

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



ITEM: 3.25  
(ID # 28091)

**MEETING DATE:**  
Tuesday, June 24, 2025

**FROM :** HUMAN RESOURCES AND FIRE DEPARTMENT

**SUBJECT:** HUMAN RESOURCES AND FIRE DEPARTMENT: Classification and Compensation recommendation to establish a new Fire Fuels and Mitigation Manager classification; and amend Ordinance No. 440 Pursuant to Resolution No. 440-9490 submitted herewith. All District. Current Year Cost – \$0, Ongoing Cost – \$0

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Approve the creation of the new Fire Fuels and Mitigation Manager classification;
2. Amend Ordinance No. 440 pursuant to Resolution No. 440-9490.

**ACTION:**Policy

  
Bill Weiser, Fire Department Chief

6/4/2025

  
Tami Douglas-Schatz, Director of Human Resources


6/16/2025

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**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Spiegel, seconded by Supervisor Medina and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Medina, Spiegel, Washington, Perez and Gutierrez  
Nays: None  
Absent: None  
Date: June 24, 2025  
xc: H.R., Fire

Kimberly A. Rector  
Clerk of the Board  
By:   
Deputy

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

<b>FINANCIAL DATA</b>	<b>Current Fiscal Year:</b>	<b>Next Fiscal Year:</b>	<b>Total Cost:</b>	<b>Ongoing Cost</b>
<b>COST</b>	\$0	\$0	\$0	\$0
<b>NET COUNTY COST</b>	\$0	\$0	\$0	\$0
<b>SOURCE OF FUNDS:</b>			<b>Budget Adjustment:</b>	No
			<b>For Fiscal Year:</b>	24/25

**C.E.O. RECOMMENDATION:** Approve

**BACKGROUND:**

**Summary**

The Riverside County Fire Department is a public safety agency dedicated to protecting life, property, and the environment. The Fire Department operates 100 fire stations in 15 battalions, providing fire suppression, emergency medical, rescue, and fire prevention services.

Due to the County's generally arid climate, many native and non-native plant species become highly flammable during typical dry periods, significantly contributing to wildfires risks. This danger is further exacerbated by Santa Ana wind events which have led to catastrophic losses to life, property, and natural resources. In response, the County Board of Supervisors adopted Ordinances 695 and 772 (Ordinances) to help safeguard lives and properties and ensure the safety of fire and law enforcement personnel from the threat of wildfires. (Attachments 2 and 3). These Ordinances require abatement of hazardous vegetation or combustible materials on unimproved lands, including all neglected or abandoned orchards, groves, or vineyards, throughout the unincorporated area of the County, including areas designated as State Responsibility Areas, municipalities, and other incorporated areas or service districts that contract with the County for fire services.

The Fire Department has identified a need for a specialized and dedicated role to oversee, plan, and coordinate the operations and activities of its Fire Fuels and Mitigation Program ensuring compliance with the requirements set forth in the Ordinances. The requested Fire Fuels and Mitigation Manager position will be responsible for developing and implementing processes and procedures for fuels and hazard mitigation programs. This role will establish objectives, strategies, and performance goals, while ensuring compliance with, and enforcement of, the Ordinances 695 and 772. Additionally, the Fire Fuels and Mitigation Manager will provide expert advice and make recommendations on policy and program development, as well as coordinate the resources and personnel necessary to achieve the program's objectives.

A market research study was conducted to identify comparable management roles in fuels and hazard reduction/abatement in the surrounding five counties. Of the five counties surveyed, only San Bernardino County has a comparable position. The search was

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

expanded to include additional counties, resulting in the identification of two more comparable positions at the East Bay Regional Park District and the Moraga-Orinda Fire Protection District (Attachment 4). It is recommended to establish a new Fire Fuels and Mitigation Manager classification based on the market average due to their comparable roles.

**Classification Addition:**

**Fire Fuels and Mitigation Manager:** It is recommended to add this classification to the Class and Salary Listing at salary plan/grade MRP 388 (\$97,289 - \$138,984). The new classification specification is attached (Attachment 5).

**Impact on Residents and Businesses**

This request does not have a direct impact on residents and businesses. However, the approval of the Fire Fuels and Mitigation Manager class will not only provide a dedicated classification to oversee the Fire Fuels and Mitigation Program which will help to safeguard lives and properties and ensure the safety of fire and law enforcement personnel from the threat of fires but will also ensure enforcement and compliance with Ordinances 695 and 772.

**Additional Fiscal Information**

There is no immediate cost associated with this new classification creation.

**5 Attachments:**

1. Resolution No. 440-9490;
2. County of Riverside Ordinance 695;
3. County of Riverside Ordinance 772;
4. Market survey;
5. Fire Fuels and Mitigation Manager classification specification.

  
Cesar Bernal, PRINCIPAL MGMT ANALYST 6/17/2025

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**REVISED**

**RESOLUTION NO. 440-9490**

BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on June 24, 2025, that pursuant to Section 3(a)(iv) of Ordinance No. 440, the Director of Human Resources is authorized to amend the Class and Salary Listing of Ordinance No. 440, operative at the beginning of the pay period following the date of approval, as follows:

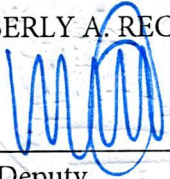
<u>Job Code</u>	<u>+/-</u>	<u>Class Title</u>	<u>Salary Plan/Grade</u>
37891	+	Fire Fuels and Mitigation Manager	MRP 388

ROLL CALL:

Ayes: Medina, Spiegel, Washington, Perez, and Gutierrez  
Nays: None  
Absent: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KIMBERLY A. RECTOR, Clerk of said Board

By:  \_\_\_\_\_  
Deputy

/kc  
Revised  
06/26/2025

Item 3.25  
06/24/2025

/kc  
06/02/2025  
440 Resolutions/KC

**3.25**

JUN 24 2025

RESOLUTION NO. 440-9490

BE IT RESOLVED by the Board of Supervisors of the County of Riverside, State of California, in regular session assembled on June 24, 2025, that pursuant to Section 3(a)(iv) of Ordinance No. 440, the Director of Human Resources is authorized to amend the Class and Salary Listing of Ordinance No. 440, operative at the beginning of the pay period following the date of approval, as follows:

<u>Job Code</u>	<u>+/-</u>	<u>Class Title</u>	<u>Salary Plan/Grade</u>
37981	+	Fire Fuels and Mitigation Manager	MRP 388

ROLL CALL:

Ayes: Medina, Spiegel, Washington, Perez, and Gutierrez

Nays: None

Absent: None

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KIMBERLY A. RECTOR, Clerk of said Board

By:  \_\_\_\_\_  
Deputy



**FIRE FUELS AND MITIGATION  
MANAGER**

Class Code: 37891

COUNTY OF RIVERSIDE  
Established Date: Jun 26, 2025  
Revision Date: Jun 26, 2025

**SALARY RANGE**

\$46.77 - \$66.82 Hourly  
\$8,107.40 - \$11,582.00 Monthly  
\$97,288.79 - \$138,983.99 Annually

**CLASS CONCEPT:**

Under general direction from the Fire Marshal, manages hazardous wildland fuels reduction projects, including planning, organizing, developing, directing, and administering fuel reduction contracts for tree and brush removal; performs other related duties as required.

The Fire Fuels and Mitigation Manager is a single-position classification and is characterized by the responsibility to manage the County Fire Department, Fire Fuels and Mitigation Program. The incumbent will be responsible for the management of fuels reduction projects; coordinating staff, contractors and needed resources; resolving difficulties and problems encountered in wildland and unimproved parcel hazardous vegetation and combustible material abatement; and managing fuels mitigation crew and volunteers.

This class has been deemed eligible for the Performance Recognition Plan as set forth under Article 3, Section 311 of the County Management Resolution. Program eligibility requires employees to be in a leadership position, manage other employees or programs, and have significant influence on the achievement of organizational objectives.

**REPRESENTATION UNIT:** Management Resolution - Management

**EXAMPLES OF ESSENTIAL DUTIES (may include but not limited to):**

- Coordinate wildland fuels/vegetation management projects and programs; read maps, evaluate and determine program feasibility, resources required, times and critical milestone; manage contracts with governmental agencies, vendors and landowners.
- Review and analyze potential projects by determining environmental impacts and creating and completing California Environmental Quality Act (CEQA) documents; determine impacts to rare and sensitive plant and animal species native to Riverside County's diverse and complex landscape; determine cost effectiveness of projects and analyze potential impacts on cooperative and neighboring areas.
- Complete and submit fuel mitigation and land management plans and grant applications; receive and manage grants by gathering data, creating maps, preparing and monitoring budgets, and controlling expenditures; ensure compliance and fulfill grant reporting obligations.

- Develop Requests for Proposal (RFP) for projects; interview potential contractors; prepare, send, receive, and review liability forms; lead onsite meetings with staff and contractors; conduct job walks; coordinate purchases and manage invoicing.
- Secure access to lands for training purposes and wildland fuels treatments; act as the primary liaison between staff and landowners requesting permission to train on their property.
- May respond to vegetation fires and act as a liaison between staff and landowner during incidents to educate landowners on suppression strategies and tactics used to suppress fires on their property; manage suppression repair activities, including mapping the fire and bulldozer/handlines ensuring broken items are repaired following fires and ensure archeological surveys are completed.
- Ensure maps and Geographical Information System (GIS) data to support projects, grants, training, management plans, and other activities is collected; utilize ArcGIS to review and manipulate GIS data, including creating shapefiles and analyzing aerial and multi-spectral imagery; collect perimeter and origins of vegetation fires; work with Office of the Fire Marshal to maintain a database.
- Analyze and interpret local, state and federal laws and regulations pertaining to wildland fuels and hazardous vegetation management/abatement.
- Manage, supervise and train staff; participate in hiring and disciplinary actions.
- Participate in associated professional organizations and attend regular classes, trainings, conferences, and seminars to remain current on applicable codes, regulation, policies, and procedures.
- Interact with stakeholders, other agency representatives and the public on projects; make presentations to the Board of Supervisors and other public entities.
- Develop, write and review reports and correspondences.

**RECRUITING GUIDELINES:**

Education: Graduation from an accredited college or university with a bachelor's degree in forest management, fire management, recreation management, landscape architecture, land use planning, or closely related field. Additional qualifying experience may substitute for the required education on the basis of one year of full-time experience equaling 30 semester or 45 quarter units of required experience.

Experience: Two years of performing inspections and/or abatement of unwanted vegetation, weeds or other potential fire hazards.

Knowledge of: Brush land management principles, practices and economics; methods of enforcement relating to the protection and conservation of resources and rural lands; state and federal forest and fire laws, regulations and ordinances; common fire hazards and fire safety practices; the capabilities of heavy machinery, such as tractors, skidders, loaders, and masticators; Geographic Information Systems (GIS); methods and resources used in researching, analyzing and evaluating services and vendor capability and performance; competitive bid practices and procedures; principles and practices of management and supervision; functions of word processing, presentation, database, and spreadsheet software.

Ability to: Plan, interpret and apply hazard reduction and fire safety laws and regulations; act in an emergency; facilitate the completion of multi-faceted projects, activities and/or functions with good attention to detail; manage projects and work under schedule constraints; manage, lead and coordinate the work of others; prepare bid documents and specifications; prepare Request for Proposal (RFP);

establish and maintain courteous, friendly and cooperative relations with public officials and private parties interested in forest protection and conservation.

**OTHER REQUIREMENTS:**

License: Possession of a valid California Driver's License may be required.

Essential functions may require maintaining physical condition necessary for standing, walking, bending, climbing, or crouching.

Employees in this classification are required to be able to lift up to 50 pounds unassisted with or without reasonable accommodation.

**PRE-EMPLOYMENT:**

All employment offers are contingent upon successful completion of both a pre-employment physical exam, including a drug/alcohol test, and a criminal background investigation, which involves fingerprinting. (A felony or misdemeanor conviction may disqualify the applicant from County employment.)

**PROBATIONARY PERIOD:**

As an Approved Local Merit System, all County of Riverside employees, except those serving "At Will," are subject to the probationary period provisions as specified in the applicable Memorandum of Understanding, County Resolution, or Salary Ordinance. Temporary and Per Diem employees serve at the pleasure of the agency/department head.

# External Market Survey Data

## Fire Fuels and Mitigation Manager

Riv Co Class Code:

### Market Research Survey Data

Jurisdiction	Title	Job Code	Min Salary	Max Salary	Spread	Midpoint		Outlier
East Bay Regional Park District	<a href="#">Fuels Reduction Coordinator</a>	FRPC	\$118,934	\$134,555	13.13%	\$126,744.78	\$60.93	
Moraga-Orinda Fire Protection District	<a href="#">Fuels Mitigation Manager</a>	FMM	\$109,512	\$132,720	21.19%	\$121,116.00	\$58.23	
San Bernardino County	<a href="#">Wildland Fuels Specialist</a>	44818	\$116,854	\$149,677	28.09%	\$133,265.60	\$64.07	
						\$0.00	\$0.00	
						\$0.00	\$0.00	
	County Mean:		\$115,100	\$138,984	20.75%			
	County Median:		\$109,512	\$132,720	21.19%			
<b>Riverside County</b>							0	
			Dollar difference from Mean:					
			Percentage difference from mean:					
			Dollar difference from median:					
			Percentage difference from median:					

Notes: Ventura - Sworn position Fire Crew Supervisor

Run Date: 5/12/2025

Date Prepared/Revised: 5/12/2025

**ORDINANCE NO. 772**  
**AN ORDINANCE OF THE COUNTY OF RIVERSIDE**  
**DECLARING AS A FIRE HAZARD ABANDONED**  
**OR NEGLECTED ORCHARDS, GROVES OR VINEYARDS,**  
**AND ANCILLARY WEEDS AND DEBRIS AND PROVIDING**  
**FOR THEIR ABATEMENT**

The Board of Supervisors of the County of Riverside Ordains as follows:

**Section 1. Findings.**

The Board of Supervisors finds that there has been a proliferation of abandoned or neglected orchards, groves and vineyards within the unincorporated areas of the County of Riverside. The dead or decaying trees, vines and plants present a fire hazard. The dead or decaying trees, vines and plants may result in a blight condition of the premises, may become a harborage for pests and rodents and may attract illegal dumping and other illegal and suspicious activities on the premises. Abandoned or neglected orchards, groves and vineyards are also an eyesore and decrease property values in the surrounding area.

**Section 2. Duty to Abate Hazardous vegetation.**

**A.** It shall be the duty of every owner, occupant, and person in control of any land or interest therein, or premises which are located in the unincorporated territory of the County of Riverside to abate therefrom, any dead or substantially dead orchard or grove trees, vines, crops, smudge pots, smudge pot fuels, ancillary equipment and dry grass, and/or other flammable vegetation, that constitutes a fire hazard which may endanger or damage neighboring property and/or crops as provided below.

**B.** Abatement of the neglected or abandoned orchard, grove or vineyard shall include, but not be limited to, the removal of dead or decaying plants or trees (excluding tree stumps no higher than six inches (6") above the ground), leaves and branches and the removal of all weeds, trash, debris, smudge pots and smudge pot fuels as above described from the property and disposing of all such matter in a lawful manner.

**C.** Abatement shall be carried out in conformance with all state and local environmental laws and regulations including, but not limited to, the Migratory Bird Treaty Act and Endangered Species Act.

**Section 3. Public Nuisance.**

All neglected or abandoned orchards, groves or vineyards, as above described, that constitute a fire, health, or safety hazard, which may endanger or injure neighboring property or the crops thereon, or the health, safety, or well-being of persons or property are hereby declared to be a

public nuisance, which may be abated by the County as provided hereinafter. The cost of abatement may be assessed against the land pursuant to Riverside County Ordinance No. 725 and Government Code 25845 as a Special Assessment.

- A.** In the case of any parcel or contiguous parcels under the same ownership or control consisting of five (5) or less acres upon which such dead trees or vines, flammable vegetation and/or ancillary material exists, as described above, which may constitute a fire hazard, the requirements of this section shall be satisfied if the trees are cut down and removed or chipped and the ground with its remaining vegetation disced or mowed, for the entire acreage.
- B.** Where the acreage consists of more than five (5) acres the perimeter shall be cleared for a distance of one hundred (100) feet. On such parcels the interior shall be separated into five (5) acre blocks with each block being surrounded by a cleared path forty (40') feet in width. Groves, orchards or vineyards that are adjacent to developed properties may require larger perimeter clearances depending upon fuel loading and assets at risk as determined by the County Fire Chief or his designee.
- C.** The owner or possessor of the neglected parcel or parcels shall also dispose of all smudge pots and smudge pot fuels in a lawful manner, including the handling and disposing of such materials as hazardous waste when required.
- D.** The County Fire Chief may order, if circumstances so require, that additional removal take place, and that specific standards be met as set forth in Riverside County Ordinance No. 546, the Public Resources Code, or other recognized codes.
- E.** Public agencies owning or controlling lands on which abandoned or neglected groves or orchards are situated shall work with the County Fire Chief to develop an appropriate abatement program.

#### **Section 4. Enforcement.**

For the purpose of enforcing this ordinance, the County Fire Chief may designate any person or persons as his deputy in the performance of the duties enjoined upon him by this ordinance. In addition, each of the following officers within the County of Riverside is hereby designated to perform the same duties within the territory of the political subdivision which he serves and whenever the term ACounty Fire Chief@ is used hereinafter, the following officers are included in the meaning of such word, except that the County Fire Chief, himself, shall coordinate all such officers in the performance of these duties:

- A.** Chief or Chief Engineers of all Fire Protection Districts within the County, and their deputies;
- B.** Such other officers (including the Agricultural Commissioner and County Code Enforcement) as may be designated by the Board of Supervisors or the County Fire Chief.

#### **Section 5. Notice to Remove.**

It shall be the duty of the County Fire Chief, or any of his deputies, whenever such officer deems it necessary to enforce the duty set forth in Section 2 hereof, to issue a written ANotice to Remove@ by mailing to the owner(s) of the neglected parcel or parcels as shown on the tax

rolls and by posting the property with a Notice to Remove@ which shall be in substantially the form attached hereto as Exhibit AA@.

The County Fire Chief or the Hazard Reduction Officer, as his designee, shall identify and rank in order of priority those parcels in the County which shall be posted and on which abatement shall be carried out in accordance with the following criteria: (1) assets at risk, (2) fire severity of the area, and (3) fire history of the area.

## **Section 6. Appeals.**

**A. Appeals Procedure.** Any person who is adversely affected by the Notice set forth in Section 5 may appeal to the Board of Appeals within thirty (30) calendar days of the post-mark on the Notice to Abate by filing a written appeal with the County Fire Chief in the County Fire Department. Timely appeal shall stay any further action for removal or abatement until a hearing is held. The County Fire Chief or his or her designee shall promptly set the matter for hearing before the Board of Appeals and shall notify the Appellant by mail of the date and time established for such hearing, at least fifteen (15) days prior to said date. If the Appellant resides outside the County, the above period of notice by mail before the hearing shall be at least twenty-five (25) days. The Appellant shall have the right to appear in person or by agent, designated in writing, at the hearing and present oral, written, and/or photographic evidence.

The failure to timely file a written appeal with the County Fire Chief or to appear at the hearing before the Board of Appeals shall constitute a waiver of the right to a hearing and to appeal the decision of the County Fire Chief to abate the conditions on the property. The Board of Appeals shall decide the appeal and shall issue its decision which shall be a written recommendation to the Board of Supervisors. The Board of Supervisors may adopt the recommendation without further notice of hearing or may set the matter for a hearing de novo before the Board of Supervisors.

**B. Appeals Boards.** An appeals board shall be established for each of Supervisorial Districts No. 1, 3 and 4 to hear appeals for properties located in each of those Districts. For cases arising for properties located in other supervisorial districts, the cases shall be heard and decided by the Appeals Board for Supervisorial District No. 3. Each Board shall be comprised of three (3) persons selected as follows: one (1) member shall be an officer of the County Fire Department selected by the County Fire Chief, but shall not be the issuing officer; one (1) member shall be nominated by the Riverside County Farm Bureau and one (1) member shall be a resident of the supervisorial district in which the property is located but shall not be engaged in agriculture as an owner operator, lender or investor. The member nominated by the Farm Bureau and the resident of the supervisorial district in which the property is located, i.e. nonagricultural member, shall be proposed for membership by the Supervisor of the particular district, i.e. District 1, 3 or 4, and shall be confirmed by a vote of the majority of the Board of Supervisors. The member nominated by the Farm Bureau and the resident member shall not be an owner or tenant of the property on which the abatement is proposed to take place or an owner or tenant of property located within one mile of the boundary of such property. All Appeals Board Members shall serve at the pleasure of the Board of Supervisors.

## **Section 7. Removal by Private Contractor and Establishment of Removal Costs, Administrative Fee, Special Assessment and Lien.**

If, at the end of the time allowed for compliance in the original notice, or as extended in cases of appeal, or as specified by the Board of Appeals, compliance has not been accomplished, the County Fire Chief, may order the dead trees, vines, other flammable vegetation, and ancillary materials such as smudge pots and fuel to be removed by public officers, public employees, or may cause the removal to be carried out by a private contractor selected by the County Purchasing Agent in accordance with applicable statutes and in the manner and under the terms specified by the Board of Supervisors. The cost of such removal accompanied by a reasonable administrative charge may be imposed as a Special Assessment Lien upon the property, as authorized by Government Code Section 25845. The costs so assessed shall be limited to the actual costs incurred by the County of Riverside in enforcing abatement upon the parcels, including but not limited to payment to the contractor, costs of investigation, boundary determination, measurement, clerical, personnel, consultant, attorneys fees and an administrative cost to be set by the Board of Supervisors.

### **Section 8. Payment for Removal.**

**A. Procedure for Payment.** When said removal has been completed, the agency or officer so causing the same to be accomplished shall render to the County Auditor-Controller, an itemized statement covering the costs of the work necessary for such removal. The County Auditor-Controller shall pay the same from the funds of the agency or officer causing said work to be done or from a funding source designated for this purpose. Thereafter, the agency shall present a written bill for payment to the owner. If complete payment is not made on behalf of the owner within thirty (30) calendar days after the bill was mailed, the agency shall certify to the County Auditor-Controller that the bill remains unpaid, together with such other information as may be required by law. The Auditor-Controller shall thereafter cause the charged amount to be entered upon the property from which removal was accomplished as a Special Assessment which shall be included in the next succeeding tax statement. Thereafter, the amount of the special assessment shall be collected at the same time, and in the same manner, as County taxes are collected, and shall constitute a lien if unpaid and shall be subject to the same penalties and the same procedure for sale, in the case of delinquency, as provided for ordinary County taxes, except that if any real property to which such lien would attach has been transferred or conveyed to a bona fide purchaser for value, or if a lien of a bona fide encumbrancer for value has been created and attached thereon prior to the date on which the first installment of such taxes would become delinquent, then the lien, which would otherwise be imposed by this section, will not attach to such real property and the costs of abatement, shall be transferred to the unsecured roll for collection.

**B. Recorded Lien.** Following the creation of a Special Assessment Lien, a Notice of Abatement Lien may be recorded. The notice shall identify the record owner or possessor of property, set forth the last known address of the record owner or possessor, set forth the date upon which abatement of the nuisance was ordered and the date the abatement was completed, and include a description of the real property subject to the lien and the amount of the abatement cost.

**C. Appeals.** A person may appeal the billed charges to the Board of Appeals, by following the appeal procedure provided in Section 6 above.

**D. Cancellation of Claim.** All or any portion of any such Special Assessment, lien, penalty or costs heretofore entered, shall, on order of the Board of Appeals, be canceled by the County Auditor-Controller, if the charges were charged or paid:

- (1) More than once;
- (2) Through clerical error;
- (3) Through the error or mistake of the Board of Appeals, or of the Officer, Board or Commission designated by them to give notice, in respect to any material fact, including the case where the cost report rendered and confirmed, as hereinbefore provided, shows the County abated the nuisance but such is not the actual fact;
- (4) Illegally; or
- (5) On property acquired after the lien date by the state or by any county, city, school district, special district, or other political subdivision, and because of this public ownership, is not subject to sale for delinquent taxes.

**E. Procedure for Refund of Payment.** No order for a refund under the foregoing section shall be made except on a written claim:

- (1) Verified by the person who actually paid the Special Assessment, his guardian, executor or administrator; and
- (2) Filed within one (1) year after making the payment sought to be refunded.

**F.** The Fire Chief or his designee shall have a the authority to execute any document that may be required to release or extinguish an assessment or charge that has been recorded against a parcel.

### **Section 9. Violations.**

It shall be an infraction or misdemeanor (as charged in the discretion of the issuing officer or prosecuting attorney) for any person, natural or corporate, owning, possessing, occupying, or controlling any lands or premises to fail to perform the duties set forth in Section 2 of this ordinance, or to fail to comply with the requirements in the Notice to Remove as specified in Section 5 of this ordinance, or to interfere with the performance of the duties herein specified for any of the officers named in this ordinance or their deputies, or to refuse to allow any such officer or their deputies or employees, or approved private contractors, to enter upon any premises for the purpose of inspecting and/or removing any dead or neglected trees, vines, vegetation or ancillary materials hereinbefore described, or to interfere in any manner whatever with said officers or contractors in the work of inspection and removal herein provided.

### **Section 10. Penalties for Violation, Recovery of Costs.**

Upon conviction, punishment (if the offense was charged as a misdemeanor) shall be by a fine of not less than one hundred dollars (\$100.00) or more than one thousand dollars (\$1,000.00) and by imprisonment of not more than six (6) months, or both. Recovery of cost related to enforcement shall be as provided for in County Ordinance No. 725 which is incorporated herein by reference.

### **Section 11. Authority to Promulgate Reasonable Rules and Regulations.**

The Board of Supervisors hereby reserves its right to adopt reasonable rules, regulations, and resolutions consistent with this ordinance to enforce, interpret, and carry out the provisions of this ordinance. Such rules may vary among different areas within the County.

**Section 12. Severability.**

If any clause, provision, sentence, or paragraph of this ordinance, or the application thereof, is deemed to be invalid as to any person, entity, or circumstance, such invalidity shall not affect the other provisions of this ordinance which shall remain in effect, and to this end, it is hereby declared that the provisions of this ordinance are severable.

**Section 13.** This ordinance shall take effect 30 days after its date of adoption.

**ADOPTED: 10-14-97 (Eff.: 11-13-97)**

**ORDINANCE NO. 772**

**EXHIBIT AA@**

**NOTICE TO REMOVE**

Date:

By virtue of Section 5 of Riverside County Ordinance No.

**YOU ARE HEREBY NOTIFIED AND REQUIRED TO ABATE** from your property described as

(Legal Description)

taken from the Riverside County Assessor=s Records which lists the owner as

(Name)

of (Address, City, State, Zip)

specific mentioned items described as follows:

If said matter is not removed within thirty (30) calendar days, the County Fire Chief, or other duly designated officer(s), may order said matter removed by public employees, private contractor, or other persons, and the cost of said removal (plus an administration fee) shall be billed directly to you as property owner. If such bill is not promptly paid, the amount unpaid shall be assessed against the property as a Special Assessment Lien.

When, in the opinion of the County Fire Chief, or other county officer enforcing the provisions of this ordinance, a fire hazard exist which constitutes an immediate hazard to the public health, safety and welfare, and it is deemed necessary to abate this hazard as promptly as possible, said items must be removed within ten (10) calendar days.

An appeal from this order may be taken by presenting a written appeal to the County Fire Chief at

(Telephone: \_\_\_\_\_) within thirty (30) calendar days of the post mark on the Notice to Abate. The Hazard Reduction Officer shall set the same for hearing before the Board of Appeals, and shall notify the Applicant, in writing, of the hearing date.

Name of Issuing Officer

Title of Issuing Officer

**ORDINANCE NO. 695  
(AS AMENDED THROUGH 695.4)  
AN ORDINANCE OF THE COUNTY OF RIVERSIDE  
AMENDING ORDINANCE NO. 695 REQUIRING THE  
ABATEMENT OF HAZARDOUS VEGETATION**

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

Section 1. Ordinance No. 695 is hereby amended in its entirety to read as follows:

Section 1. FINDINGS.

- A. It is the intent of the Board of Supervisors that this ordinance shall apply to the abatement of hazardous vegetation on unimproved property;
- B. Riverside County generally has an arid climate conducive to wildfires and is prone to periodic Santa Ana wind events. Many of the County's native and non-native plant species can be highly flammable during normal dry periods and have contributed to significant wildfires within the County. Santa Ana wind events further exacerbate the fire danger and have resulted in catastrophic fire losses to life, property and the environment;
- C. Riverside County has a diverse and complex landscape which includes deserts, mountains and other brush covered wildlands which are home to many rare and sensitive plant and animal species;
- D. The Board of Supervisors has recognized the importance and uniqueness of this diverse and complex landscape through its adoption and implementation of the Western Riverside County Multiple Species Habitat Conservation Plan and the Coachella Valley Multiple Species Habitat Conservation Plan which preserves land for the protection of these species;
- E. Of paramount importance to the Board of Supervisors and the citizens of Riverside County is the protection of lives and property from the threat of fire and the safety of fire and law enforcement personnel during wildfires; and
- F. It is the purpose of this ordinance to establish a hazardous vegetation abatement program that protects the lives and property of the citizens of Riverside County while at the same time protecting rare and sensitive plant and animal species and the environment.

- G. The Board of Supervisors finds that hazardous vegetation or combustible material poses a danger to the health, safety and welfare of the residents in the vicinity of any real property located throughout the territory of the County of Riverside for the reasons set forth above. Therefore, all hazardous vegetation or combustible material located on real property within the territory of the County of Riverside is deemed a public nuisance and poses a hazard to the safety of the landowners, residents in the vicinity, users of public highways and to the public generally.

Section 2. DEFINITIONS.

- A. Abate and/or Abatement. An act used to remove, destroy, eliminate, seize, impound, or any action taken to mitigate a public nuisance.
- B. Abatement Costs. Any and all costs incurred by the County of Riverside to abate the hazardous weeds or combustible material on any property pursuant to this ordinance, including physical abatement costs, administration fees and any additional actual costs incurred by the Riverside County Fire Department for the abatement proceeding, including attorneys fees, if applicable.
- C. Combustible Material. Rubbish, litter or material of any kind other than hazardous vegetation that is flammable and endangers the public safety by creating a fire hazard.
- D. County Fire Chief. The Fire Chief of the County of Riverside or his designated representative, including:
- 1) Chiefs or Chief Engineers of all Fire Protection Districts within the territory of the political subdivision with the County where he serves, and their deputies;
  - 2) All employees of the Riverside County Fire Department Hazard Reduction Office; and
  - 3) Such other officers as are designated by the Board of Supervisors or the County Fire Chief.
- E. Hazardous Vegetation. Vegetation that is flammable and endangers the public safety by creating a fire hazard including but not limited to seasonal and recurrent weeds, stubble, brush, dry leaves, tumbleweeds.
- F. Improved Parcel. A portion of land of any size, the area of which is determined by the Assessor's maps and records and may be

identified by an Assessor's Parcel Number upon which a structure is located.

- G. Person. Natural person or corporation.
- H. Structure. Any dwelling, house, building or other type of flammable construction including but not limited to a wood fence attached to or near any other structure.
- I. Unimproved Parcel. A portion of land of any size, the area of which is determined by the Assessor's maps and records and may be identified by an Assessor's Parcel Number upon which no structure is located.

Section 3. DUTY TO ABATE HAZARDOUS VEGETATION. Upon receipt of a Notice of Violation and Order to Abate, it shall be the duty of every owner, occupant, and person in control of any unimproved parcel of land or interest therein, which is located in the unincorporated territory of the County of Riverside as that territory is determined and classified by the Board of Supervisors to abate there from, and from all sidewalks and parkways, except for those roads accepted into the County Maintained System, all combustible material and hazardous vegetation, that constitutes a fire hazard which may endanger or damage neighboring property pursuant to the requirements of the Notice of Violation and Order to Abate received. No owner, occupant or person in control of any such unimproved parcel of land or interest therein shall be authorized to abate hazardous vegetation unless the owner, occupant or person has received a Notice of Violation and Order to Abate or alternatively has been issued a grading permit pursuant to the requirements of Ordinance No. 457. The removal of vegetation pursuant to this ordinance shall not exceed that set forth in the Notice of Violation and Order to Abate or grading permit. The Notice of Violation and Order to Abate and any clearance shall conform to Guidelines issued by the County Fire Chief implementing this ordinance, and which the Fire Chief may amend periodically.

- A. The requirements of this section shall be satisfied if there is cleared pursuant to the requirements set forth in a Notice of Violation and Order to Abate by the method described in said Notice:
  - (1) a one hundred (100) foot wide strip of land at the boundary of an unimproved parcel adjacent to a roadway; and/or
  - (2) a one hundred (100) foot wide strip of land around structure(s) located on an adjacent improved parcel (some or all of this clearance may be required on the unimproved parcel depending upon the location of the structure on the improved parcel).

The County Fire Chief or his or her designee may require more than a one hundred (100) foot width or less than a one hundred (100) foot width for the protection of public health, safety or welfare or the environment.

The determination for appropriate clearance distances will be made based upon a visual inspection of the parcel and shall consider all factors that place the property or adjoining structure(s) at risk from an approaching fire. These factors shall include local weather conditions, fuel type(s), topography, and the environment where the property or adjoining structure(s) is located. Examples of the clearance requirements above are attached hereto as Exhibit "A" for informational purposes only.

- B. Where the parcel's terrain is such that it cannot be disked or mowed, the County Fire Chief may require, or authorize, that other means of removal be used.

Section 4. ENFORCEMENT, INSPECTION AND AUTHORITY TO ENTER PROPERTY.

- A. For the purpose of enforcing this ordinance, the County Fire Chief may designate any person or persons as his/her deputy in the performance of the duties enjoined upon him/her by this ordinance, in addition to those named in Section 2.D. of this ordinance.
- B. For the purpose of enforcing or administering this ordinance, the County Fire Chief may enter any real property for the purpose of inspecting the property or for summary abatement proceedings whenever the County Fire Chief is informed or has reasonable cause to believe that hazardous vegetation or combustible material exists, constituting a condition dangerous or injurious to the health or welfare of persons or to the public, including the environment, is a public nuisance or is otherwise in violation of this ordinance.
- C. No person shall interfere with the entry of the County Fire Chief acting in the official course and scope of his duty.

Section 5. SUMMARY ABATEMENT PROCEEDINGS. In addition to the authority granted by law to the County Fire Chief in exigent situations, and pursuant to California Health and Safety Code §14930 and Government Code §25845, as amended, the County Fire Chief is authorized to enter real property and summarily abate any public nuisance determined by the County Fire Chief to constitute an immediate threat to public health or safety without prior notice or hearing.

Section 6. ABATEMENT PROCEEDINGS.

- A. Notice of Violation and Order to Abate. If the County Fire Chief determines that any real property is being maintained or permitted to exist in a manner prohibited by this ordinance, the County Fire Chief shall issue a written notice to the property owner and any known person in possession of the property, of the violation and order the hazardous vegetation or combustible material to be immediately abated. The notice of violation and order to abate ("Notice/Order") shall specify the corrective actions required to be taken and order the property owners and persons in possession to abate the hazardous vegetation or combustible material within thirty (30) days and state that the failure to bring the real property into compliance with this ordinance could subject the owner or persons in possession to civil, administrative and criminal penalties. Furthermore, the Notice/Order shall provide the property owner and person in possession of the opportunity to appear before the Riverside County Board of Supervisors and be heard prior to the abatement by the County. The failure of the notice to set forth all required contents shall not affect the validity of the abatement proceedings.
- B. Manner of Giving Notice. The County Fire Chief shall cause a copy of the Notice/Order to be mailed or otherwise delivered to all known persons to be in possession and to the property owner as such person's name and address appears on the last county equalized assessment roll. If the address is unknown, that fact shall be so stated and the notice shall be addressed to the person at the county seat. Service by mail shall be deemed complete at the time of deposit in the US mail. The failure of any person in possession or owner of the property to receive such notice shall not affect the validity of these proceedings.
- C. Hearing.
- (1) Request for Hearing. Any person who is adversely affected by the Notice/Order may appeal the Notice/Order by filing a written request for a hearing with the Riverside County Hazard Reduction Office within fifteen (15) calendar days. The request shall be postmarked within fifteen (15) calendar days of the postmark on the Notice/Order. Timely appeal shall stay any further action for abatement until the date set for hearing.

If no request for a hearing is timely made, the Riverside County Board of Supervisors herein declares that abatement of the hazardous weeds or combustible material shall have been deemed

ordered by the Board of Supervisors as of the date of the postmark of the Notice/Order.

- (2) Hearing. Upon timely written request by the recipient of the Notice/Order, a hearing shall be scheduled with the Riverside County Board of Supervisors or its designee (hereinafter "Board") with notice thereof mailed or otherwise delivered to the requesting person at least fourteen (14) calendar days before the scheduled hearing. The failure of any owner or occupant to receive such notice shall not affect the validity of the proceedings.

At the time fixed in the notice of hearing, the Board shall receive evidence from the County Fire Chief and the owner or person in possession of the real property in violation, or their representatives and any other concerned persons who may desire to present oral or documentary evidence regarding the conditions of the real property or other relevant matter, if such persons are present at the hearing. In conducting the hearing, the Board shall not be limited by the technical rules of evidence. Failure of the owner or person in possession to appear shall not affect the validity of the proceedings or order issued thereon.

Upon conclusion of the hearing, the Board shall make its decision and in the event it so concludes, may declare the conditions on the real property to be in violation of this ordinance and to constitute a public nuisance. The Board may direct the owner or person in possession to abate the hazardous vegetation or combustible material within ten (10) days after mailing and posting of the Board's decision. The order shall include notice that if the hazardous vegetation is not abated as directed and within ten (10) days, the County Fire Chief may abate the hazardous vegetation and the abatement costs shall be a lien and an assessment against the real property.

The Board may grant any extension of time to abate such conditions that it may deem justifiable upon good cause being shown.

- D. Abatement of Hazardous Vegetation or Combustible Material by County Fire Chief. If, at the end of the time allowed for compliance in the original Notice/Order issued pursuant to Section 6.A. above, or as set forth in an order issued by the Board after a timely request for a hearing, and compliance has not been accomplished as directed, the County Fire Chief may order the hazardous vegetation or other combustible material to be removed by County fire officials

or employees, or may cause the removal to be carried out by a private contractor selected by the County Purchasing Agent in accordance with applicable statutes and in the manner and under the terms specified by the Board of Supervisors.

- E. Abatement Cost Recovery. As set forth in Government Code Section 25845, the owner and any person in possession of the real property upon which the hazardous vegetation or combustible material is found to exist shall be jointly and severally liable for all abatement costs incurred by the County without any further hearing.
- F. Notice of Abatement Costs. At the conclusion of the abatement by the County Fire Chief or designee, the County Fire Chief shall issue a bill setting forth the abatement costs to the owner and person in possession of the real property. The bill shall demand payment to the County of Riverside the total abatement costs and administration costs, plus attorneys' fees, if relevant, within fifteen (15) calendar days of its mailing.
- G. Abatement Costs Specially Assessed Against the Parcel. If the amount set forth in the Notice of Abatement Costs is not paid upon demand by the County, the abatement costs, including attorneys' fees, if applicable, shall be specially assessed against the real property pursuant to Government Code Section 22845, or by any other means provided by law. The assessment may be collected at the same time and in the same manner as ordinary County taxes are collected, and shall be subject to the same penalties and the same procedure of sale in case of delinquency as are ordinary County taxes.
- H. Notice of Abatement Lien. A Notice of Abatement Lien may be recorded against the real property subject to this abatement proceeding, setting forth the date upon which abatement of the nuisance was ordered either by notice issued by the County Fire Chief or by the Board of Supervisors after a hearing, the date the abatement was complete and the amount of abatement costs. Furthermore, the notice shall identify the parcel address, the record owner, the possessor of the property, if known and applicable, together with the last known address of the record owner or possessor. The abatement lien shall have the same effect as recordation of an abstract of a money judgment pursuant to Article 2 of Chapter 2 of Division 2 of Title 9 of Part 2 of the California Code of Civil Procedure (commencing with § 697.310, as amended). The lien has the same priority as a judgment lien on real property and continues in effect until released.

- I. Attorneys Fees. Reasonable attorneys' fees may be recovered by the prevailing party in any civil action, administrative proceeding or special proceeding established by this ordinance. In the event a hearing is requested pursuant to the notice described above in Section 6 and the Board of Supervisors deems the real property to be a public nuisance and orders the County Fire Chief to abate the hazardous vegetation or combustible material, the County shall be deemed the prevailing party.

Section 7. HEARING OFFICIAL.

- A. Delegation of Authority. The Riverside County Board of Supervisors may delegate its authority to conduct the administrative abatement proceedings set forth in Section 6, above, to either of the following:
  - (1) The County hearing officer appointed by the Board of Supervisors pursuant to Riverside County Ordinance No. 643 and Government Code Section 27720, as amended. The hearing officer shall have full authority and duty to preside over hearings in the manner set forth in Riverside County Ordinance No. 643, as amended.
  - (2) A Weed Abatement Hearing Board (WAHB) designated pursuant to Government Code Section 25845, as amended. The WAHB shall have full authority to act and may preside over hearings with the same authority, power and duties of the hearing officer. The WAHB shall be comprised of three (3) persons as follows: one (1) member shall be an officer of the Riverside County Fire Department selected by the County Fire Chief, (but not an employee involved in inspecting or issuing the Notice/Order; and two (2) members shall be selected by the Board of Supervisors. Members shall serve at the pleasure of the appointing entity.
- B. Recommended Action. At the conclusion of a hearing by either the hearing officer or WAHB, a recommended decision shall be issued to the owner or person in possession of the real property subject to the hearing, and to any other interested person previously requesting notice. The hearing officer or WAHB shall also file the recommended decision with the Board of Supervisors. The recommended decision may alter the Notice/Order in any fashion and may include an order to the owner or person in possession of the real property to abate the hazardous weeds or combustible material within ten (10) calendar days of issuance of the order.

- C. No Further Appeal. Upon receiving the recommended decision from either the hearing officer or WAHB, the Board of Supervisors may adopt the decision as recommended on the consent agenda at its next regularly scheduled public Board meeting without further notice or hearing, or may set the matter for a de novo hearing before the Board of Supervisors

Section 8. OTHER REMEDIES. The provisions of this ordinance are to be construed as an added remedy of abatement and not in derogation of any other civil or criminal actions or proceedings or remedies otherwise provided by law.

A. Civil Actions.

(1) Injunctive Relief and Abatement. Whenever, in the judgment of the County Fire Chief, any person is engaged in or about to engage in any act or practice which constitutes or will constitute a violation of any provision of this ordinance or notice or order issued pursuant hereto, the County Fire Chief may request the County Counsel or District Attorney to commence proceedings for the abatement, removal, correction and enjoinder thereof, and requiring the violator to pay civil penalties and/or abatement costs or in addition, be subject to criminal prosecution.

(2) Civil Remedies and Penalties. Any owner or person in possession of real property who willfully violates the provisions of this ordinance or any notice or order issued pursuant hereto shall be liable for a civil penalty not to exceed \$1,000.00 for each day or portion thereof that the violation continues to exist. In determining the amount of the civil penalty to impose, the court shall consider all relevant circumstances, including, but not limited to, the extent of the harm caused by the conduct constituting a violation, the nature and persistence of such conduct, the length of time over which the conduct occurred, the assets, liabilities, and net worth of the violator, whether corporate or individual, and any corrective action taken by the violator.

B. Criminal Actions.

(1) It shall be unlawful for any person to violate any provision of this ordinance. Any person violating any provision of this ordinance shall be deemed guilty of an infraction or misdemeanor as hereinafter specified. Such person shall be deemed guilty of a separate offense for each and every day or portion thereof during which any violation of any provision of this ordinance is committed, continued or permitted.

(2) Any person so convicted shall be guilty of an infraction offense and punished by a fine not exceeding one hundred dollars (\$100) for a first violation; guilty of an infraction offense and punished by a fine not exceeding two hundred dollars (\$200) for a second violation on the same site and perpetrated by the same person. The third and any additional violations on the same site and perpetrated by the same person shall constitute a misdemeanor offense and shall be punishable by a fine not exceeding one thousand dollars (\$1,000) or six months in jail, or both. Payment of any penalty herein shall not relieve a person from the responsibility for correcting the violation. Notwithstanding the above, a first or second offense may be charged as a misdemeanor.

C. Treble Damages. Upon a second or subsequent civil or criminal judgment for a violation of this ordinance within a two year period the violator shall be liable to the County of Riverside for treble the abatement costs, in accordance with Government Code § 25845.5.

D. Notice of Noncompliance. Whenever a Notice/Order has been issued, the County Fire Chief may record a Notice of Noncompliance with the Office of the County Recorder of Riverside County and shall notify the owner of the property of such action. The Notice of Noncompliance shall describe the property, shall set forth the noncomplying conditions, and shall state that any abatement costs incurred by the County as a result of the violation of this ordinance may be specially assessed as a lien on the property and that the owner has been so notified.

Section 9. SEVERABILITY. This ordinance and the various parts, sections and clauses thereof are hereby declared to be severable. If any part, sentence, paragraph, section or clause is adjudged unconstitutional or invalid, the remainder of this ordinance shall not be affected thereby.

The County Board of Supervisors hereby declares that it would have passed this ordinance and each part thereof, regardless of the fact that one or more parts thereof be declared unconstitutional or invalid.

Section 2. EFFECTIVE DATE. This amendment shall become effective 30 days after adoption.

**Adopted:**

695 Item 10.7 of 10/16/1990 (Eff: 11/15/1990)

**Amended:**

695.1 Item 3.7 of 04/08/1997 (Eff: 05/08/1997)

695.2 Item 3.33 of 07/02/2002 (Eff. Immediately)

695.3 Item 3.10 of 03/20/2007 (Eff: 04/19/2007)  
695.4 Item 3.33 of 06/16/2009 (Eff: 07/16/2009)