



Benicia Fire Department – Fire Prevention Policies

**Subject: MAINTENANCE STANDARD FOR VEGETATION
MANAGEMENT**

Section: G

Effective Date: April 2, 2009

Standard G-701

Page: 1 of 3

Revised Date: July 1, 2015

AUTHORITY: Benicia Municipal Code, Chapter 8.08

Chapter 8.08 of the Benicia City Code regulates weed and rubbish abatement procedures. Chapter 8.08 may be viewed in its entirety on the city website at www.ci.benicia.ca.us or at the Benicia Fire Department. The following are excerpts from Chapter 8.08 that are being provided as a quick reference to property owners.

DEFINITIONS:

Rubbish – means waste matter, litter, trash, refuse, debris, and dirt which when dry, may become a fire hazard or which is or may become a menace to health, or which is offensive to the senses.

Streets – includes alleys, parkways, driveways, sidewalks and areas between sidewalks and curbs.

Weeds – means weeds which when mature bear wings or down seeds, or which because of having attained or which may attain, such a large growth and being dry shall have become a fire menace, or which are otherwise noxious and dangerous to health.

Section 8.08.010 – Public Nuisance:

The City Council does hereby declare that all weeds growing upon private property or streets in the city and all rubbish on private property or streets in the city are public nuisances.

Section 8.08.040 – Duty of property owner to abate:

It shall be unlawful for any person owning, occupying, renting, managing or controlling any real property in the city to cause or permit any weeds, or to place, cause or permit any rubbish to be or remain on any real property in the city or on portions of streets adjoining such real property to the center line of such streets. It shall be the duty of every such person to remove or destroy such weeds and/or rubbish. Destruction by burning within the city is unlawful.

Section 8.08.050 – Appeal from notice:

Within ten (10) business days from the time of posting of the notice, or within ten (10) business days from the date of the service of certified mail, the owner of, or any person interested in, the property, land, or lot affected by such notice may appeal to the fire chief. Such appeal shall be in writing and shall be filed with the city clerk. The fire chief shall hold a meeting with the person



Benicia Fire Department – Fire Prevention Policies

Subject: MAINTENANCE STANDARD FOR VEGETATION MANAGEMENT

Section: G

Effective Date: April 2, 2009

Standard G-701

Page: 2 of 3

Revised Date: July 1, 2015

appealing and the fire chief shall proceed to hear and pass upon such appeal. The decision thereon shall be final and conclusive.

Section 8.08.060 – Removal by City required:

If the person owning, occupying, renting, managing or controlling real property in the city fails to remove or destroy weeds and rubbish in accordance with the notice given pursuant to the provisions of Section 8.08.040 or 8.08.040 within ten (10) days after the mailing or posting of such notice, it shall be the duty of the fire chief and his or her assistants, employees, contracting agents, or other representatives, to destroy or remove such weeds or rubbish.

MAINTENANCE STANDARDS

1. All parcels must be **TOTALLY** disked or mowed as many times as necessary during fire season to maintain weed growth at four (4) inches or less in height.
2. All weeds must be removed, including those along walkways and curbs around the property perimeter. Sidewalks and walking areas must be kept free of weeds, other nuisance vegetation and rubbish. Mowed weeds/grass shall be removed from the entire lot.
3. All rubbish (waste matter, litter trash, debris, dirt piles) must be removed from the entire parcel. To discourage dumping on vacant parcels, it is recommended that “**NO DUMPING**”, “**NO TRESPASSING**” signs be posted, or that parcels be fenced. (Contact the Benicia Police Department at 746-3412 for posting requirements.)
4. Dead brush, bushes, vines, and trees must be removed from property. Parcels shall be maintained to allow reasonable access for firefighting operations. Windrows are **NOT** allowed.
5. Disking shall include rotor tilling or cultivating. Discs shall be set at an angle sufficient to cut the sod growth loose and bury the growth of weeds/grass existing at that time. Weeds/grass growth between disked area and sidewalks, buildings, fences, etc., must be cut down and removed.
6. The maintenance of trees on private property is generally a civil affair that must be resolved by the property owners, and will not be addressed by the city unless



Benicia Fire Department – Fire Prevention Policies

**Subject: MAINTENANCE STANDARD FOR VEGETATION
MANAGEMENT**

Section: G

Effective Date: April 2, 2009

Standard G-701

Page: 3 of 3

Revised Date: July 1, 2015

the fire chief or his or her designee determines that the situation constitutes a hazard.

VACANT PARCEL DISKING OR MOWING EXCEPTIONS:

If you are claiming an exemption as listed below, you must send a letter to the Benicia Fire Department, Fire Prevention Bureau, stating which abatement procedure you will be following or your exemption status. If we do not receive this notification, the parcel will be abated to code standard:

1. Parcels under agricultural use are required to have thirty-foot firebreaks adjacent to all developed area fences or structures. The balance of the parcel will require TOTAL abatement by disking or mowing after the crops are harvested.
2. Single parcels being used as pasture (other than irrigated pasture), must have a thirty-foot firebreak around the perimeter of the property. Pastureland is defined as a parcel of land in excess of one (1) acre where sufficient animals are essential to maintain the maximum height of combustible growth to four (4) inches. If the number of animals present cannot control combustible growth, total abatement of the parcel by disking or mowing will be required. Several separate parcels (other than irrigated pasture) grouped by one owner or one user into a single contiguous parcel, which is being used as pasture, will be treated as a single parcel with a single owner.
3. Thirty-foot firebreaks shall be provided around the outside perimeter and around all combustible structure such as buildings, wooden fences, large areas of trees or deadfall, and other combustible foliage. Other areas of the property may require additional firebreaks because of their potential capability to spread fire as: gullies, creeks, etc. These additional needs shall be determined by the fire department on a case-by-case basis.
4. Irrigated pastureland is herein described as land used for grazing purposes where irrigation of said land is consistent enough to keep ground growth green. **NOTE:** Combustible growth that occurs when irrigation ceases must be removed as set forth in these standards.
5. Properties that are protected by any environmental agency due to wetlands, natural habitats, etc. **ARE NOT REQUIRED TO COMPLY WITH THESE STANDARDS.**