

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

161



FROM: FIRE DEPT

SUBMITTAL DATE:
June 1, 2008

SUBJECT: Proposed amendment of Ordinance 787.3

RECOMMENDED MOTION That the Board of Supervisors approve an amendment, Section 109.4 to Ordinance 787.3 and set for public hearing.

BACKGROUND: Section 4 Restricted Entry - This code was part of the Old Ordinance 787.2 and was presumed to be in the New State Code language. It is a necessary and vital enforcement procedure for the Fire Chief when extremely dry hazardous conditions or other contributing factors arise that may present a dangerous threat to wildland, public, and property subject to or within these areas.

The following section to be inserted: Section 109.4

The chief is hereby given the authority to officially determine and publicly announce the closure of any hazardous fire area or portion thereof. However, any closure by the chief for a period of more than fifteen (15) days must be approved by the Board of Supervisors within fifteen (15) days of the
(Continued on Page 2)

John R. Hawkins
County Fire Chief

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:
	Current F.Y. Net County Cost:	\$	Budget Adjustment:
	Annual Net County Cost:	\$	For Fiscal Year:

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY: Robert Tremaine
Robert Tremaine

County Executive Office Signature

Policy Policy

Consent Consent

Dept's Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.: | **District:** All | **Agenda Number:**

3.75

FORM APPROVED COUNTY COUNSEL
BY: Sybilina H. Gunzel 7-15-08
DATE: Departmental Concurrence
SYBILINA M. GUNZEL

chief's original order of closure. No person shall go in or be upon any hazardous fire area, except upon the public roadways and inhabited areas therein during such time as the area is closed to entry. This section shall not prohibit residents or owners of private property within any closed area, or their invitees, from going in or being upon their lands. This section does not apply to any entry, in the course of duty by a peace officer or any other duly authorized public officer, member of any fire department, Riverside County Fire Department or member of the U.S. Forest Service or California Department of Forestry and Fire Protection nor does this section apply to National Forest Land in any respect. During periods of closure, the chief shall erect and maintain at all entrances to the closed areas sufficient signs giving adequate notice of closure.

1 **ORDINANCE NO. 787.4**

2 **AN ORDINANCE OF THE COUNTY OF RIVERSIDE**
3 **AMENDING ORDINANCE NO. 787**

4 **ADOPTING THE 2007 CALIFORNIA FIRE CODE AND 2007 CALIFORNIA BUILDING**
5 **STANDARDS CODE IN THEIR ENTIRETY FOR 1) REGULATING AND GOVERNING THE**
6 **SAFEGUARD OF LIFE AND PROPERTY FROM FIRE AND EXPLOSION HAZARDS**
7 **[ARISING FROM THE STORAGE, HANDLING AND USE OF HAZARDOUS SUBSTANCES,**
8 **MATERIALS AND DEVICES] AND FROM CONDITIONS HAZARDOUS TO LIFE OR**
9 **PROPERTY IN THE OCCUPANCY OF BUILDINGS AND PREMISES IN THE COUNTY OF**
10 **RIVERSIDE, AND 2) PROVIDING FOR THE ISSUANCE OF PERMITS AND THE**
11 **COLLECTION OF FEES THEREFOR.**

12 The Board of Supervisors of the County of Riverside ordains as follows:

13 Section 1. A new subsection Section 109.4 is added to Section 3. Chapter 1
14 APPENDIX ADMINISTRATION PERMITS of Ordinance No. 787 which shall immediately follow
15 Section 105.6.14. and precede Chapter 2 DEFINITIONS to read as follows:

16 “Section 109.4 of the California Fire Code is hereby added to read as follows:”

17 “Section 109.4. AUTHORITY OF THE FIRE CHIEF. The chief is hereby
18 given the authority to officially determine and publicly announce the closure of any
19 hazardous fire area or portion thereof. However, any closure by the chief for a period
20 of more than fifteen (15) days must be approved by the Board of Supervisors within
21 fifteen (15) days of the chief’s original order of closure. No person shall go in or be
22 upon any hazardous fire area, except upon the public roadways and inhabited areas therein
23 during such time as the area is closed to entry. This section shall not prohibit residents or
24 owners of private property within any closed area, or their invitees, from going in or being
25 upon their lands. This section does not apply to any entry, in the course of duty by a peace
26 officer or any other duly authorized public officer, member of any fire department,
27 Riverside County Fire Department or member of the U.S. Forest Service or California
28 Department of Forestry and Fire Protection nor does this section apply to National Forest
Land in any respect. During periods of closure, the chief shall erect and maintain at all
entrances to the closed area sufficient signs giving adequate notice of closure.”

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Section 2. This ordinance shall take effect thirty (30) days after its adoption.

BOARD OF SUPERVISORS OF THE COUNTY OF RIVERSIDE,
STATE OF CALIFORNIA

By: _____
Roy Wilson, Chairman

ATTEST:

CLERK OF THE BOARD:
Nancy Romero

By: _____
Deputy

FORM APPROVED COUNTY COUNSEL
BY: *Synthia M. Gunzel* 7-15-08
SYNTHIA M. GUNZEL DATE