

City of Piedmont
COUNCIL AGENDA REPORT

DATE: December 1, 2025

TO: Mayor and Council

FROM: Rosanna Bayon Moore, City Administrator

SUBJECT: 2nd Reading of Ordinance 787 N.S. Amending Division 8.14 of the City Code to Declare the City of Piedmont a Wildland-Urban Interface Area; Amending Sections 8.14.010, 8.14.030, and 8.14.040; and Repealing Section 8.14.050 and 8.14.060 of the City Code, to Update the City's Fire Hazard Abatement Regulations

RECOMMENDED ACTION:

Conduct and approve a second reading of Ordinance 787 N.S. Amending Division 8.14 of the City Code to Declare the City of Piedmont a Wildland-Urban Interface Area; Amending Sections 8.14.010, 8.14.030, and 8.14.040; and Repealing Section 8.14.050 and 8.14.060 of the City Code, to Update the City's Fire Hazard Abatement Regulations.

BACKGROUND:

On November 17th, 2025, the City Council approved a first reading of Ordinance 787 N.S. Amending Division 8.14 of the City Code to Declare the City of Piedmont a Wildland-Urban Interface Area; Amending Sections 8.14.010, 8.14.030, and 8.14.040; and Repealing Section 8.14.050 and 8.14.060 of the City Code, to Update the City's Fire Hazard Abatement Regulations.

A second and final reading is required for adoption. Since the first reading, no public comments have been received by the City Clerk's office. Should the Council approve the ordinance, Ordinance 787 N.S. would go into effect on January 1, 2026.

REVIEW BY CITY ATTORNEY

The proposed amendments to the City Code, and the ordinance have been reviewed.

By: Dave Brannigan, Fire Chief

ATTACHMENT:

Ordinance 787 N.S. Amending Division 8.14 of the City Code to Declare the City of Piedmont a Wildland-Urban Interface Area.

ORDINANCE NO. 787 N.S.

AN ORDINANCE OF THE CITY OF PIEDMONT CITY COUNCIL AMENDING DIVISION 8.14 OF THE CITY CODE TO DECLARE THE CITY OF PIEDMONT A WILDLAND-URBAN INTERFACE AREA; AMENDING SECTIONS 8.14.010, 8.14.030, 8.14.040; AND REPEALING SECTIONS 8.14.050 AND 8.14.60 OF THE CITY CODE, TO UPDATE THE CITY'S FIRE HAZARD ABATEMENT REGULATIONS

The City Council of the City of Piedmont hereby ordains as follows:

SECTION 1. PURPOSE AND INTENT

It is the purpose and intent of the City Council of the City of Piedmont in adopting this Ordinance to update the City's fire hazard abatement regulations in reflection of the triennial Building Standards Code, to designate the entirety of the City of Piedmont as a Wildland-Urban Interface Area, and make additional conforming changes.

SECTION 2. AMENDMENT TO SECTION 8.14.010

Section 8.14.010 of the Piedmont City Code is hereby repealed and replaced, to read in its entirety as follows:

“8.14.010 Bureau of fire prevention.

- A. Enforcement. The City Council establishes the Bureau of Fire Prevention within the City's Fire Department, under the supervision of the Fire Chief. The Bureau of Fire Prevention will enforce the California Fire Code.
- B. Fire Marshal. The Fire Marshal will be the person in charge of the Bureau of Fire Prevention, and he or she is appointed by the Fire Chief.
- C. Peace officer authority. The Fire Chief, members of the Fire Prevention Division, and personnel assigned as fire arson investigators are peace officers and have the powers established in California Penal Code section 830.37(a). Other members of the Fire Department are peace officers and have the powers established in California Penal Code section 830.37(b).”

SECTION 3. AMENDMENT OF SECTION 8.14.030

Section 8.14.030 of the Piedmont City Code is hereby repealed and replaced, to read in its entirety as follows:

“8.14.030 ~~Fire Fuel Reduction and Vegetation Management.~~ Designation of Wildland Urban Interface

Due to the unique topography and geography of the City, unchecked fire fuel loads and lack of vegetation management create a fire hazard and may potentially impede emergency vehicle access in the event of natural disaster, thereby jeopardizing

public health and safety throughout the City. Therefore, the City Council hereby designates the entirety of the City of Piedmont, as Wildland Urban Interface (WUI).

~~A. Purpose and Declaration of Public Nuisance. Due to the unique topography and geography of the City, unchecked fire fuel loads and lack of vegetation management create a fire hazard and may potentially impede emergency vehicle access in the event of natural disaster, thereby jeopardizing public health and safety throughout the City. Failure to manage and maintain private property in accordance with of the prescribed vegetation requirements in this section shall be deemed a public nuisance subject to abatement by the City of Piedmont.~~

~~B. Vegetation management requirements. Standards for vegetation management described herein shall be applicable to and within private property located within the City bounds, unless stricter requirements apply under section 8.14.050 due to being located in a designated very high fire hazard zone, and failure to maintain property in accordance with such standards shall subject the responsible person to fine and/or abatement in accordance with chapter 1 or chapter 6 of this code.~~

~~1. Developed parcels. For any parcel developed with a dwelling unit, or developed with any other structure or structures required to obtain a building permit prior to construction, each responsible person for such parcel shall ensure that vegetation on the parcel is maintained in accordance with the requirements below. Each responsible person shall:~~

- ~~a. Cut down, remove, or reduce any hazardous vegetation or combustible material. Hazardous vegetation or combustible materials include, but are not limited to weeds, grass, vines, leaves, brush, diseased or dead trees, combustible growth, debris, or rubbish capable of being ignited and endangering property.~~
- ~~b. Maintain a defensible space of at least 30 feet from the perimeter of each building or structure located on a parcel. The size of the defensible space area may be increased or decreased by the fire code official based on site specific analysis of local conditions, which include, but are not limited to, considerations of: the size of the property, whether the property is located on a steep slope, whether property located in an exposed windswept location, the fire risk that the vegetation surrounding the property poses, the proximity of adjacent structures and risk to such adjacent structures, and whether the vegetation surrounding the property is regularly maintained or pruned. A responsible person is not required to manage vegetation located beyond the property line of the subject parcel.~~
- ~~c. Maintain any space that is within 3 feet from a roadway clear of any flammable vegetation, and maintain a 15-foot vertical clearance, free of vegetation, above roadways including streets, driveways and rights-of-way.~~
- ~~d. Remove or trim any vegetation that is deemed by the Fire Marshal to impede emergency vehicle access.~~
- ~~e. Remove all portions of trees within 10 feet of functioning chimneys or stovepipe outlets.~~
- ~~f. Maintain the roof and gutters free of leaves, needles, or other dead/dying wood.~~

- ~~g. Remove brush and tree limbs that are within six feet of the ground from mature trees.~~
- ~~h. Remove flammable vegetation and limbs from trees that may pose a fire and/or safety hazard to the home or property.~~
- ~~i. Install a spark arrestor on functioning chimneys or stovepipe outlets.~~

~~2. Vacant parcels. For any vacant parcel in the city, each responsible person for such parcel shall ensure that vegetation on the parcel is maintained in accordance with the requirements below. Each responsible person shall:~~

- ~~a. For parcels with an acreage that is 0.5 acres or less, the responsible person shall clear the entire lot of flammable vegetation and maintain it to a height of 6 inches or less.~~
- ~~b. For parcels with an acreage that is greater than 0.5 acres, clear the area that is one hundred feet along the perimeter of the property line of flammable vegetation and maintain such vegetation to a height of 6 inches or less. A responsible person is not required to manage vegetation located beyond the property line.~~
- ~~c. Maintain any space that is within 3 feet from a roadway clear of any flammable vegetation, and maintain a 15-foot vertical clearance, free of vegetation above roadways including streets, driveways and rights-of-way.~~
- ~~d. Remove flammable vegetation and limbs from trees that may pose a fire and/or safety hazard from the property.~~
- ~~e. Remove brush and tree limbs that are within six feet of the ground from mature trees.~~

~~3. Penalties. Violations of this section shall be subject to penalties. Penalty amount may be established by resolution of the City Council. If penalty amounts have not been established by resolution of the City Council, violations of this section shall be punishable by fine in the amounts specified in Government Code section 51185.”~~

SECTION 4. AMENDMENT OF SECTION 8.14.040

Section 8.14.040 of the Piedmont City Code is hereby repealed and replaced, to read in its entirety as follows:

“8.14.040 ~~Designation of Very High Fire Hazard Severity Zone~~ Building Construction and Vegetation Management in the Wildland Urban Interface

All properties within the Wildland Urban Interface shall comply with building construction and vegetation management requirement in the adopted Wildland-Urban Interface Code (Piedmont City Code 8.02.010.M). Violations of vegetation management standards in that code shall be deemed a public nuisance subject to abatement under Chapter 6 of this Code. In addition, being subject to punishment as prescribed under Government Code section 51185, such violations may be enforced via administrative fine under Chapter 1 of this Code. Administrative fine amounts may be established by resolution of the City Council.

~~The City Council designates those areas identified on the City's Very High Fire Hazard Severity map as designated in figure 8.14.040, as Very High Fire Severity Zones in accordance with section 51179(a) of the California Government Code. A copy of such map shall be kept on file with the Fire Marshal."~~

SECTION 5. REPEAL OF SECTION 8.14.050

Section 8.14.050 of the Piedmont City Code is hereby repealed, as follows:

~~8.14.050 Vegetation Management in Very High Fire Hazard Severity Zone All properties within a Very High Fire Severity Zone shall comply with vegetation management requirement in Government Code section 51182, unless such property is deemed exempt by the Fire Chief or designee in accordance with Government Code section 51183 or 51184. Violations of this section shall be deemed a public nuisance subject to abatement under chapter 6 of this code. In addition being subject to punishment as prescribed under Government Code section 51185, such violations may be enforced via administrative fine under chapter 1 of this code. Administrative fine amounts may be established by resolution of the City Council.~~

SECTION 6. REPEAL OF SECTION 8.14.60

Section 8.14.060 of the Piedmont City Code is hereby repealed, as follows:

~~8.14.060 Definitions.~~

~~In this division:~~

~~Defensible Space means the area adjacent to a structure or dwelling where wildfire prevention or protection practices are implemented to provide defense from an approaching wildfire or to minimize the spread of a structure fire to wildlands or surrounding areas, as provided in Government Code section 51177(a).~~

~~Flammable vegetation means: (1) vegetation, brush, or grasses, which is dry, dead, or dying and which is over six inches in height; or (2) vegetation which has a high resin or sap content including but not limited to Arborvitae, California Bay, Cedar, Cypress, Douglas Fir, Eucalyptus, Fir, Juniper, Palm, Pine, Spruce, Yew, California buckwheat, California sagebrush, Chamise or greasewood, Laurel sumac, Manzanita, Pampas grass, Rosemary, Scotch broom, Spanish Broom, Sugar bush, and Toyon and which is over six inches in height.~~

~~Responsible person means any natural person or a corporate entity that is the owner, occupant, lessor, lessee, manager, licensee, or other person having physical or legal control over a structure or parcel of land. (Ord. 755 N.S., 08/2020)~~

SECTION 7. SEVERABILITY

The provisions of this Ordinance are severable and if any provision, clause, sentence, word or part of it is held illegal, invalid, unconstitutional, or inapplicable to any person or circumstances, the illegality, invalidity, unconstitutionality, or inapplicability will not affect or impair any of the remaining provisions, clauses, sentences, sections, words or parts of the Ordinance or their applicability to other persons or circumstances.

SECTION 8. POSTING, FILING, AND EFFECTIVE DATE

This Ordinance shall be posted at City Hall after its second reading by the City Council for at least 30 days and shall become effective 30 days after the second reading.

SECTION 9. ENVIRONMENTAL DETERMINATION

The proposed action is exempt under California Environmental Quality Act Guideline 15061(b)(3), as it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment.