

ORDINANCE NO. SCC 2025-03

**AN ORDINANCE OF THE BOARD OF SUPERVISORS
OF THE COUNTY OF SHASTA
AMENDING CHAPTER 8.10 DEFENSIBLE SPACE FOR FIRE PROTECTION AND
PREVENTION
OF THE SHASTA COUNTY CODE**

The Board of Supervisors of the County of Shasta ordains as follows:

SECTION 1.

Chapter 8.10 of the Shasta County Code is enacted to read in its entirety as follows:

**Chapter 8.10
DEFENSIBLE SPACE FOR FIRE PROTECTION AND PREVENTION**

Sections:

8.10.010	Findings
8.10.020	Definitions
8.10.030	Enforcement Responsibility/ Applicability
8.10.040	Prohibitions/ Defensible Space Requirements
8.10.050	Vegetation Management and Removal Requirements
8.10.060	Enforcement

8.10.010 – Findings

The Board of Supervisors makes the following findings and declarations under the authority of Sections 14930 and 14931 of the Health and Safety Code of the State of California:

- A. The accumulation of combustible material, including petroleum-based products and wildland fuels, on private property in the unincorporated areas of Shasta County is hereby found to create a condition that is a fire hazard and potentially injurious to the health, safety, and general welfare of the public. Such a fire hazard is of unique concern in areas subject to higher density development due to the potential for greater loss of life, injury, and property damage, as well as the need for clear fire evacuation routes in such areas.
- B. Therefore, the presence of such combustible material on parcels as hereinafter defined in violation of any regulatory or prohibitory provisions of this chapter is hereby declared to constitute a public nuisance.
- C. It is the intent of this chapter to encourage the owners and occupants of real property in the unincorporated areas of the County to maintain their properties to:
 - 1. Reduce the risk of wildfires and the harm they may cause;
 - 2. Minimize the spread of any fire to other properties and buildings;
 - 3. Reduce obstructions to fire suppression efforts if fire does occur;

4. Increase the opportunity for firefighters to successfully protect lives, residences and other valuable buildings from wildfires;
 5. Protect populated areas, such as metropolitan areas, suburban areas, and urban and rural subdivisions from encroaching wildfires;
 6. Reduce the spread of residential and other building fires into the wildland vegetation; and
 7. Prevent interference with fire hazard abatement activities.
- D. It is the intent of the Board of Supervisors for county personnel to seek and obtain voluntary compliance with this chapter, and to provide appropriate remedies if voluntary compliance is not obtained.
- E. Nothing in this chapter shall replace or conflict with the authority of the County Agricultural Commissioner to eradicate noxious weeds under applicable sections of the California Food and Agricultural Code.
- F. When responding to active fire emergencies, the Fire Department shall have primary authority to take all necessary actions to protect public safety and mitigate fire hazards.

8.10.020 – Definitions

For the purpose of this chapter, the following words and phrases shall have the meanings respectively ascribed to them in this section:

- A. "Approved hazardous vegetation mitigation measures" means methods of vegetation management and removal that comply with Section 8.10.050(A) of this chapter, as approved by the fire warden, including but not limited to mowing, cutting, grazing, and trimming that minimize surface disturbance and prevent erosion.
- B. "Defensible space" is an area either natural or man-made, where fuel has been treated, cleared or modified to slow the rate and intensity of an advancing wildfire, to create an area for fire suppression operations to occur, and to reduce the risk to improvements from wildfires. The amount of fuel modification necessary shall take into account the flammability of the structure as affected by building material, building standards, location, and type of vegetation fuels shall be maintained in a condition to reduce potential structural damage during a wildfire. The intensity of fuels management may vary within the one-hundred-foot perimeter of the structure, the most intense being within the first thirty feet around the structure.
- C. "Enforcing officer" means the persons or entities with enforcement responsibility of this chapter under Section 8.10.030 of this Code, as currently enacted and as may hereafter be amended.
- D. "Fire-resistant" means plants, shrubs, or other landscaping materials that have a reduced capacity to burn or transmit fire, as determined by the fire warden based on species characteristics including moisture content, fuel load, and growth pattern.

- E. "Fire warden" means the Shasta County Fire Warden established pursuant to Chapter 2.32 of the Shasta County Code, as currently enacted and as may hereafter be amended, or his/her authorized representative.
- F. "Fuel" means any combustible material, including petroleum-based products and natural vegetation.
- G. "Hazardous Vegetation" means vegetation that due to its location, type, density, condition, or arrangement creates any of the following conditions:
1. A fire hazard to a structure or other improvements;
 2. A condition that may contribute to the spread of wildfire;
 3. Dead or dying grass, weeds, trees, or other vegetation;
 4. Vegetation that has attained, or if allowed to mature will attain, such height and density as to become a medium for rapid fire spread;
but excluding:
 - a. Actively cultivated and maintained agricultural crops, including:
 - b. Row, field, tree, and nursery crops;
 - c. The growing and harvesting of shrubs, plants, flowers, trees, vines, fruits, vegetables, hay, grain and similar food, feed and fiber crops;
 - d. Cultivation of ornamental and nursery plant materials for wholesale or retail sales; however, this exclusion does not apply to areas within established retail nurseries that are not actively cultivated and maintained for fire prevention purposes;
 - e. Maintained orchards and vineyards under active agricultural management;
 - f. Managed timber operations in compliance with state regulations;
 - g. Active grazing lands maintained to reduce fire hazards;
 - h. Areas under active soil preparation and tilling for authorized horticultural, silvicultural, and viticultural activities.
- H. "Immediate danger" means any condition that presents a substantial and immediate threat to life, property, or the environment due to actual or imminent fire hazard, as determined by the fire warden.
- I. "Improvement" means any building or structure, permanent or temporary, erected for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind located in the unincorporated area of the County of Shasta subject to this chapter and shall include agricultural crops. For purposes of this chapter, the term "improvement" shall not include decks, sheds, gazebos, freestanding open-sided shade structures and similar accessory structures less than two hundred fifty square feet and thirty feet or more from a dwelling, and fences more than five feet from a dwelling.
- J. "Parcel" means any contiguous quantity of land in the possession of, or owned by, or recorded as the property of, the same person or entity and which is located in the unincorporated area of the County of Shasta subject to this chapter

- K. "Responsible party" means any private individual, organization, firm, partnership, limited liability company, or corporation owning, renting, leasing, or otherwise controlling any parcel located in the unincorporated area of the County of Shasta subject to this chapter.
- L. "Utility generator" means any device, or combination of devices, used to generate energy, including but not limited to gas, diesel, or propane generators, wind generators, solar powered generator arrays, and hydroelectric generators. Any battery or capacitor or similar storage bank is included in this definition.
- M. "Significant fire hazard" means any condition that creates a substantial risk of accelerating or exacerbating the spread of fire, as determined by the fire warden based on:
 - 1. Type, arrangement, and quantity of vegetation;
 - 2. Proximity to structures or improvements;
 - 3. Topographical considerations;
 - 4. Access for fire suppression;
 - 5. Local weather conditions.
- N. "Uncontrolled fire" means any fire that burns outside the parameters of a permitted and managed burn, or any fire that threatens to escape existing control measures.
- O. "Urban parcel" whether improved or unimproved, those parcels located in the unincorporated area of the County that has lots ten (10) acres in size or smaller.
- P. "Vegetative Fuels" means any natural vegetation, living or dead, that is capable of burning and contributing to fire spread.
- Q. "Wildfire" means an unplanned, unwanted fire consuming vegetative fuels.

8.10.030 – Enforcement responsibility/applicability

- A. This chapter applies to all unincorporated territory of Shasta County, including, but not limited to:
 - 1. Unincorporated areas classified as Local Responsibility Areas (LRA);
 - 2. Unincorporated areas classified as State Responsibility Areas (SRA) pursuant to Section 4125 of the Public Resources Code, as currently enacted and as may hereafter be amended; and
 - 3. Unincorporated areas within fire protection districts and other special districts that provide fire protection services.
- B. The Fire Warden and their designees shall administer and enforce the provisions of this chapter. Fire protection districts and other special districts that provide fire protection services will have concurrent authority with the Fire Warden to administer and enforce this chapter within their respective districts to the fullest extent authorized by law. However, no district will exercise the powers expressly reserved to the Fire Warden in Sections 8.10.040.A (Defensible Space Measurements and Standards), 8.10.040.B (Urban Parcel Compliance

Requirement), 8.10.050.A (Approved Methods of Removal), and 8.10.050.B (Replanting Requirements) without the express written agreement of the Fire Warden.

- C. This chapter supplements, and does not supersede or limit, any other statute, regulation, or ordinance affecting its subject matter. This includes, but is not limited to, other fire prevention and protection statutes, regulations, and ordinances enacted by the state, the county, or any other governmental agency with jurisdiction.

8.10.040 – Prohibitions/defensible space requirements

Anyone who owns, leases, controls, operates, or maintains any Urban Parcel within the unincorporated area of the County shall comply with the following requirements.

A. Defensible Space Measurements and Standards.

1. All measurements shall be made horizontally on a plane from the exterior wall of structures or property lines.
2. On sloped parcels, measurements shall follow the natural contour of the land.
3. Where property lines are not clearly marked, the Fire Warden may require property line survey verification.
4. Corner lots shall maintain required clearances for all adjacent structures.

- B. Urban Parcel Compliance Requirement. For any Urban Parcel that lies entirely or partially in the unincorporated area of Shasta County, a responsible party shall maintain defensible space of up to thirty (30) feet from the property line of the responsible party's parcel when the accumulation of fuel on the parcel endangers or encroaches on a defensible space of one hundred (100) feet from the exterior perimeter of any improvement on an adjacent property. The Fire Warden may require a distance greater than thirty (30) feet but not to exceed one hundred (100) feet when it is determined that the greater distance is necessary to provide adequate defensible space for improvements on an adjacent property in a manner consistent with principles of California Public Resource Code Section 4291 for defensible space.

C. Urban Parcel Hazardous Vegetation Treatment.

1. Any Urban Parcel that is two (2) acres or less in size shall have the entire area of the parcel treated for hazardous vegetation using principles of Public Resources Code Section 4291, guidelines for approved vegetation management on parcel lines.
2. For any Urban Parcel between two (2) acres and less than ten (10) acres the responsible party shall maintain either a thirty (30) foot perimeter of defensible space around perimeter of the property and/or complete a hazardous vegetation mitigation plan as specified by the Fire Warden or their designee.
3. Split Parcels and Adjacent Ownership. For purposes of this section, requirements apply to the entire parcel regardless of jurisdictional boundaries for split parcels. Adjacent parcels under the same ownership shall be treated as a single parcel for compliance purposes.

- D. Individual specimens of trees, fire-resistant ornamental shrubbery, other fire-resistant planting materials, or cultivated ground covers are permitted when the Fire Warden determines they are

well-pruned and maintained. Such vegetation must effectively manage fuels and not create a rapid transmission path for fire from nearby vegetation to a structure or from a structure to nearby vegetation.

- E. Firebreaks may be required alongside and adjacent to parcel boundary lines. These firebreaks shall be thirty (30) feet wide whenever the accumulation of vegetation on said parcel creates a significant fire hazard to an adjacent parcel. The Fire Warden may approve modified firebreak requirements to address erosion control on steep slopes, protection of unique wildlife habitat, preservation of endangered species, protection of vernal pools, or other environmental factors. Each modification shall be evaluated based on site-specific conditions.
- F. All utility generators and petroleum-based product storage (such as, but not limited to: gasoline, diesel, liquid propane, etc.) shall have a maintained firebreak of at least ten (10) feet in all directions (around, above, and below), including all connection and ground contact points. Privately owned power poles (not owned or maintained by a utility company) shall maintain a ten (10) foot firebreak around their base as provided by California Public Resources Code Section 4292. Overhead distribution lines (not owned or maintained by a utility company) shall maintain appropriate clearance around all conductors as provided by California Public Resources Code Section 4293. Any dead, diseased, dying, damaged, or otherwise unhealthy tree, or limb of a tree, that may fall onto or contact conductors shall be mitigated (or managed) as to eliminate any threat to the conductor wire as also provided by California Public Resources Code Section 4293.
- G. The provisions of this chapter do not authorize grading, excavating, filling, clearing, or work near watercourses that does not comply with Shasta County regulations found in Title 12 of the Shasta County Code, both currently and as may be amended in the future. When performing actions in compliance with this chapter, measures shall be taken to prevent erosion.

8.10.050 – Vegetation Management and Removal Requirements

Compliance with the defensible space requirements shall be achieved through the vegetation management and removal as provided here.

- A. Vegetation removal shall be conducted using mowing, cutting, grazing, or trimming methods that minimize surface disturbance, maintain root structure integrity, and prevent soil erosion. Tree stumps shall be cut no higher than eight (8) inches above ground level. Weeds and annual grasses shall not exceed a height of four (4) inches. On-site chipping of trees or vegetation is permitted provided materials are dispersed to a depth not exceeding six (6) inches. When difficult terrain, erosion danger, or other unusual circumstances make strict compliance impractical or undesirable, the fire warden may suspend enforcement and specify reasonable alternative measures.
- B. Areas where vegetation has been removed may be replanted with single specimen trees, fire-resistant ornamental shrubbery, fire-resistant planting materials, or cultivated ground covers. All replanting shall be conducted in a manner that does not create pathways for rapid fire

transmission between native vegetation, landscape plants, and improvements. The fire warden shall review and approve all replanting plans. Replanting may be required where necessary for erosion control.

- C. All vegetation removal and management activities shall conform with applicable federal, state, and local laws, ordinances, and regulations. Property owners shall obtain all necessary permits, including but not limited to grading, environmental, and cultural resource permits, prior to commencing work.

8.10.060 – Enforcement

- A. Any violation of any regulatory or prohibitory provision of this chapter shall be a fire hazard and a public nuisance subject to enforcement under Chapter 1.12 (Enforcement), as currently enacted and as may hereafter be amended, and Chapter 8.28 (Nuisances) of this Code, as currently enacted and as may hereafter be amended, and shall be subject to enforcement under any other procedure permitted by law. All remedies provided herein are cumulative and not exclusive and are in addition to any other remedy or penalty provided by law.
- B. Any violation of this chapter's regulatory or prohibitory provisions is subject to enforcement under Chapter 1.08 of the Shasta County Code and Government Code Section 25132 and may be prosecuted as either: (1) an infraction or (2) as a misdemeanor. This chapter constitutes a safety and regulatory provision necessary for public health, welfare, and safety protection. Unless specifically provided otherwise in this chapter or by state law, criminal prosecution does not require proof of knowledge or criminal intent.
- C. This section is adopted pursuant to the authority granted by Section 836.5 of the California Penal Code, and other applicable state laws governing peace officer authority for misdemeanors and infractions. The Fire Chief, each chief officer of the department, and each member of the Bureau of Fire Protection and Life Safety (collectively referred to as "arresting officers") are authorized to enforce violations of this chapter as follows:
 - 1. Misdemeanors: Arresting officers may arrest a person without a warrant whenever they have reasonable cause to believe that the person has committed a misdemeanor in their presence that violates a statute or ordinance they have a duty to enforce.
 - 2. Infractions: For violations declared to be infractions, arresting officers may issue a written notice to appear as prescribed by California Penal Code Section 853.5. A custodial arrest for an infraction shall only occur under the specific circumstances permitted by California Penal Code Section 853.5, including but not limited to, the person's refusal to sign a promise to appear or failure to provide satisfactory identification.
 - 3. Misdemeanor Cite and Release: In any case in which a person is arrested for a misdemeanor pursuant to subsection (1) above and the person arrested does not demand to be taken before a magistrate, the arresting officer shall prepare a written notice to appear and release the person on their promise to appear, as prescribed by Chapter 5C ("Citations for Misdemeanors," commencing with Section 853.6) of Title 3 of Part 2 of the California Penal Code. The provisions of Chapter 5C shall then apply to any proceeding based on the issuance of that written notice.

4. Persons with authority to issue citations under this chapter shall have the power to do so pursuant to California Penal Code Sections 853.5 and 853.6, as applicable.
- D. The board of supervisors may order that the cost of abating nuisances pursuant to this chapter be specially assessed against the respective parcels of land pursuant to Section 25845 of the Government Code, as currently enacted and as may hereafter be amended. The board of supervisors may also cause notices of abatement lien to be recorded against the respective parcels of real property pursuant to Section 25845 of the Government Code, as currently enacted and as may hereafter be amended. The board of supervisors may also cause notices of abatement lien for the cost of abating nuisances pursuant to this chapter to be recorded against the respective parcels of land pursuant to Section 14931 of the Health and Safety Code, as currently enacted and as may hereafter be amended, which shall have the force, effect, and priority of judgment liens.
- E. Nothing in this chapter shall be construed as imposing any duty to abate a violation of this chapter, nor to take any other action with regard to any violation of this chapter, and neither the fire warden, nor any enforcing officer, nor the County of Shasta shall be held liable for failure to abate any violation of this chapter, nor for failure to take any other action with regard to any violation of this chapter.
- F. This chapter is intended to protect the interests of the community at large and is not intended to establish a duty of care for the benefit of any particular person or class of persons.

SECTION II.

The County finds that this ordinance is not subject to the California Environmental Quality Act (CEQA) pursuant to the following categorical exemptions: Sections 15304(i) (fuel management activities), 15307 (actions taken as authorized by local ordinance to assure protection of natural resources), 15308 (actions taken as authorized by local ordinance to assure protection of the environment) and 15321 (action by agency for enforcement of a law, general rule, standard or objective administered or adopted by the agency, including by direct referral to the County Counsel as appropriate for judicial enforcement) of the CEQA Guidelines. There are no unusual circumstances under CEQA Guideline Section 15300.2(c). Each exemption stands as a separate and independent basis for determining that this ordinance is not subject to CEQA.

SECTION III.

If any provision of this ordinance or its application to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of this ordinance that can be given effect without the invalid provision or application, and to this end the provisions of this ordinance are severable.

SECTION IV.

All former ordinances and resolutions, or parts thereof, conflicting or inconsistent with the provisions of this ordinance are hereby repealed. The adoption of this ordinance shall not in any manner affect any action or prosecution for violation of ordinances, which violations were committed prior to the effective date hereof, be construed as a waiver of any license, fee, or penalty required by or resulting from any such ordinance, or affect the validity of any bond (or cash deposit in lieu thereof) required to be posted, filed, or deposited pursuant to such ordinance.

SECTION V.

This ordinance shall take effect and be in full force and effect 30 days after its passage. The Clerk shall cause this ordinance to be published as required by law.

DULY PASSED AND ADOPTED this 23rd day of September, 2025, by the Board of Supervisors of the County of Shasta by the following vote:

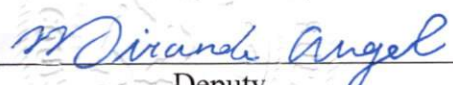
AYES: Supervisors Harmon, Plummer, Kelstrom, Crye, and Long
NOES: None
ABSENT: None
ABSTAIN: None
RECUSE: None



KEVIN W. CRYE, CHAIR
Board of Supervisors
County of Shasta
State of California

ATTEST:

DAVID J. RICKERT
Clerk of the Board of Supervisors

By: 

Deputy

APPROVED AS TO FORM:
JOSEPH LARMOUR
County Counsel

By: 