

HOMEOWNER'S SUMMARY OF FIRE PREVENTION AND LOSS REDUCTION LAWS

CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION



CAL FIRE



References to "department" means CAL FIRE

"director" means the Director of CAL FIRE

Summary of Fire Safe Regulations

Title 14 Code of California Regulations: Division 1.5, Chapter 7, Subchapter 2, Articles 1-5

These regulations have been prepared and adopted for the purpose of establishing minimum wildfire protection standards in conjunction with building, construction and development in SRA. These regulations shall become effective September 1, 1991. The future design and construction of structures, subdivisions and developments in State Responsibility Area (SRA) shall provide for basic emergency access and perimeter wildfire protection measures as specified in the following articles. These measures shall provide for emergency access; signing and building numbering; private water supply reserves for emergency fire use; and vegetation modification. *The intent statements that follow are a summary and are provided for information only. Specific requirements should be obtained from the local planning and building departments.*

Article 2. Emergency Access Standards

Road and street networks, whether public or private, unless exempted under section 1270.02(e), shall provide for safe access for emergency wildland fire equipment and civilian evacuation concurrently, and shall provide unobstructed traffic circulation during a wildfire emergency consistent with sections 1273.00 through 1273.11.

Article 3. Signing and Addressing Standards

To facilitate locating a fire and to avoid delays in response, all newly constructed or approved roads, street, and buildings shall be designated by names or numbers, posted on signs clearly visible and legible from the roadway. This section shall not restrict the size of letters or numbers appearing on street signs for other purposes.

Article 4. Emergency Water Supply Standards

Emergency water for wildfire protection shall be available and accessible in quantities and locations specified in the statute and these

regulations, in order to attack a wildfire or defend property from a wildfire. Such emergency water may be provided in a fire agency mobile water tender, or naturally occurring or manmade containment structure, as long as the specified quantity is immediately available.

Article 5. Fuel Modification and Defensible Space Standards

To reduce the intensity of a wildfire by reducing the volume and density of flammable vegetation, the strategic siting of fuel modification and greenbelts shall provide

1. increased safety for emergency fire equipment and evacuating civilians; and
2. a point of attack or defense from a wildfire.

These regulations apply to new construction and development in State Responsibility Area (SRA) in California. These regulations are not retroactive to existing structures and facilities, unless a new use or occupancy is applied for. CAL FIRE offices and fire stations, as well as, County Planning and Building Departments can assist in modifying specific SRA boundaries. The following is a summary only for the purpose of information. Reference to the specific adopted language should be made before construction or development plans are prepared.

Application of Standards (Article 1)

The following activities trigger or initiate the application of specific standards within the regulations.

Creation of NEW PARCELS (except for lot line adjustments)

- o Road Standards (Article 2)
- o Gate Standards (Article 2)
- o Emergency Water Standards (Article 4)
- o Fuel Modification and Defensible Space Standards (Article 5)

Building Permit for New Construction

- o Road Standards (Article 2)
- o Gate Standards (Article 2)
- o Emergency Water Standards (Article 4)
- o Fuel Modification and Defensible Space Standards (Article 5)

Application for a Use Permit

All or part of these regulations may apply depending upon the specific use being permitted.

Siting of Mobile Homes and Manufactured Homes

- o Road Standards (Article 2)
- o Gate Standards (Article 2)
- o Emergency Water Standards (Article 4)
- o Fuel Modification and Defensible Space Standards (Article 5)

Road Construction (except for existing roads)

Roads for agricultural or mining use on one ownership, roads used solely for managing or harvesting wood products, or roads required as a condition of a parcel map approved prior to the effective date of these regulations are exempted.

- o Road Standards (Article 2)
- o Gate Standards (Article 2)
- o Signing and Addressing Standard (Article 3)
- o Fuel Modification & Defensible Space Standards (Article 5)

Inspection Authority (Article 1)

The inspection authority may be either the California Department of Forestry and Fire Protection (CAL FIRE) or the local jurisdiction.

Requests for Exceptions (Article 1)

Requests for exception from a specified requirement shall be submitted by the applicant in writing to the inspection authority, listing the applicable code section, stating the material facts supporting the exception request, listing the proposed mitigation measure and providing a map of the requested change.

Appeals (Article 1)

Any applicant may appeal the denial of an exception to the local jurisdiction who shall provide written findings to the local CAL FIRE office if the appeal is granted.

Maintenance Requirements (Article 1)

The maintenance of all requirements shall be secured as a condition of the approved permit or map.

Road Standards (Article 2)

- o Two nine foot traffic lanes (18 foot wide road surface)
- o A minimum 40,000 pound load capacity (California Vehicle Code)
- o A maximum grade of 16%
- o A minimum inside curve radius of 50 feet
- o Turnarounds shall be a minimum of 40 foot radius, a hammerhead-T may apply
- o Turnouts shall be a minimum 10 feet wide and 30 feet long with a 25 foot taper at each end
- o Turnouts shall be constructed every 400 feet.
- o One-way roads shall be a minimum 10 feet wide, serving a maximum of 10 dwelling units and not exceed 2,640 feet in cumulative length.

Dead-end roads shall not exceed the following lengths:

- o 800 feet for parcels zoned for less than 1 acre
- o 1,320 feet for parcels zoned for 1 acre to 4.99 acres
- o 2,640 feet for parcels zoned 5 to 19.99 acres
- o 5,280 for parcels zoned for 20 acres or larger

Driveway Standards (Article 2)

- o Minimum 10 feet wide
- o A minimum of 15 feet vertical clearance
- o A maximum grade of 16%
- o A minimum inside curve radius of 50 feet
- o Turnarounds are required at building sites for driveways longer than 300 feet.

Gate Standard (Article 2)

Gate openings shall be at least 2 feet wider than the road surface and shall be located at least 30 feet, *plus the length of the swing of the gate*, from the intersecting roadway.

Address Signs (Article 3)

Roads shall be named or sequentially numbered (non-duplicating in a county) with approved signs posted at each intersection:

- o A minimum 3 inch letter height, 3/8 inch stroke
- o Reflectorized and contrasting with the background color
- o Visible for 100 feet from both directions of travel

Addresses shall be posted at driveway entrances and at each fork of the driveway and shall be visible from both directions of travel. Addresses shall be sequentially numbered.

Multiple addresses shall be on a single post.

Emergency Water Supply Standards (Article 4)

These standards apply with new construction and siting of mobile homes and manufactured homes. This does not apply for standards for undeveloped lots. Water storage and supply systems shall be approved by the inspection authority and shall meet or exceed either:

PUC Revised General Order #103, Section VII and other applicable fire flow sections, or NFPA 1231, or ISO Rural Class 8 Standard.

Fire Hydrants shall:

- o Be at least 18 inches above grade
- o Be a minimum of 8- feet from flammable vegetation
- o Be installed between 4 and 12- feet from the roadway
- o Be located between 50-feet and ½ mile from the building it serves
- o Have a 2-1/2 or 4-1/2 inch N.H. male fitting
- o Be suitable crash protected if required by a local jurisdiction
- o Be identified with a 3-inch reflectorized blue dot on the driveway address sign, or placed on a post within 3-feet of the hydrant, or identified as described in the State Fire Marshal's Highway Marker Guidelines.

Fuel Modification and Defensible Space Standards (Art. 5)

Structures on parcels 1 acre and larger shall be set back from the property line at least 30 feet. Smaller parcels shall provide for comparable mitigation.

Flammable waste generated by construction or development must be lawfully disposed of before final approval of a project.

Greenbelts that are proposed as a part of a development or project shall be strategically located to separate wildland fuels and structures.

DISCLOSURE RESPONSIBILITY OF SELLERS OF REAL PROPERTY

Each seller of real property in State Responsibility Areas (SRA) is required to disclose to any prospective purchaser that the property is in a wildland area which poses a wildfire risk and/or hazard. Each seller shall also disclose that the property is required to meet the flammable vegetation clearance requirements of PRC 4291. The seller must also disclose to any prospective buyer that it is not the state's responsibility to provide fire protection services to any building or structure located within the wildlands unless the state has entered into an agreement with local government to provide structure fire protection. (PRC 4125)

FIRE RESISTIVE ROOFING

Roofs on all new buildings in State Responsibility Areas (SRA) must have at least a Class C fire resistive or non-combustible roof covering. A Class C or non-combustible roof covering is also required when 50% or more of the roof area is reroofed. A local jurisdiction may apply more stringent standards. The installer of the roof covering shall provide certification of the roof covering classification to the building owner and, when requested, to the inspection authority. (UBC, California Amendments, Section 3203)

PERMITS FOR BURNING

A person shall not burn any brush, stumps, logs, fallen timber, fallows, slash, grass-covered land, brush-covered land, forest-covered land, or other flammable material, in any state responsibility area, area receiving fire protection by the department by contract, or upon federal lands administered by the United States Department of Agriculture or Department of the Interior, unless the person has a written permit from the department or its duly authorized representative or the authorized federal officer on federal lands administered by the United States Department of Agriculture or of the Interior and in strict accordance with the terms of the permit. (PRC 4423)

DEFENSIBLE SPACE AROUND STRUCTURES

A person that owns, leases, controls, operates, or maintains a building or structure in, upon, or adjoining any mountainous area, forest-covered lands, brush-covered lands, grass-covered lands, or any land that is covered with flammable material, shall at all times do all of the following:

(a) Maintain around and adjacent to the building or structure a firebreak made by removing and clearing away, for a distance of not less than 30 feet on each side of the

building or structure or to the property line, whichever is nearer, all flammable vegetation or other combustible growth. This subdivision does not apply to single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to any building or structure.

(b) Maintain around and adjacent to the building or structure additional fire protection or firebreak made by removing all brush, flammable vegetation, or combustible growth that is located within 100 feet from the building or structure or to the property line or at a greater distance if required by state law, or local ordinance, rule, or regulation. This section does not prevent an insurance company that insures a building or structure from requiring the owner of the building or structure to maintain a firebreak of more than 100 feet around the building or structure. Grass and other vegetation located more than 30 feet from the building or structure and less than 18 inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion. This subdivision does not apply to single specimens of trees or other vegetation that is well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a dwelling or structure.

(c) Remove that portion of any tree that extends within 10-feet of the outlet of a chimney or stovepipe.

(d) Maintain any tree adjacent to or overhanging a building free of dead or dying wood.

(e) Maintain the roof of a structure free of leaves, needles, or other dead vegetative growth.

(f) Provide and maintain at all times a screen over the outlet of every chimney or stovepipe that is attached to any fireplace, stove, or other device that burns any solid or liquid fuel. The screen shall be constructed of nonflammable material with openings of not more than one-half inch in size. (PRC 4291)

SPARK ARRESTERS

No person shall use, operate, or allow to be used or operated, any internal combustion engine which uses hydrocarbon fuels on any forest-covered land, brush-covered land, or grass-covered land unless the engine is equipped with a spark arrester, as defined in subdivision (c), maintained in effective working order or the engine is constructed, equipped, and maintained for the prevention of fire. Motor vehicles must be equipped with an approved muffler. No person shall offer for sale, lease or rent any internal combustion engine unless he provides written notice of this requirement and violation penalties. (PRC 4442)

NOTE

Counties are allowed to develop their own fire safe regulations. Many counties have enhanced the requirements stated in this summary. You should check with the County Planning Section or the fire authority in your county to verify the requirements you will have to meet.

