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(a) Required. Any person owning, leasing, controlling, operating, or maintaining any buildings or structures in, upon, or adjoining any hazardous fire area, and any person owning, leasing, or controlling any land adjacent to such buildings or structures shall at all times:

(1) Maintain around and adjacent to such buildings or structures an effective firebreak made by removing and clearing away, for a distance therefrom of not less than thirty (30) feet on each side thereof, all flammable vegetation or other combustible growth. The provisions of this section shall not apply to single specimens of trees, ornamental shrubbery, or similar plants used as ground cover provided they do not form a means of rapidly transmitting fire from the native growth to any structure;

(2) Maintain around and adjacent to such buildings or structures additional fire protection or firebreaks made by removing all brush, flammable vegetation, or combustible growth located from thirty (30) feet to one hundred (100) feet from such buildings or structures as may be required by the Chief when he or she finds that because of extra hazardous conditions a firebreak of only thirty (30) feet around such structures is not sufficient to provide reasonable fire safety. Grass and other vegetation located more than thirty (30) feet from such buildings or structures and less than eighteen (18) inches in height above the ground may be maintained where necessary to stabilize the soil and prevent erosion;

(3) Remove that portion of any tree which extends within ten (10) feet of the outlet of any chimney;

(4) Maintain any tree adjacent to or overhanging any building free of dead wood;

(5) Maintain the roof of any structure free of leaves, needles, or other dead vegetative growth;

(6) The Chief may require the removal of all flammable vegetation or other combustible growth within ten (10) feet on each side of any roadway and at such other places upon any property as he or she may deem necessary to prevent or avoid fire damages to adjoining properties or undue hardships in fighting fires. The provisions of this section shall not apply to single specimens of trees, ornamental shrubbery, or cultivated ground cover, such as grass, ivy, succulents, or similar plants used as ground cover, provided they do not form a means of readily transmitting fire;

(7) Remove flammable vegetation a minimum of ten (10) feet around liquefied petroleum gas tanks/containers;

(8) Firewood and combustible materials shall not be stored in unenclosed spaces beneath buildings or structures, or on decks or under eaves, canopies or other projections or overhangs. The storage of firewood and combustible material within the defensible space shall be located a minimum of thirty (30) feet from structures and separated from the crown of trees by a minimum horizontal distance of fifteen (15) feet.

Exception: Firewood and combustible materials not for consumption on the premises shall be stored as approved by the fire code official; and

(9) Clear areas within ten (10) feet of fire apparatus access roads and driveways of non-fire-resistive vegetation growth.

Exception: Grass and other vegetation located more than thirty (30) feet from buildings or structures and less than eighteen (18) inches in height above the ground need not be removed where necessary to stabilize the soil and prevent erosion.

As used in this subsection, “roadway” shall mean that portion of a public or private road designed or ordinarily used for vehicular travel.

(b) Notices of Noncompliances—Costs of Work Done by Chief. In the event any of the conditions prohibited by the provisions of this section exist, the Council may instruct the Chief to give notice to the owner of the property upon which such conditions exist to correct such prohibited conditions, and, if the owner fails to correct such conditions, the Chief may cause the work to be done and make the expense of such correction a lien upon the property upon which such conditions exist.

(c) Exceptions. If the Chief determines in any specific case that difficult terrain, danger of erosion, or other unusual circumstances make strict compliance with the clearance provisions of Section 4-2.115 of this article or this section undesirable or impractical, he or she may suspend the enforcement of such provisions and require reasonable alternative measures designed to advance the purposes of this article. (§ XVI, Ord. 105, as amended by § I, Ord. 162, § 1, Ord. 226, eff. October 17, 1975, and § 1, Ord. 558, eff. February 15, 2015)

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