

Ordinance No. 2019-02

AN ORDINANCE OF THE RANCHO SANTA FE FIRE PROTECTION DISTRICT FOR VEGETATION MANAGEMENT, DEFENSIBLE SPACE, AND DECLARING CERTAIN VEGETATION, AND CERTAIN WASTE MATTER A PUBLIC NUISANCE, AND PROVIDING FOR THE REMOVAL THEREOF

The Board of Directors of the Rancho Santa Fe Fire Protection District ordains as follows:

Article I. The Rancho Santa Fe Fire Protection District finds and determines that the purpose of this Ordinance is to prohibit the accumulation of combustible vegetation, dead, dying, or diseased trees, green waste, waste matter, and other flammable/combustible materials, which are dangerous to property and to the health, welfare, and safety of residents. Uncontrolled wildfires pose a serious threat to human lives and property. The goal of this ordinance is to protect lives and property from the threat of wildfire by requiring the abatement of combustible vegetation which increases community safety, the level of protection for habitable structures, and gives fire suppression personnel a defensible area to conduct operations in the event of wildland fire. The ordinance will allow for public nuisance abatement when property owners allow combustible vegetation and other flammable materials to accumulate in violation of this ordinance.

Article II. The Rancho Santa Fe Fire Protection District is designated as a Very High Fire Hazard Severity Zone and is located in a mountainous and/or hilly region of southern California. The Rancho Santa Fe Fire Protection District contains or adjoins forest-covered lands, brush-covered lands, grass covered lands, or other land which is covered with combustible vegetation. All native vegetation within the Rancho Santa Fe Fire Protection District constitutes a seasonal and recurrent nuisance pursuant to Health and Safety Code Section 14900.5.

Article III. The enactment of this Ordinance is pursuant to the authority granted under Health and Safety Codes Sections 13861(h); 13879 and 14875 et seq.; and 14930 as well as authority granted under Public Resource Codes Sections 4290 (a) and 4291 (a)-(f) and California Code of Regulations Title 14 Division 1.5 Chapter 7 Subchapter 2 Article 1 Section 1272.00.

Article IV. Abatement and Management of Certain Vegetation, and Certain Waste Matter

Section 1. DEFINITIONS.

The following words and phrases shall have the meanings respectively described in this ordinance.

1.01 COMBUSTIBLE VEGETATION, also referred to as flammable vegetation, is material that in its natural state will readily ignite, i.e., burn and transmit fire from native or landscape plants to any structure or other vegetation. COMBUSTIBLE VEGETATION includes any of the following plants or vegetation:

1.01.1 Dry grass, brush, weeds, litter, dead/dying trees or other flammable vegetation that endanger public safety by creating a fire hazard in any portion of the Rancho Santa Fe Fire Protection District.

- 1.01.2 Sagebrush, chaparral, and any other brush or vegetation, which attain such large growth as to become, when dry, a fire menace upon premises and/or to adjacent property.
- 1.01.3 Plants or vegetation which is otherwise considered noxious weed or dangerous.
- 1.01.4 Poison oak and poison ivy when the conditions of growth are such as to constitute a menace to the public health.
- 1.01.5 Trees, if determined to increase the fire hazard, due to mortality, insect infestation, disease, or lack of maintenance.
- 1.01.6 Dead and/or dying groves and/or forests.
- 1.01.7 Palm Trees all dead palm fronds including older leaves that persist on the tree, forming a "skirt" of brown thatch.
- 1.01.8 Any accumulation of dry grasses or other flammable vegetation within ten (10) feet of any aboveground flammable liquid or combustible gas vessel.
- 1.01.9 Cultivated and useful grasses and pasture will not be declared a public nuisance. However, if the Fire Chief and/or his/her authorized representatives determine it necessary to protect adjacent improved property from fire exposure, an adequate firebreak may be required
- 1.02 COMBUSTIBLE MULCH is any layer of material applied to the surface of soil and in its natural state, will ignite, burn and be capable of transmitting fire to landscape or to any structure. Combustible mulch shall be categorized as:
 - 1.02.1 COMPOSTED MULCH is defined as screened or refined composted wood chips or other organic materials.
 - 1.02.2 CHIPPED OR SHREDDED VEGETATION WASTE, WOOD PRODUCTS, BARK AND NUGGET MULCH is defined as coarsely chipped or shredded organic materials that have been recently produced and through have not gone composting process. Examples include chipped or shredded vegetation waste, chipped or shredded wood products, logging waste, bark or wood nuggets, and needles.
 - 1.02.3 RUBBER MULCH is defined as chipped or shredded mulch coming from 100 percent recycled rubber.
- 1.03 DEAD, DYING OR DISEASED TREES include pest or pathogen infested trees, abandoned or neglected groves or other trees, which are in a dying condition or no longer living.
- 1.04 DEFENSIBLE SPACE is an area either natural or man-made, where material capable of allowing a fire to spread unchecked has been abated, treated, cleared or modified to slow the rate and intensity of an advancing wildfire and to create an area for fire suppression operations to occur.
- 1.05 FIRE HAZARD any condition or conduct which, in the opinion of the Fire Chef or his/her designee: (a) increases or may increase the threat of fire to a greater degree than customarily recognized as normal by individuals in the public service regularly engaged in preventing, suppressing or extinguishing fire or (b) may obstruct, delay, hinder or interfere with the operations of the fire department or the egress of occupants in the event of fire.

- 1.06 FUEL MODIFICATION ZONE is a strip of land where COMBUSTIBLE VEGETATION has been thinned, modified or both and partially or totally replaced with approved drought-tolerant, fire-resistant, and/or irrigated plants to provide an acceptable level of risk from vegetation fires. Fuel modification reduces radiant and convective heat, thereby reducing the amount of heat exposure on the roadway or structure and providing fire suppression forces a safer area in which to take action.
- 1.07 GREEN WASTE includes, but is not limited to, organic material such as yard trimmings, plant waste, untreated wood wastes, paper products, natural fiber products, mulch and compost.
- 1.08 IMPROVEMENT means any building or structure, permanent or temporary, erected for the support, shelter, or enclosure of persons, animals, chattels, or property of any kind located in the unincorporated area of the County of San Diego and shall include agricultural crops. For purposes of this term, "improvement" shall not include fences, similar barriers enclosing, or separating areas of land.
- 1.09 NOXIOUS WEED shall mean any species of plant that is, or is liable to be, troublesome, aggressive, intrusive, detrimental, or destructive to agriculture, silviculture, or important native species, and difficult to control or eradicate, as defined in Section 5004 of the California Food and Agricultural Code.
- 1.10 PARCEL means any contiguous quantity of land in the possession of, owned by, or recorded as the property of, the same person or entity, and which is located in the unincorporated area of the County of San Diego.
- 1.11 RESPONSIBLE PARTY includes, but is not limited to, any person, firm, partnership or corporation owning, renting, leasing, or otherwise controlling any parcel located in the unincorporated area of the County of San Diego.
- 1.12 RUBBISH is waste material including, but not limited to, garbage, waste paper, and debris from construction or demolition.

Section 2. CERTAIN VEGETATION AND OTHER ITEMS DECLARED A PUBLIC NUISANCE.

- 2.01 The following are declared to be public nuisances within the areas of the Rancho Santa Fe Fire Protection District and it shall be the responsibility of the owner of the parcel, upon which such nuisance exists, to abate such nuisances at his or her own expense whenever they may exist:
 - 2.01.1 All weeds, COMBUSTIBLE VEGETATION, green waste, rubbish, certain mulch products and other such accumulations of combustible materials when such accumulations are within one hundred (100) feet of any building or structure designed or intended for occupancy by humans or animals that violate the defensible space requirements of this ordinance.
 - 2.01.2 Any vegetation growing upon the streets, sidewalks or upon private or public property within the Rancho Santa Fe Fire Protection District, which by reason of its size, type, manner of growth, proximity to any building, or improvements, which when dry will with reasonable probability constitute a fire hazard, said

vegetation or other items are hereby declared to be a public nuisance and shall be abated to the satisfaction of the Fire Chief or their designee.

2.01.3 Please note: ASTHETICS are not a consideration in determining the presence of a fire hazard.

2.01.4 INVASIVE SPECIES. Any Noxious or Invasive weed or plant designated by a Federal, State, or County government as injurious to public health, agriculture, recreation, wildlife or property shall be eradicated on properties in the District. Due to their flammable characteristics, potential to increase fuel density, and their ability to degrade natural and planted landscapes, invasive plants, as recognized by the San Diego County Agriculture, Weights & Measures Division, shall be removed within 100 feet of all structures.

Section 3. WASTE MATTER DECLARED A PUBLIC NUISANCE

3.01 Waste matter as hereinafter defined, which by reason of its location and character would materially hamper or interfere with the prevention or the suppression of fire upon the premises or adjacent premises, or the abatement of a nuisance as defined by Sec. 12510, Health and Safety Code, is hereby declared a public nuisance.

Section 4. WASTE MATERIAL.

4.01 WASTE MATERIAL is defined for the purpose of this article as unused or discarded matter having no substantial market value, which is exposed to the elements and is not enclosed in any structure or otherwise concealed from public view, and which consists (without limitation or exclusion by enumeration) of such matter and material as rubble, asphalt, dead vegetation stock piled, garbage and other combustible material. Any chipping that is done on site shall be spread not to exceed three (3) inches in depth and shall be maintained away from any habitable structure according to this ordinance.

Section 5. CLEARANCE OF BRUSH OR VEGETATIVE GROWTH FROM STRUCTURES TO CREATE DEFENSIBLE SPACE.

5.01 Persons owning, leasing, controlling, operating or maintaining buildings or structures in, upon or adjoining hazardous fire areas, and persons owning, leasing or controlling land adjacent to such buildings or structures, shall at all times maintain an effective fuel modification zone/defensible space of one hundred (100) feet from any structure. This 100 (foot) space shall be broken down into three (3) distinct zones:

Zone 1: 0-5 (feet) from a structure:

5.01.1 Any COMBUSTIBLE VEGETATION, any dead or dying materials, combustible materials such as hay bales, accumulation of ground needles and leaf litter shall be removed within this zone.

5.01.2 All accumulations of needle and leaf litter shall be removed from roofs, rain gutters, deck, and porches.

- 5.01.3 For existing landscape, landscape plantings shall be fire resistive, properly irrigated and maintained. Vegetation should not come in contact with the structure and specimen spacing shall be such as not to allow the transfer of fire from plant to plant, or from plant to the structure. Combustible mulch should not be utilized in this zone, but in no case shall it be closer than twelve (12) inches for any portion of the structure.
- 5.01.4 From this date forward, all new construction or any replacement landscape installations shall NOT have any combustible mulch five within this (5) foot zone from the furthest attached exterior point of the home. Landscape plantings shall only be irrigated lawn or Fire District approved low-growing properly spaced fire resistive shrubs or herbaceous (non-woody) plants. Vegetation shall not come in contact with the structure and specimen spacing shall be such as not to allow the transfer of fire from plant to plant, or from plant to the structure.
- 5.01.5 Any combustible materials that could catch fire shall not be stored under decks, exterior stairways and balconies. Combustible patio furniture, umbrellas, trash receptacles, or other combustible items should not be stored or placed directly adjacent to structures.
- 5.01.6 Firewood shall be stored a minimum of thirty (30) feet from any structure unless covered in a fire resistive material; or thirty (30) from the property line if there is an adjoining structure to the property line.
- 5.01.7 All fire place chimney flues must have a metal screen covering with openings of 3/8 inch to 1/2 inch.

Zone 2: 6-50 (feet) from a structure:

- 5.01.8 The area from six (6) to fifty (50) feet of a building or structure shall be cleared of vegetation that is not fire resistant and if re-planted, it shall be with fire-resistant plants. Fire resistive planting materials shall be Fire District approved, properly irrigated, spaced, and maintained. Any weeds or dead grasses shall be cut to a height not to exceed four (4) inches. Single specimens of trees, ornamental shrubbery or ground covers approved by the Fire District are permissible provided they are irrigated and that they do not form a means of rapidly transmitting fire to any structure or from the native growth to any structure. The Fire District must approve of such specimens and will provide the spacing requirements according to the desired planting species.
- 5.01.9 All trees and shrubs in this zone shall be properly maintained free of deadwood, litter or dead palm fronds. Trees canopies shall be maintained per section 5.02.2 and if in vicinity of structures shall be shall be trimmed up to ten (10) feet from rooflines.
- 5.01.10 Remove any portion of trees, which extend within ten (10) feet of the outlet of a

chimney.

- 5.01.11 Composted wood chip mulch may be used in a limited non-continuous fashion for landscaping purposes. Depth shall not exceed 3 (inches). Course non-composted wood or vegetation chips, bark or wood nuggets, rubber mulch, or other shredded mulch shall not be utilized within thirty (30) feet of habitable structures.
- 5.01.12 All newly planted fire-resistive tree species from this date forward, shall be planted and maintained at a minimum of ten (10) feet from the tree's drip line to any structure utilizing 2/3 of the trees mature canopy size.
- 5.01.13 All newly planted non fire-resistive tree species from this date forward, shall be planted and maintained at a minimum of thirty (30) feet from the tree's drip line to any structure utilizing 2/3 of the trees mature canopy size. Newly planted trees of this nature must be approved by the Fire District and strictly comply with the Fire Districts landscape standards.

Zone 3: 51 - 100 (feet) from a structure:

- 5.01.14 COMBUSTIBLE VEGETATION in this zone must be removed by methods such as mowing, thinning and trimming, or by other means modification of that leave the plant root structure intact to stabilize the soil. Native vegetation may remain in this area provided that the vegetation is modified so that COMBUSTIBLE VEGETATION does not occupy more than twenty (20) percent of the square footage of this area and is spaced as identified in sections 5.02.1. horizontal spacing requirements and 5.02.2 vertical spacing requirements.
 - 5.01.15 Accumulated leaf litter or any combustible mulch in this zone may not exceed three (3) inches in depth.
- 5.02 Additional requirements in the 100 (foot) defensible space zone:
- 5.02.1 Spacing for fire resistive landscape plantings and for single species of plants, trees, shrubs, etc., shall be according to plant species as approved by the Fire District. Horizontal spacing of native vegetation in zone three (3) shall be at least three (3) the height of the vegetation for flat areas, four (4) times the height of the vegetation for moderately sloped areas, and six (6) times the height of vegetation for high sloped areas.
 - 5.02.2 Vertical spacing between tree canopies shall be maintained at ten (10) feet for flat areas, twenty (20) feet for moderately sloped areas, and (30) feet for high sloped areas.
 - 5.02.3 Maintain all trees free of deadwood, dead palm fronds within one hundred (100) feet of a structure, and trim/prune at a minimum of ten (10) feet away from

construction, roofs, and wood siding of any type.

- 5.02.4 All mature trees within this one hundred (100) foot zone shall be trimmed to a minimum height of six (6) feet above the ground. If shrubs are planted underneath the tree, the tree shall be trimmed three (3) times the height of the materials planted under the tree or up to one third (1/3) of the tree height.
- 5.02.5 Liquid Propane Gas tanks shall have a minimum of ten (10) feet of bare mineral soil clearance with no flammable vegetation around their exterior.
- 5.02.6 Addresses shall be displayed (4" minimum size) in contrasting colors and must be readable from the street or access road.
- 5.03 Provisions of this ordinance are not intended to conflict with specific fire management and fuel modification plans for master planned communities. If such a conflict occurs, the more restrictive provision shall apply.
- 5.04 Provisions of this ordinance are not intended to conflict with any Federal or State requirements which may limit vegetation removal in recognizable riparian (stream side) zones or vernal pool depressions.
- 5.05 Provisions of this ordinance are not intended to conflict with regulations of the California Department of Fish and Game or U.S. Fish and Wildlife Service concerning the occurrence of rare, threatened, or endangered species. Landowners who have received notice on their property in areas subject to fuel break clearance must notify both agencies in writing at least 10 days prior to vegetation clearing. The agencies will have up to 10 days following such notification to (1) determine whether the proposed clearing complies with State and/or Federal endangered species requirements and (2) to suggest voluntary, alternative abatement measures if feasible and warranted. Failure of the agencies to respond within 10 days will allow the landowner to proceed with abatement activities without further delay. Failure by landowners to provide adequate notification as described above may render landowners liable under State and Federal law.

Section 6. INCREASED DEFENSIBLE SPACE MORE THAN 100 FEET FROM STRUCTURES.

- 6.01 The Fire Chief or their designee may require an increase of defensible space due to topographical or geographical concerns. If required parcels are to maintain a defensible space clearance greater than the required one hundred (100) feet to all habitable structures a written order shall be issued when this increased defensible space requirement shall be required.

Section 7. DEFENSIBLE SPACE ALONG PROPERTY LINES.

- 7.01 No responsible party shall permit on a parcel any accumulation of COMBUSTIBLE VEGETATION, dead, dying or diseased trees, green waste, waste matter, or other flammable/combustible materials within fifty (50) feet of the property line when such accumulation endangers or encroaches on the required Defensible Space for improvements on an adjacent property. The Fire Chief or their designee may require a distance greater than fifty (50) feet but not to exceed one hundred (100) feet when it is

determined that the greater distance is necessary to provide Defensible Space for improvements on an adjacent property.

Section 8. VACANT PARCELS.

8.01 Dry grass and weeds on vacant parcels shall be mowed in entirety to a stubble height of no more than four (4) inches. Dead/dying trees, litter, and any accumulation of “waste materials” shall be removed. Vacant parcels shall maintain roadway clearance as defined in Section Nine (9).

8.01.1 EXCEPTION: On larger parcels, as determined by the Fire Chief or their designee, partial clearing may be acceptable, depending on circumstance. Those properties approved for partial clearing, shall maintain one hundred (100) feet of defensible space to any structure, neighboring or on site. The entire lot with approval of the Fire Chief or their designee may not need to be cleared in entirety, but there must be a minimum of seventy-five (75) feet of clearance around the perimeter of the property if deemed a fire hazard, and a minimum of twenty (20) feet clearance along existing roads and driveways.

Section 9. CLEARANCE OF BRUSH OR VEGETATIVE GROWTH FROM ROADWAYS.

9.02 The Fire Chief or their designee is authorized to cause the area within twenty (20) feet on each side of the improved width portions of highways and private streets roads which are improved, designed, or ordinarily used for vehicular traffic to be cleared of flammable vegetation and other combustible growth shall comply with the requirements of a fuel modification zone. Vegetation shall not protrude into the roadway and shall have a minimum of thirteen (13) feet six (6) inches vertical clearance free of vegetation. The Fire Chief or their designee are authorized to enter upon private property to insure the fuel modification zone requirements are met.

9.02.1 EXCEPTION (1): Single specimens of trees, ornamental shrubbery or cultivated ground cover such as green grass, ivy, succulents or similar plants used as ground covers, provided, that they do not form a means of readily transmitting fire.

9.02.2 EXCEPTION (2): Specific areas or developments with fire management plans may require up to 30 feet of roadway clearance dependent on site approval conditioning.

9.02.3 EXCEPTION (3): For severe fire hazard areas and evacuation routes, the Fire Chief or their designee is authorized to require thirty (30) feet of roadway clearance of flammable vegetation and other combustible growth and shall comply with the requirements of a fuel modification zone.

Section 10. ORCHARDS, GROVES OR VINEYARDS.

10.01 All orchards, groves, and vineyards shall be kept in a healthy state and maintained as described below. A ten (10) foot firebreak shall be cleared between the perimeter, orchard trees or row of grape vines and native vegetation or ornamental landscaping. Orchards shall be kept cleaned of dead and or downed trees. Orchards and vineyards shall

be free of combustible debris, dead branches and dead foliage. All dead grasses between rows of trees or vines shall either be mowed or disked to bare soil unless erosion is a factor. Mulch shall not be placed over bare soil without approval from the Fire District.

Section 11. GRADING.

- 11.01 The provisions of this chapter shall not be construed to authorize grading which does not comply with the San Diego County regulations regarding grading, clearing and watercourses found in Division 7 of Title 8 of the San Diego County Code.

Section 12. NOTICE TO ABATE HAZARD.

- 12.01 If it is determined that a public nuisance or fire hazard as herein defined exists on any lot or premise, or upon any sidewalk, parking lot, parking area or adjacent to such lot or premise, the Fire Chief or their designee will cause a notice to be issued to abate such nuisances.
- 12.02 Such notice will be headed: "NOTICE TO ABATE HAZARD" which shall, in legible characters, direct the abatement of the nuisance or fire hazard and refer to this article and section for particulars. Notice to Abate Hazard served by means other than posting as provided by this article will contain a description of the property in general terms reasonably sufficient to identify the location of the nuisance.

Section 13. SERVICE OF NOTICE TO ABATE HAZARD.

- 13.01 The notice required by Health and Safety Code § 14875-14922 may be served in any of the following manners:
- 13.01.1 By personal service on the owner, occupant or person in charge or control of the property.
- 13.01.2 By regular first-class postage prepaid mail addressed to the owner or person in charge and control of the property, at the address shown on the last available assessment roll, or as otherwise known.
- 13.01.3 By posting in a conspicuous place on the land or adjacent public right of way a notice in conformance with Section 14891 and similar to Section 14892 of the Health and Safety Code, not more than 100 feet in distance apart, along such right of way with at least one notice posted on each lot or parcel.

Section 14. APPEAL, RIGHT OF, TO BOARD OF DIRECTORS.

- 14.01 Within ten (10) days from the date of posting, mailing or personal service of the required notice, the owner or person occupying or controlling such lots or premise affected may appeal to the Rancho Santa Fe Fire Protection District Board of Directors. Such appeal will be in writing and will be filed with the Board Clerk. At the regular or adjourned meeting of the Board of Directors, not less than five (5) days nor more than thirty (30) days thereafter, it will proceed to hear and pass upon such appeal, and the decision of the Board of Directors thereupon will be final and conclusive.

Section 15. TIME LIMIT FOR REMOVAL OF NUISANCE.

15.01 It will be the duty of the owner, the agent of the owner, or the person in possession of any lot or premise in the Rancho Santa Fe Fire Protection District to abate the nuisance or fire hazard as stated within ten (10) days from the date of notification as provided herein, or in case of an appeal to the Board of Directors, within ten (10) days from the determination thereof, unless the same is sustained.

Section 16. ABATEMENT OF NUISANCE BY FIRE CHIEF.

16.01 If the owner fails or neglects to abate the nuisance as herein defined, within the time specified in the article, the Fire Chief or their designee of the Fire District may cause such nuisances or fire hazard to be abated. Private contractors may do the abatement work. A report of the proceedings and an accurate account of the cost of abating the nuisance or fire hazard on each separate property will be filed in the Fire Prevention Office.

Section 17. EXPENSE OF ABATEMENT REPORT AND HEARING.

17.01 The Accounting Department of the Rancho Santa Fe Fire Protection District will keep an account for the costs of abatement plus an administrative fee for each parcel abated as defined in the Fees for Service ordinance. A written itemized Abatement Report showing the cost of removal and abatement of hazards shall be prepared for the Board's approval. At least three (3) days prior to the date of the hearing a copy of the report will be posted in a public place at the offices of the Rancho Santa Fe Fire Protection District, showing the date and time of the hearing. A copy of the report and notice of hearing date will be sent to the last known owner of the parcel as listed in the County Assessor's Office. Costs for abatement shall include any and all administrative costs including, but not limited to, cost of mailing, Fire District's personnel time, computer retrieval, plus contractor's abatement costs.

Section 18. GOVERNMENT CODE PROVISIONS ADOPTED AND COLLECTION ASSESSMENTS.

18.01 The provisions of the Government Code Sections 39580 through 39586 and Section 14912 of the Health and Safety Code of the State of California incorporated by reference and are made a part of this Ordinance. The County Auditor shall enter each assessment in the County Tax Roll opposite the parcel of land. The amount of the assessment shall be collected at the time and in the manner of ordinary, municipal taxes, and if delinquent, the amount is subject to the same penalties and procedure of foreclosure and sale as provided for ordinary municipal taxes. The Rancho Santa Fe Fire Protection District may force abate the problem on behalf of the landowner. Upon said forced abatement, the District may assess all related costs for cost recovery. Upon completion of the work, the District may lien the property as described in the prior paragraph or assigns their interest to a private corporation as payment for the work provided. The assignee of said claim shall be authorized to sue for collection of money due. Upon collection on said lawsuit, the Rancho Santa Fe Fire Protection District shall receive the first monies up to what is

owed to the District for services performed, after the Fire District has been satisfied, the collection facility shall be paid for their work and then the assignees shall be paid. Auditor shall enter each assessment in the County Tax Roll opposite the parcel of land. The amount of the assessment shall be collected at the time and in the manner of ordinary municipal taxes. If delinquent, the amount is subject to the same penalties and procedure of foreclosure and sale as is provided for ordinary municipal taxes.

Section 19. VIOLATION.

19.01 The owner, occupant, or agent of any lot or premise within the Rancho Santa Fe Fire Protection District who will permit or allow the existence of a public nuisance as defined in this Ordinance, upon any lot or premise owned, occupied, or controlled by him or her, or who shall violate any of the provisions of this Ordinance, shall be guilty of a misdemeanor and upon conviction thereof be subject to a fine of not more than Five Hundred Dollars (\$500.00), or to imprisonment for a period not exceeding six (6) months or both.

Section 20. VALIDITY.

20.01 The Board of Directors hereby declares that should any section, paragraph, sentence or word of this Ordinance or the Codes or Ordinances referenced herein be declared for any reason to be invalid, it is the intent of this Board that it would have adopted all other portions of this Ordinance independent of the eliminations from any such portion as may be declared invalid.

Section 21. DATE OF EFFECT.

21.01 The Secretary to the Board of Directors will certify to the adoption of this Ordinance and cause the same to be published in the manner required by law. This Ordinance will take effect thirty (30) days after its final passage at a public hearing as required by law, thus repealing Ordinance No. 2015-01.

First Read at a regular meeting of the Board of Directors of the Rancho Santa Fe Fire Protection District of the County of San Diego, California, on the 10th day of April 2019. A public hearing was held May 15, 2019 and said Ordinance was adopted and ordered published in the manner required by law at their regular meeting on the 15th day of May 2019 by the following roll call vote:

AYES:	Ashcraft, Hillgren, Malin, Stine, Tanner
NOES:	None
ABSENT:	None
ABSTAIN:	None

[Signatures next page]



James Ashcraft
President

ATTEST



Karlena Rannals
Secretary