

**Sierra County  
Board of Supervisors'  
Agenda Transmittal &  
Record of Proceedings**

<b>MEETING DATE:</b> September 18, 2020	<b>TYPE OF AGENDA ITEM:</b> <input checked="" type="checkbox"/> Regular <input type="checkbox"/> Timed <input type="checkbox"/> Consent
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**DEPARTMENT:** Board of Supervisors  
**APPROVING PARTY:** Heather Foster, Clerk of the Board  
**PHONE NUMBER:** 530-289-3295

**AGENDA ITEM:** Adoption of urgency ordinance of the County of Sierra prohibiting open fires on public and private property within the unincorporated areas of Sierra County due to extreme fire danger.

**SUPPORTIVE DOCUMENTS ATTACHED:** Memo Resolution Agreement Other  
See proposed ordinance

**BACKGROUND INFORMATION:** On September 15, 2020 the Board of Supervisors adopted an urgency ordinance prohibiting open fire on private property within Sierra County, however a reference to the appropriate County code section was omitted from the ordinance.

**FUNDING SOURCE:**  
**GENERAL FUND IMPACT:** No General Fund Impact  
**OTHER FUND:**  
**AMOUNT:** \$ N/A

<b>ARE ADDITIONAL PERSONNEL REQUIRED?</b>  <input type="checkbox"/> Yes, -- -- <input checked="" type="checkbox"/> No	<b>IS THIS ITEM ALLOCATED IN THE BUDGET?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No  <b>IS A BUDGET TRANSFER REQUIRED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
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**SPACE BELOW FOR CLERK'S USE**

<b>BOARD ACTION:</b> <input type="checkbox"/> Approved <input type="checkbox"/> Approved as amended <input type="checkbox"/> Adopted <input type="checkbox"/> Adopted as amended <input type="checkbox"/> Denied <input type="checkbox"/> Other <input type="checkbox"/> No Action Taken	<input type="checkbox"/> Set public hearing For: _____ <input type="checkbox"/> Direction to: _____ <input type="checkbox"/> Referred to: _____ <input type="checkbox"/> Continued to: _____ <input type="checkbox"/> Authorization given to: _____	Resolution 2020- _____ Agreement 2020- _____ Ordinance _____ Vote: Ayes: Noes: Abstain: Absent: <input type="checkbox"/> By Consensus
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**COMMENTS:**  
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CLERK TO THE BOARD \_\_\_\_\_ DATE \_\_\_\_\_

AN URGENCY ORDINANCE NO. \_\_\_\_\_ OF THE COUNTY OF SIERRA PROHIBITING OPEN FIRES ON PUBLIC AND PRIVATE PROPERTY WITHIN THE UNINCORPORATED AREAS OF SIERRA COUNTY DUE TO EXTREME FIRE DANGER (4/5ths Vote)

**WHEREAS**, on August 24, 2020 the Sierra County Board of Supervisors adopted Resolution 2020-097 ratifying an amended proclamation of local state of emergency - Loyalton Fire and extreme fire conditions commencing Friday, August 14, 2020; and

**WHEREAS**, on Sunday, September 7th, California's Governor Gavin Newsom declared a state of emergency in five California Counties due to the existence of 25 major wildfires which have collectively burned more than 1.2 million acres across the State and hundreds of smaller fires; and

**WHEREAS**, on Sunday, September 7th, the United States Forest Service closed eight National Forests in California due to extreme fire conditions; and

**WHEREAS**, in light of the extreme fire danger facing both the State as a whole, and Sierra County specifically, the Sierra County Board of Supervisors finds it necessary to enact restrictions on private lands within the unincorporated area of Sierra County and public lands within the unincorporated area of Sierra County which are not owned and/or controlled by state or federal governmental agencies in order to further reduce the likelihood of human-caused fires within Sierra County; and

**WHEREAS**, there is an immediate need to take action to protect the public health, safety and welfare of the citizens and natural environment of Sierra County from further harm and risk due to extreme wildfire and fire hazard conditions, the lack of firefighting resources statewide and extreme dry conditions in Sierra County;

NOW, THEREFORE, THE BOARD OF SUPERVISORS OF THE COUNTY OF SIERRA ORDAINS that:

Sierra County Code, Title 8, Health and Sanitation, Chapter 8.12, Section 8.12.050 is added to read as follows:

**8.12.050:** Building, maintaining, attending, or using outdoor fires, including campfires, bonfires, pit fires, tiki torches, portable stoves, or any other open flame fire, including (but excluding propane barbecues used for cooking) is hereby prohibited on all private lands within the unincorporated area of Sierra County and public lands within the unincorporated area of Sierra County which are not owned and/or controlled by state or federal governmental agencies. This prohibition shall be reviewed by the Board at each regular meeting thereafter of the Board of Supervisors, until terminated by action of the Board or until December 31, 2020, whichever occurs first.

This ordinance shall become effective immediately upon its adoption as an urgency measure pursuant to Government Code sections 65858 and 25123.

The Urgency Ordinance entitled AN URGENCY ORDINANCE OF THE COUNTY OF SIERRA PROHIBITING OPEN FIRES ON PRIVATE PROPERTY WITHIN THE UNINCORPORATED AREAS OF SIERRA COUNTY DUE TO EXTREME FIRE DANGER passed on September 15, 2020 is rendered inoperative and is repealed by the passage of this ordinance.

**PASSED AND ADOPTED** by the Board of Supervisors of the County of Sierra, State of California, at a regular meeting of said Board, held on the 18<sup>th</sup> day of September, 2020 by the following vote:

AYES:

NOES:  
ABSENT:

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Lee Adams  
Vice-Chair, Board of Supervisors  
Sierra County

ATTEST:

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Clerk of the Board of Supervisors

APPROVED AS TO FORM:

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David Prentice  
County Counsel