City of Rolling Hills INCORPORATED JANUARY 24, 1957

2 Portuguese Bend Road
Rolling Hills, CA 90274

AGENDA
Special Fire Fuel Management Committee Meeting

FIRE FUEL MANAGEMENT COMMITTEE
Monday, August 30, 2021

CITY OF ROLLING HILLS
6:30 PM

Executive Order

All Committee members will participate in-person wearing masks per Los Angeles County Health Department's Health Officer Order effective Saturday, July 17, 2021. The meeting agenda and live stream will be available on the City's website: https://www.rollinghills.org/government/agenda/index.php
Members of the public may come in to City Hall wearing masks, per the new Health Officer's Order. Zoom teleconference will not be available for this meeting, but members of the public can submit written comments in real-time by emailing the City Clerk's office at cityclerk@cityofrh.net. Your comments will become part of the official meeting record. You must provide your full name, but please do not provide any other personal information that you do not want to be published.

1. PARTICIPANTS

2. ITEMS FOR DISCUSSION

2.A. DEFINE FIRE HAZARD NUISANCE CONDITION (MIRSCH).
RECOMMENDATION: None

2.B. DISCUSS AMENDMENTS TO THE DEAD VEGETATION ORDINANCE (MIRSCH).
RECOMMENDATION: None.
345-Fire Fuel Hazard Abatement Dead tree.pdf
Municipal Code-ABATEMENT OF NUISANCE & FIRE FUEL ABATEMENT.docx

2.C. SCHEDULE NEXT MEETING
RECOMMENDATION: None.

3. COMMENTS WILL BE TAKEN BY EMAIL IN REAL TIME - PUBLIC COMMENT WELCOME

This is the appropriate time for members of the public to make comments regarding items not listed on this agenda. Pursuant to the Brown Act, no action will take place on any items not on the agenda.

4. ADJOURNMENT

Documents pertaining to an agenda item received after the posting of the agendas are available for review in the City Clerk's office or at the meeting at which the item will be considered.

In compliance with the Americans with Disabilities Act (ADA), if you need special assistance to participate in this meeting due to your disability, please contact the City Clerk at (310) 377-1521 at least 48 hours prior to the meeting to enable the City to make reasonable arrangements to ensure accessibility and accommodation for your review of this agenda and attendance at this meeting.

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 2.A
Mtg. Date: 08/30/2021

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **ASHFORD BALL, SENIOR MANAGEMENT ANALYST**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **DEFINE FIRE HAZARD NUISANCE CONDITION (MIRSCH).**

DATE: **August 30, 2021**

BACKGROUND:
None.

DISCUSSION:
Develop definition of what constitutes a fire hazard nuisance condition, including criteria regarding type, density, and location of hazardous vegetation, as well as specific abatement standards.

FISCAL IMPACT:
None.

RECOMMENDATION:
Staff recommends that the Committee define what constitutes a fire hazard nuisance condition.

ATTACHMENTS:

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 2.B
Mtg. Date: 08/30/2021

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **ASHFORD BALL, SENIOR MANAGEMENT ANALYST**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **DISCUSS AMENDMENTS TO THE DEAD VEGETATION ORDINANCE (MIRSCH).**

DATE: **August 30, 2021**

BACKGROUND:
None.

DISCUSSION:
Discuss possible amendments to the City's existing dead vegetation ordinance (chapter 830, no 345) to include live vegetation determined to be a hazard/nuisance, as identified above. Including justification for extending distance between the Fire Code of 200 feet from structure.

FISCAL IMPACT:
None.

RECOMMENDATION:
Staff recommends the committee to receive and file the discussed amendments to recommend to City Council at a later date.

ATTACHMENTS:
345-Fire Fuel Hazard Abatement Dead tree.pdf
Municipal Code-ABATEMENT OF NUISANCE & FIRE FUEL ABATEMENT.docx

ORDINANCE NO. 345

AN ORDINANCE OF THE CITY OF ROLLING HILLS ADDING CHAPTER 8.30 TO TITLE 8 OF THE ROLLING HILLS MUNICIPAL CODE REGARDING ABATEMENT OF FIRE FUEL HAZARDS.

The City Council of the City of Rolling Hills does ordain as follows:

Section 1. Findings. Dead trees, shrubs and other plants constitute a fire hazard and therefore are potentially injurious to the health, safety, and general welfare of the public.

Section 2. Title 8, Chapter 8.30, "Fire Fuel Abatement," is hereby added to the Rolling Hills Municipal Code to read as follows:

Chapter 8.30

FIRE FUEL ABATEMENT

Sections:

8.30.010 Dead plants as public nuisance

8.30.020 Abatement

8.30.010 Dead Trees as Public Nuisance.

Every person who owns or is in possession of any property, place or area within the boundaries of the City shall, at his or her own expense, maintain the property, place or area free from any dead tree, shrub or other plant. Any dead tree, shrub or other plant located on any property in the City is hereby declared to be a public nuisance.

8.30.020 Abatement.

Any condition declared to be a public nuisance by Section 8.30.010 shall be abated or corrected in accordance with the provisions of Chapter 8.24.

PASSED, APPROVED AND ADOPTED this 23rd day of November, 2015.

JEFF PIEPER
MAYOR

ATTEST:

HEIDI LUCE
CITY CLERK

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES) §§
CITY OF ROLLING HILLS)

I certify that the foregoing Ordinance No. 345 entitled:

AN ORDINANCE OF THE CITY OF ROLLING HILLS ADDING CHAPTER 8.30 TO TITLE 8 OF THE ROLLING HILLS MUNICIPAL CODE REGARDING ABATEMENT OF FIRE FUEL HAZARDS.

was approved and adopted at a regular meeting of the City Council on November 23, 2015 by the following roll call vote:

AYES: Councilmembers Black, Mirsch, Wilson and Mayor Pieper.

NOES: Mayor Pro Tem Dieringer.

ABSENT: None.

ABSTAIN: None.

and in compliance with the laws of California was posted at the following:

Administrative Offices.

Heidi Luce

HEIDI LUCE
CITY CLERK

MUNICIPAL CODE: FIRE FUEL ABATEMENT & ABATEMENT OF NUISANCE

‹ 8.28.020 - Abatement. Chapter 8.32 - STORM WATER MANAGEMENT AND POLLUTION CONTROL ›

Chapter 8.30 - FIRE FUEL ABATEMENT

8.30.010 - Dead or alive tumbleweeds and dead trees, shrubs, palm fronds or other plants as public nuisance.

Every person who owns or is in possession of any property, place or area within the boundaries of the City shall, at his or her own expense, maintain the property, place or area free from any dead or alive tumbleweed or dead tree, shrub, palm frond or other plant. Any dead or alive tumbleweed or dead tree, shrub, palm frond or other plant located on any property in the City is hereby declared to be a public nuisance.

(Ord. No. 345, § 2, 11-23-2015; Ord. No. 360, § 1, 2-25-2019)

Editor's note— Ord. No. 360, § 1, adopted Feb. 25, 2019, changed the title of § 8.30.010 from "Dead trees as public nuisance" to read as herein set out.

8.30.015 - Applicability.

This chapter shall apply to the entirety of each parcel of property located within the boundaries of the City except for the slope area approximated to be steeper than two units horizontal to one unit vertical (fifty percent slope).

(Ord. No. 360, § 1, 2-25-2019)

8.30.020 - Abatement.

Any condition declared to be a public nuisance by this chapter shall be abated or corrected in accordance with the provisions of Chapter 8.24.

(Ord. No. 345, § 2, 11-23-2015; Ord. No. 360, § 1, 2-25-2019)

‹ 8.28.020 - Abatement. Chapter 8.32 - STORM WATER MANAGEMENT AND POLLUTION CONTROL ›

?1T8HESA_CH8.24ABNU_8.24.040NOABNUON

Chapter 8.24 - ABATEMENT OF NUISANCES

Sections:

8.24.010 - Nuisance defined.

For the purposes of this chapter, a "nuisance" shall be defined as anything which is injurious to health or safety, or is indecent or offensive to the senses, or an obstruction to the free use of property or injurious to the stability of real property so as to interfere with the comfortable enjoyment of life or property, or unlawfully obstructs the free passage or use, in the customary manner, of any street, and affects at the same time an entire community or neighborhood, or any considerable number of persons, although the extent of the annoyance or damage inflicted upon individuals may be unequal.

Notwithstanding any provisions of this chapter, the City Council may define by ordinance any particular condition constituting a nuisance.

(Ord. 190 § 1(part), 1981).

8.24.020 - Duty of owner or possessor of property.

Every person who owns or is in possession of any property, place or area within the boundaries of the City shall, at his or her own expense, maintain the property, place or area free from any nuisance.

(Ord. 190 § 1(part), 1981).

8.24.030 - Notice to abate nuisance.

Whenever the City Manager determines that a nuisance exists upon any property, place or area within the boundaries of the City, the City Manager may notify in writing the owner or person in possession of the property, place or area to abate the nuisance within fifteen days from the date of the notice. The notice shall be given by registered or certified mail addressed to the owner or person in possession of the property, place or area at his last known address.

(Ord. 190 § 1(part), 1981).

(Ord. No. 328, § 1, 5-14-2012)

8.24.040 - Notice to abate nuisance—Contents.

The notice shall state that if the nuisance is not abated or good-faith efforts towards abatement not been made to the satisfaction of the City Manager within fifteen days from the date thereof, a hearing shall be held before the City Council to hear any protest of the owner, possessor or other interested person. The notice shall specify the time, date and place of the hearing, which shall be set for the regular meeting of the Council next following the expiration of the fifteen-day period.

(Ord. 190 § 1(part), 1981).

8.24.050 - Hearing and decision.

If the nuisance is not abated or good faith efforts towards abatement have not been made within the time set forth in Section 8.24.030, the City Council shall conduct a hearing at the time and place fixed in the notice at which evidence may be submitted by interested persons. Upon consideration of the evidence, the Council may declare the condition to constitute a public nuisance and order the abatement thereof. The decision of the City Council shall be final. The City Clerk shall notify all owners and possessors of the subject property, place or area of the decision of the Council.

(Ord. 190 § 1(part), 1981).

8.24.060 - Abatement by City—Notice of charge.

Upon failure, neglect or refusal by a person notified pursuant to Section 8.24.050 to abate a nuisance within thirty days after the date of notice, the City Council is authorized to cause the abatement of the nuisance and pay for the abatement. The City Council shall notify, in writing, the owner or possessor of the property, place or area upon which a nuisance has been abated by the City of the cost of abatement. Such notice shall be given in the same manner as required by Section 8.24.030.

(Ord. 190 § 1(part), 1981).

8.24.070 - Lien.

If the total cost of the abatement of the nuisance by the City is not paid to the City in full within ten days after the date of the notice of the cost of the abatement, the City Clerk shall record, in the office of the County Recorder, a statement of the total balance due to the City, a legal description of the property, place or area involved, and the name of the owner or possessor concerned. From the date of such recording, the balance due will constitute a lien on the property. The lien will continue in full force and effect until the entire amount due, together with interest at the maximum legal rate accruing from the date of the completion of the abatement, is paid in full.

(Ord. 190 § 1(part), 1981).

8.24.080 - Charges to be billed on tax bill.

The City may also, in accordance with the provisions of the laws of the State, cause the amount due to the City by reason of its abating a nuisance together with interest at the maximum legal rate, accruing from the date of the completion of the abatement, to be charged to the owners of the property, place or area on the next regular tax bill. All laws of the State applicable to the levy, collection and enforcement of City taxes and County taxes are hereby made applicable to the collection of these charges.

(Ord. 190 § 1(part), 1981).

8.24.090 - Court action.

The City may bring appropriate actions, in a court of competent jurisdiction, to collect any amounts due by reason of the abatement of a nuisance by the City and to foreclose any existing liens for such amounts. Notwithstanding the provisions of this chapter, the City may bring the appropriate civil and criminal actions in a court of competent jurisdiction for abatement of any nuisance existing within the City pursuant to any other provision of law. In addition to costs recoverable pursuant to Section 8.24.060, attorney's fees, expert fees, and court costs shall be awarded to the prevailing party in any action taken by the City to abate a nuisance if, and only if, the City seeks the award of attorney's fees and court costs at the initiation of such legal action or proceeding. The attorney's fees recoverable pursuant to this section shall be limited to the reasonable attorney's fees incurred by the City in the legal action or proceeding, regardless of the actual cost of any party's attorney's fees.

(Ord. 190 § 1(part), 1981).

(Ord. No. 328, § 2, 5-14-2012)

8.24.100 - Summary abatement.

Notwithstanding any provisions of this chapter, the City Council may cause a nuisance to be summarily abated if the City Council determines that the nuisance creates an emergency condition involving an immediate threat to the physical safety of the population. Prior to abating the nuisance, the City Manager shall attempt to notify the owner or possessor of the property, place, or area involved of the nuisance and request him to immediately abate the nuisance. If, in the sole discretion of the City Council, the owner or possessor of the property, place or area containing the nuisance which creates an emergency condition fails to take immediate and meaningful steps to abate the nuisance, the City may abate the nuisance and charge the cost of abating such nuisance to the owner or possessor of the property, place or area involved. The City shall notify in writing the owner or possessor of the property, place or area upon which a nuisance has been abated by the City, of the cost of said abatement. Such notification shall be given in the same manner as required by Section 8.24.030. The provisions of Sections 8.24.070, 8.24.080 and 8.24.090 shall be applicable.

(Ord. 190 § 1 (part), 1981).

‹ 8.20.150 - Referee hearing recommendations.

Chapter 8.28 - ABATEMENT OF NUISANCES IN ACTIVE LANDSLIDE AREAS ›

City of Rolling Hills INCORPORATED JANUARY 24, 1957

Agenda Item No.: 2.C
Mtg. Date: 08/30/2021

TO: **HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL**

FROM: **ASHFORD BALL, SENIOR MANAGEMENT ANALYST**

THRU: **ELAINE JENG P.E., CITY MANAGER**

SUBJECT: **SCHEDULE NEXT MEETING**

DATE: **August 30, 2021**

BACKGROUND:
None.

DISCUSSION:
None.

FISCAL IMPACT:
None.

RECOMMENDATION:
None.

ATTACHMENTS: