect on the environment.
- I. Based on the foregoing, the City hereby finds that Riverside City Charter Section 413 applies to this Urgency Ordinance, as the proliferation of wildfires in recent years poses a serious threat to the health, safety, and general welfare of the public, and this ordinance may be introduced and adopted at one and the same meeting if passed by at least five affirmative votes.

Section 6.16.030 – Definitions

For purposes of this Chapter, the following words, phrases, and definitions shall have the meanings respectively ascribed to them:

Annual Defensible Space Clearance Notice means a notice issued by the City of Riverside to property owners within High Fire Hazard Severity Zones (“HFHSZ”) and Very High Fire Hazard Severity Zones (“VHFHSZ”), informing them of their responsibility to maintain defensible space and comply with vegetation management requirements.

Combustible Material means the accumulation of garbage, rubbish, waste or material of any kind other than hazardous vegetation that is flammable and endangers the public safety by creating a fire hazard.

Defensible Space means the area around a Structure or Outbuilding where vegetation, debris, and other combustible fuels are managed to reduce the spread of fire and provide firefighters with a safe working environment.

Enforcement Official means the Fire Chief or other City employee(s) as designated by the Fire Chief.

Fire Chief has the same meaning as defined in Section 1.18.010.

Hazardous Vegetation means vegetation that poses a fire hazard due to its dryness, density, or combustibility. This includes but is not limited to dead trees, dry grass, brush, and unmaintained vegetation that can contribute to the rapid spread of fire.

High Fire Hazard Severity Zone (“HFHSZ”) means a geographic area designated by the California Department of Forestry and Fire Protection (CAL FIRE) as having a high fire hazard risk due to factors such as vegetation, topography, weather conditions, and fire history.

Improved Parcel refers to any portion of land, regardless of size, as defined by the Assessor's maps and records, identifiable by an Assessor's Parcel Number, and containing a structure.

Official Inspection Report means a formal written document issued by the Enforcement Official to a property owner, outlining compliance or non-compliance requiring the removal of hazardous vegetation, waste, or combustible materials within a specified timeframe.

Outbuilding means a structure that is more than one hundred-twenty (120) square feet in size and not used for human habitation. For purposes of this ordinance, an "Outbuilding" is not a "Structure" as defined below.

Non-Hazardous Vegetation, in the context of a defensible space ordinance, refers to plant species that are highly resistant to ignition and fire spread due to characteristics such as high moisture content, low resin or oil production, minimal accumulation of dead material, and reduced potential for ember generation, and which, when properly maintained, do not contribute to increased fire hazard by acting as ladder fuels, creating dense canopies, or obstructing defensible space requirements.

Seasonal Public Nuisance refers to a designation applied to parcels with recurrent hazardous vegetation conditions that require repeated abatement actions by the City over multiple years.

Structure, as used in this chapter, includes buildings that qualify for occupancy under the City's Building Code and Chapter 16.08. This includes residential dwellings (such as trailers and mobile homes, whether located in a park or on private property), commercial buildings, industrial buildings, government buildings, and any accessory structures deemed appropriate for a site address by the City. Sheds, buildings, or enclosures with a total floor area of 120 square feet or less are exempt.

Unimproved Parcel means land of any size, the area of which is determined by the County Assessor's maps and records and may be identified by an Assessor's Parcel Number upon which no structure is located.

Very High Fire Hazard Severity Zone ("VHFHSZ") means a geographic area designated by the California Department of Forestry and Fire Protection (CAL FIRE) as having a very high fire hazard risk due to factors such as vegetation, topography, weather conditions, and fire history

Weeds include those defined in Section 6.15.015, and any of the following:

1. Weeds which bear seeds of a downy or wingy nature;
2. Weeds and grasses which attain such growth as to become, when dry, a fire menace to adjacent improved property;
3. Dry grass, stubble, brush, or other flammable vegetation which endangers the public safety by creating a fire hazard.
4. Vegetation that is not pruned or is otherwise neglected so as to attain such large growth as to become, when dry, a fire hazard to adjacent property.

Section 6.16.040 – Duty to Remove and Abate Hazardous Vegetation and Combustible Material

- A. Every owner of any Improved Parcel or Unimproved Parcel of land or interest therein, which is located within the City of Riverside and a High or Very High Fire Hazard Severity Zone, shall remove or abate all Weeds, Hazardous Vegetation and Combustible Material which constitutes a fire hazard, or may endanger or damage surrounding property.
- B. The owner of buildings, grounds, or lots, located within the City of Riverside and a High or Very High Fire Hazard Severity Zone, shall remove from such property and adjacent streets all Weeds, Hazardous Vegetation or Combustible Material growing or accumulated thereon, in accordance with the procedures and methods prescribed in this Ordinance and by the Enforcement Official.
- C. Prior to the close of any real estate sales transaction within the City of Riverside, the requirements for property owners to comply with the vegetation management ordinance shall be disclosed to all potential property owners.
- D. All Improved Parcels, shall comply with the following requirements:
 - 1. Maintain defensible space of 100 feet from each side and from the front and rear of the structure or outbuilding, but not beyond the property line except as provided in Section 6.16.050. Combustible material, hazardous vegetation, and weeds shall be maintained in a condition such that a fire burning under average weather conditions would be unlikely to ignite the structure or outbuilding. This paragraph does not apply to single specimens of trees or other vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or outbuilding, or from a structure or outbuilding to other nearby vegetation.
 - 2. Remove dead vegetation, trim branches, relocate flammable materials, and use non-combustible landscaping within 30 feet of any structure or outbuilding on an improved parcel.
 - 3. Thinly trim live plants, remove dead vegetation, and maintain adequate spacing between trees and shrubs, within 100 feet but not less than 30 feet from a Structure or Outbuilding on an Improved Parcel.
 - 4. Consistent with fuel management treatment objectives, steps should be taken to minimize erosion. Clearance on adjacent property shall only be conducted following written consent by the adjacent landowner.
 - 5. Remove any portion of a tree that extends within 10 feet of the outlet of a chimney or stovepipe.
 - 6. Maintain trees, shrubs, or other plants adjacent to or overhanging a building free of dead or dying wood.

7. Maintain the roof of a structure or outbuilding free of leaves, needles, or other vegetative materials.

Section 6.16.050 – Good Neighbor Rule

- A. Owners of an Unimproved Parcel which abuts or is adjacent to an Improved Parcel shall maintain additional defensible space consistent with Section 6.16.040 above (Duty to Remove and Abate Hazardous Vegetation and Combustible Material) as follows:
 1. A one-hundred-foot (100 ft.) wide strip of land shall be cleared around a Structure or Outbuilding located on an Improved Parcel which abuts or is adjacent to an Unimproved Parcel.
 2. Any part of additional defensible space required under this section shall only extend to the applicable property owner's property line.
 3. Any additional defensible space required under this section onto an Unimproved Parcel shall be completed by the Unimproved Parcel's owner at their expense.
- A. Some or all of this clearance may be required on the Improved Parcel or the adjacent Unimproved Parcel depending upon the location of the structure or outbuilding on the Improved Parcel. For example, if a structure or outbuilding is 70 feet from its property line, the adjacent property owner shall then, at their own expense, complete Fuel management on another 30 feet to create a 100-foot strip of complying land.
- B. A person is not required under this section to manage fuels on land if that person does not have the legal right to manage fuels, nor is a person required to enter upon or to alter property that is owned by any other person without the written consent of the owner of that property.

Section 6.16.060 – Inspection

The Enforcement Official, or personnel acting under his or her direction, may enter upon private or public property whenever necessary to enforce or administer the provisions of this chapter; provided, however, that this right of entry and inspection shall not be construed to grant the right to enter into any dwelling or structure which may be located on the land. Should the City determine that there is a reasonable expectation of privacy of the property owner with respect to the dwelling unit to be inspected, the City may request an inspection warrant pursuant to the provisions of California Code of Civil Procedure § 1822.50 et seq., which warrant shall state the location which it covers and state the purposes of the inspection. When there is no reasonable expectation of privacy, such as with respect to an abandoned dwelling or building, the Enforcement Official may enter onto that property without a warrant in order to inspect the property for the purposes of determining whether the provisions of this Ordinance have been violated.

Section 6.16.065 – Adjusted Inspection Timeframes for High-Risk Properties

The Enforcement Official shall have the discretion to modify inspection timeframes for parcels that have been identified as posing a significant fire threat due to the presence of accumulated weeds, hazardous materials, and combustible materials. Such properties may be subject to more frequent inspections or accelerated compliance deadlines to mitigate fire hazards effectively. The Enforcement Official may also require immediate abatement action

in cases where conditions present an imminent risk to public safety. Property owners will be notified of any adjusted inspection schedules and required corrective actions in writing.

Section 6.16.070 – Enforcement Procedure

A. Annual Notification

1. **Notification Mailing:** Annual Defensible Space Clearance Notices shall be mailed to property owners based on seasonal fuel conditions.
2. **Applicable Properties:** Notices under this subdivision shall be sent to owners of parcels located within High or Very High Fire Hazard Severity Zones as defined by the current maps promulgated by the California Department of Forestry and Fire Protection (CAL FIRE).
3. **Content of Notification:** Each notice shall include a compliance deadline and information on defensible space requirements.

B. Initial Inspections

1. **Inspection Start:** Inspections shall commence no earlier than 30 calendar days after the mailing date of the Annual Defensible Space Clearance Notices. A fee for service shall be charged in accordance with the City of Riverside Schedule of Fees as set by the City Council.
2. **Compliance Check:** Properties found in violation of the ordinance shall receive an Official Inspection Report, which will outline specific violations and provide instructions for remediation with a compliance deadline.

C. Administrative Citations

1. **Enforcement:** If the property remains non-compliant 10 calendar days after the issuance of the Official Inspection Report, the property and/or building owner shall be subject to administrative citations and fines as set forth in Chapter 1.17, in addition to any other fines and/or penalties imposed for violation of local, state and/or federal law. Such properties may be subject to more frequent inspections or accelerated compliance deadlines to mitigate imminent or ongoing fire hazards.
2. **Fine Amounts:** Administrative citations issued pursuant to this section shall be in amounts listed in RMC 1.17.230 for first, second, and/or third violations, respectively.
3. **Appeal Rights:** Property owners have a right to appeal any Administrative Citation pursuant to Municipal Code § 1.17.250 et seq.

D. Nuisance Abatement

1. **Contractor Action:** If violations remain unaddressed after receiving the Official Inspection Report and an administrative citation, the property shall be declared a public nuisance under this Section and the City may abate this nuisance by arranging for contractors to perform the necessary clearance work, pursuant to the abatement process in Chapter 6.15.
2. **Cost Recovery:** Property owners shall be billed for the full cost of clearance, including

labor, equipment, and administrative fees. Such costs shall be assessed as a lien or added to the property tax bill in the subsequent year.

Section 6.16.080 – Official Inspection Report

- A. Upon completion of an annual inspection described above, the property owner will receive an Official Inspection Report. The contents of a Report indicating noncompliance shall include the following:
1. A description of the property, referencing the assessor's parcel number as recorded in the City of Riverside's assessment records, and the common name of a street or road upon which the property abuts, if applicable.
 2. A statement indicating the presence of hazardous vegetation, weeds, rubbish, or refuse on the property.
 3. A directive requiring the removal or abatement of the hazardous vegetation, weeds, rubbish, or refuse by a specified date, which shall not be less than thirty (30) calendar days from the date the notice is mailed or posted.
 4. A statement advising that, if the hazardous conditions are not removed or abated by the specified date, the City may perform the removal or abatement under its authority, with the associated costs becoming a legal charge against the property owner, who may also incur fines as detailed in the City's enforcement procedures.
 5. A statement outlining the property owner's right to appeal the determination of the Enforcement Officer.

Section 6.16.090 – Official Inspection Report Appeals Procedure

- A. Any person or entity adversely affected by an Official Inspection Report issued by the City of Riverside may file a written appeal with the Enforcement Official within fifteen (15) calendar days of the postmark date of the notice. A timely appeal will stay any further removal or abatement actions until the hearing date, unless the weeds, hazardous vegetation, waste, or combustible materials in question pose an imminent fire hazard within 100 feet of a structure or outbuilding.
- B. The Enforcement Official will schedule a hearing before the City's designated Hearing Officer and notify the appellant of the date, time, and location of the hearing by certified mail at least fifteen (15) calendar days in advance. If the appellant resides outside the City, the notice will be mailed at least twenty (20) calendar days prior to the hearing.
- C. The appellant may appear in person or designate an agent in writing to present oral, written, and/or photographic evidence during the hearing. Any written inspection report prepared by the investigative official will be admissible and considered by the Hearing Officer.
- D. The Hearing Officer will issue a written decision granting or denying the appeal within fifteen (15) calendar days of the hearing. The decision of the Hearing Officer will be final.
- E. If the appeal is denied, the property owner must abate the hazard within seven (7) calendar days. If abatement does not occur within this timeframe, the Enforcement Official may

proceed to abate the nuisance. However, if the property owner demonstrates progress toward compliance (e.g., ongoing cleanup efforts or a scheduled contractor), the Enforcement Official may work with the owner to achieve compliance before initiating abatement actions.

Section 6.16.100 – Seasonal Designation

For parcels within the City of Riverside containing a fire hazard that has necessitated abatement by the City in two (2) consecutive years, and where the fire hazard is determined to be seasonal or recurring, the Enforcement Official shall have the authority to declare the parcel a seasonal public nuisance. Once designated, fire hazards on the parcel may be abated annually without the requirement of additional administrative hearings.