



## City of Grass Valley City Council Agenda Action Sheet

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**Title:** Update Municipal Code Chapter 8.16 Fire Control Regulations

**CEQA:** Not a project

**Recommendation:** That Council: 1) review the proposed ordinance to repeal Articles II, III, IV, and V of Municipal Code Chapter 8.16 (Fire Control Regulations) and replace with new Article II; 2) waive full reading and adopt Urgency Ordinance No. 37; 2) waive full reading and introduce Ordinance No. 38.

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**Prepared by:** Mark Buttron -Fire Chief

**Council Meeting Date:** 06/11/2024

**Date Prepared:** 06/05/2024

**Agenda:** Administrative

**Background Information:** In August of 2017, the Council approved repealing Municipal Code Chapter 8.16, Fire Control Regulations and 8.36, Weed Abatement. These repealed chapters were replaced with updated Municipal Code Chapter 8.16, Fire Control Regulations, which includes vegetation management and yard debris removal. Staff now requests the Council approve the repeal and replacement of Article II (“Miscellaneous Fire Control Regulations”), Article II (“Prohibitions”), Article IV (“Fireworks”), And Article V (“Violations - Penalty”) Of Chapter 8.16, temporarily (with the adoption of Urgency Ordinance No. 37) and permanently (with the introduction and subsequent adoption of Ordinance No. 38).

The new proposed ordinance uses the language of the referenced state and county regulations and/or laws (specifically, the parcel defensible space obligations found in the California Public Resources Code (PRC) Section 4291, as reproduced by reference in Section 4907 of the California Fire Code, and the expanded defensible space obligations found in Title 4, Chapter I, of the Nevada County California County Code, which supplements PRC 4291. Using this approach, the existing inspection forms, educational materials, and outreach information available from CalFire and Nevada County could be used by Grass Valley as Grass Valley would have the same standards as Nevada City and the unincorporated county areas.

The existing City specific enforcement standards from other sections of the Municipal Code and the prohibition on fireworks are unchanged from the previous ordinance but

are formatted to match the proposed ordinance content. The prohibition on outdoor burning other than exempted remains intact.

Staff recommends this amendment to the Municipal Code be adopted as an urgency ordinance. The urgency ordinance may be introduced and adopted at a single meeting and becomes effective immediately if adopted by a 4/5 vote. To make these amendments permanent without needing to defend urgency findings indefinitely, staff recommends that Council simultaneously consider a standard ordinance, adopted after first and second readings, which will take effect 30 days after adoption. The standard ordinance is identical to the urgency ordinance but does not contain the specific findings of urgency. Upon becoming effective, the ordinance will repeal the urgency ordinance. This is the City Attorney's standard procedure with respect to urgency ordinances that address long-term issues.

**Council Goals/Objectives:** Exceptional Public Safety consistent with the City of Grass Valley Strategic Plan

**Fiscal Impact:** None

**Funds Available:** N/A

**Account #:** N/A

**Reviewed by:**

**Attachments:**

Grass Valley Municipal Code Article II  
Urgency Ordinance No. 37 Amending Grass Valley Municipal Code Chapter 8.16  
Non-Urgency Ordinance No. 38 Amending Grass Valley Municipal Code Chapter 8.16