

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

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|---------------------------------------|---|
| <b>MEETING DATE:</b><br>July 20, 2021 | <b>TYPE OF AGENDA ITEM:</b><br><input checked="" type="checkbox"/> Regular <input type="checkbox"/> Timed<br><input type="checkbox"/> Consent |
|---------------------------------------|---|

**DEPARTMENT:** Board of Supervisors  
**APPROVING PARTY:** Lee Adams, Chair, District No. 1  
**PHONE NUMBER:** 530-289-3295

**AGENDA ITEM:** Introduction and waive the first reading of an ordinance 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  
Draft Ordinance

**BACKGROUND INFORMATION:** The Board adopted Ordinance 1099 on June 28, 2021. The proposed ordinance adds additional language and repeals the version adopted on June 28th.

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

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|--|---|
| <b>ARE ADDITIONAL PERSONNEL REQUIRED?</b><br><br><input type="checkbox"/> Yes, -- --<br><input checked="" type="checkbox"/> No | <b>IS THIS ITEM ALLOCATED IN THE BUDGET?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><br><b>IS A BUDGET TRANSFER REQUIRED?</b> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
|--|---|

**SPACE BELOW FOR CLERK'S USE**

|   |   |   |
|---|---|---|
| <b>BOARD ACTION:</b><br><input type="checkbox"/> Approved<br><input type="checkbox"/> Approved as amended<br><input type="checkbox"/> Adopted<br><input type="checkbox"/> Adopted as amended<br><input type="checkbox"/> Denied<br><input type="checkbox"/> Other<br><input type="checkbox"/> No Action Taken | <input type="checkbox"/> Set public hearing<br>For: _____<br><input type="checkbox"/> Direction to: _____<br><input type="checkbox"/> Referred to: _____<br><input type="checkbox"/> Continued to: _____<br><input type="checkbox"/> Authorization given to:<br>_____ | Resolution 2021- _____<br>Agreement 2021- _____<br>Ordinance _____<br>Vote:<br>Ayes:<br>Noes:<br>Abstain:<br>Absent:<br><input type="checkbox"/> By Consensus |
|---|---|---|

**COMMENTS:**  
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\_\_\_\_\_  
CLERK TO THE BOARD

\_\_\_\_\_  
DATE

**ORDINANCE No. \_\_\_\_\_**

**BOARD OF SUPERVISORS, COUNTY OF SIERRA, STATE OF CALIFORNIA**

**AN ORDINANCE OF THE COUNTY OF SIERRA PROHIBITING OPEN FIRES ON PUBLIC AND PRIVATE PROPERTY WITHIN THE UNINCORPORATED AREAS OF SIERRA COUNTY DUE TO THE EXTREME FIRE DANGER AND ADDING SECTION 8.12.50 TO THE SIERRA COUNTY CODE**

**WHEREAS**, the state of California is once again facing severe weather conditions which just one year ago resulted in an extreme wild fire season; and

**WHEREAS**, the Governor has declared an emergency due to extreme drought conditions; and

**WHEREAS**, draught conditions and human negligence in using fire during such conditions are contributors to forest and wild fires; and

**WHEREAS**, Sierra County is particularly susceptible to devastating wild fires due to the prevailing weather conditions and topography within the County.

**WHEREAS**, in light of this 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 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 stay in effect until November 1, 2021, unless rescinded prior to November 1, 2021 by the Board of Supervisors. The open flame prohibition contained herein shall not extend to commercial/professional barbeque or smoker equipment set up and maintained within an area cleared of fuel for a minimum of 30 feet surrounding the equipment and continually monitored during operation. A fire extinguisher shall be readily accessible at all times during operation of such commercial/professional equipment.

This ordinance shall become effective in accordance with California law.

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 THE EXTREME FIRE DANGER passed on June 28, 2021 is rendered inoperative and is repealed by the passage of this ordinance.

Introduced at a regular meeting of the Board of Supervisors held on the 20<sup>th</sup> day of July, 2021, and passed and adopted by the Board of Supervisors of the County of Sierra, State of California, on the 20th day of July 2021, by the following roll call vote, to-wit:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Lee Adams  
Chair, Board of Supervisors  
Sierra County

ATTEST:

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Heather Foster  
Clerk of the Board

APPROVED AS TO FORM:

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David Prentice  
County Counsel