

ORDINANCE NO. XX-2025

CAMBRIA COMMUNITY SERVICES DISTRICT BOARD OF DIRECTORS

DATED: , 2025

AN ORDINANCE ADDING CHAPTER 6.05 TO THE CAMBRIA COMMUNITY SERVICES DISTRICT MUNICIPAL CODE RELATING TO WEED ABATEMENT STANDARDS

WHEREAS, Government Code Section 61100(d) authorizes the Cambria Community Services District to “Provide fire protection services, rescue services, hazardous material emergency response services, and ambulance services in the same manner as a fire protection district, formed pursuant to the Fire Protection District Law, Part 2.7 (commencing with Section 13800) of Division 12 of the Health and Safety Code” and the District provides fire protection services to the community through its Fire Department; and

WHEREAS, the Cambria Community Services District conducts annual weed abatement under its Fire Hazard Fuel Reduction Program in accordance with the authority in Government Code Section 61100(t); and

WHEREAS, Government Code section 61060(b) provides the District with the authority “To adopt, by ordinance, and enforce rules and regulations for the administration, operation, and use and maintenance of the facilities and services listed in Part 3 (commencing with Section 61100)”;

and

WHEREAS, the uncontrolled growth and/or accumulation of weeds, grasses, hazardous vegetation and combustible materials or obstructions on sidewalks, streets, and on lands or lots within the District is dangerous or injurious to neighboring property and the health, safety, and welfare of residents of the District and surrounding areas; and

WHEREAS, such growth and accumulation constitutes a public nuisance in that it creates fire hazards, reduces the value of private property, promotes blight and deterioration, constitutes an unattractive nuisance, and creates a hazard to the health, safety, and general welfare of the public;

and

WHEREAS, the District is located in a wildland/suburban interface in which many of the native and non-native plant species within the jurisdictional boundaries of the District are highly flammable during dry periods and have contributed to significant wildfires resulting in catastrophic losses of life, property, and the environment. The risk of significant wildfires continues to increase for numerous reasons; and

WHEREAS, of paramount importance to the Board of Directors and the residents of the District is the protection of lives and property from the threat of fire and the safety of fire and law enforcement personnel during wildfires; and

WHEREAS, the Cambria Community Services District seeks to ensure the safety and welfare of Cambria residents by requiring the abatement of hazardous weeds and vegetation on private and public properties; and

WHEREAS, the purpose and intent of this Ordinance is to adopt weed abatement standards as regulations to define the District's requirements for weed abatement.

NOW, THEREFORE, The Board of Directors of the Cambria Community Services District Ordains as follows:

Section 1. Chapter 6.05. is hereby added to Title 6 of the Cambria Community Services District Municipal Code to read as follows:

Chapter 6.05 – WEED ABATEMENT STANDARDS

6.05.010. – Purpose and Findings

In accordance with Government Code Section 61100(d) the Cambria Community Services District provides fire protection services to the community. Pursuant to Government Code Section 61100(t), the District is also authorized to provide weed abatement services to “Abate weeds and rubbish pursuant to Part 5 (commencing Section 14875) of the Health and Safety Code...” Pursuant to that authority the District conducts an annual Fire Hazard Fuel Reduction Program. Additionally, Government Code section 61060(b) provides the District with the authority “To adopt, by ordinance, and enforce rules and regulations for the administration, operation, and use and maintenance of the facilities and services listed in Part 3 (commencing with Section 61100).” Accordingly, the purpose of this Chapter is to set forth standards for weed abatement to facilitate regulation and control of the growth and accumulation of weeds, grasses, and other combustible vegetation in order to reduce fire risks and protect the health, safety, and general welfare of the community.

This Chapter is not the exclusive regulation of fire protection, including hazardous weeds and prohibited materials in the Cambria Community Services District. It shall supplement and be in addition to the provisions of the California Fire Code and the International Wildland Urban Interface Code, as adopted by the District, and other related regulations heretofore or hereafter enacted by the State, the County, or any other legal entity or agency having jurisdiction.

The Board of Directors finds and determines that the uncontrolled growth and/or accumulation of weeds, refuse, and other discarded or abandoned materials on parking areas, streets, land or lots within the District reduces property values, promotes blight and deterioration, creates fire hazards, constitutes an attractive nuisance, creates a haven for rodents and insects, and creates a condition adverse to the health, safety and welfare of District residents.

6.05.020 Definitions

“Weeds” for the purpose of this ordinance are defined as any vegetation excluding trees that is considered combustible, hazardous, or unsightly, whether living or dead, and as further set forth in Health and Safety Code Section 14875.

“Noxious Plants” shall mean plants identified as invasive, harmful to the environment, or otherwise detrimental, including but not limited to poison oak and other invasive species.

“Trees” in the context of fire hazard fuel reduction, refer to any woody perennial plants with a single trunk or multiple stems that can potentially contribute to fire risk. In particular, trees with low moisture content, excessive deadwood, or that are positioned too close to other vegetation or structures can increase the likelihood of fire spread and intensity.

“Property Owner” shall mean the legal owner(s) of real property, and any tenant, agent, or representative.

“Fire Hazard Area” shall mean any area of property where vegetation poses a potential risk for the rapid spread of fire.

6.05.030 Applicability and Enforcement Authority

This Chapter applies to all properties, both developed and undeveloped, within the boundaries of the Cambria Community Services District, including residential, commercial, industrial, and public lands.

The Fire Chief or his or her designee shall enforce the provisions of this Chapter. The Fire Department or personnel authorized by the Fire Chief shall conduct periodic inspections of properties to ensure compliance with this Chapter.

6.05.40 Standards for Property Maintenance and Weed Abatement

Property Owners in the District shall:

- A. Maintain property as outlined in Chapter 49 of the California Fire Code Section 4906 and 4907.
- B. Remove Weeds 50 feet from the edge of improved roadways, 50 feet from each property line, and 10 feet on each side of driveways.
- C. The following exemptions to the requirements of this Section shall apply:

Any land beyond 50 feet from improved streets, as declared by the County, State, or Federal Government, which has been acquired or managed, for one or more of the following purposes:

- a. Animal pastures and agricultural fields growing hay or grains. The interior portion of fenced pastures where the quantity of livestock significantly reduces the vegetative growth, therefore bringing the parcel into compliance. Agricultural fields must be cut at harvest time. Uncut hay and grain are subject to abatement.
- b. Habitat for endangered or threatened species that is a candidate for listing as an endangered or threatened species by the State of California or Federal Government.
- c. Land kept in a predominantly natural state as habitat for wildlife, plant, or animal communities.
- d. Open space lands that are environmentally sensitive parklands.
- e. Other lands having scenic values.

Abatement requirements shall be in effect in waterways where flood preparation measures and emergency flood control mitigation is necessary.

1. This exemption applies whether the land is held in fee title or any lesser interest. This exemption applies to any public agency and private entity that has dedicated the land, including water areas, to one or more of those purposes or uses, or any combination of public agencies and private entities making that decision.
2. This Section shall not be construed to prohibit the use of properly authorized prescribed burning to improve the biological function of land or to assist in the restoration of desired vegetation.
3. In the event that any lands adjacent to land, as described above, are improved such that they are subject to this Ordinance, the obligation to comply with the Standards in this Section shall be with the person owning, leasing, controlling, operating, or maintaining the occupied dwelling or occupied structure on the improved lands. All maintenance, activities, and other fire prevention measures required by this Section shall be required only for the improved land and water areas as described above.

D. In order to qualify for any of the foregoing exemptions, it is the Property Owner's responsibility to notify the Fire Department of the qualifying

exemption at least 30 days prior to the weed abatement deadline for the first year of implementation. Notification shall be made to the Fire Chief and shall be under the sole discretion of the Fire Chief as to the applicability and authorization of the exemption.

6.05.050 Declaration of Public Nuisance; Enforcement and Abatement

Weeds, grass, and combustible vegetation growing or accumulating upon private property within the District, which do, or will when dry, create a fire hazard and which by virtue thereof constitute a danger to neighboring property or the health or welfare of residents in the vicinity are hereby declared to constitute a public nuisance.

In addition to the annual weed abatement/Fire Hazard Fuel Reduction Program, failure to maintain property in accordance with the Standards set forth in Section 6.05.040 that constitutes a fire hazard and public nuisance shall be subject to Civil Administrative Citations in accordance with the procedures set forth in Chapter 1.14 of this Code and are also subject to abatement pursuant to Section 1.14.050. Costs of abatement shall be recovered in accordance with Section 1.14.090 and Notices of Lien may also be recorded pursuant to that Section.

Section 2. A summary of this Ordinance shall be published in a newspaper published and circulated in the District at least five (5) days prior to the Board of Directors meeting at which the proposed Ordinance is to be adopted. A certified copy of the full text of the proposed Ordinance shall be posted in the office of the Confidential Administrative Assistant. Within fifteen (15) days after adoption of the Ordinance, the summary with the names of those Board members voting for and against the Ordinance shall be published again, and the Board Secretary shall post a certified copy of the full text of such adopted Ordinance.

Section 3. This Ordinance shall take effect and be in full force and effect thirty (30) days after its passage.

Section 4. If any section, subsection, sentence, clause, or phrase of this Ordinance is for any reason held to be invalid or unconstitutional by a decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. The Board of Directors hereby declares that it would have passed this Ordinance and each and every section, subsection, sentence, clause, or phrase not declared invalid or unconstitutional without regard to whether any portion of this Ordinance would be subsequently declared invalid or unconstitutional.

The foregoing Ordinance was adopted at a regular meeting of the Board of Directors of the Cambria Community Services District held on the ___ day of _____, 2025.

AYES:

NAYS:

ABSENT:

President, Board of Directors

ATTEST:

APPROVED AS TO FORM:

Haley Dodson
Confidential Administrative Assistant

Timothy J. Carmel
District Counsel