

ORDINANCE NO. 2025-01

AN ORDINANCE OF THE BOARD OF DIRECTORS OF THE KELSEYVILLE FIRE PROTECTION DISTRICT, COUNTY OF LAKE, STATE OF CALIFORNIA, AMENDING, “FIRE SAFETY ORDINANCE” OF THE KELSEYVILLE FIRE PROTECTION DISTRICT TO ADOPT BY REFERENCE AND AMEND SELECTED PROVISIONS, CHAPTERS AND APPENDICES OF THE CALIFORNIA CODE OF REGULATIONS, TITLE 24, 2025 EDITION OF THE CALIFORNIA FIRE CODE; TO ADOPT LOCAL FINDINGS; AND TO MAKE TECHNICAL AND ADMINISTRATIVE REVISIONS TO THE FIRE SAFETY ORDINANCE.

This ordinance of the Kelseyville Fire Protection District, in the County of Lake shall read as follows:

KELSEYVILLE FIRE PROTECTION DISTRICT FIRE SAFETY ORDINANCE

Article I. General Provisions.

Sec. 1-1. Short title.

This chapter shall be known and may be cited as the Kelseyville Fire Protection District Fire Safety Ordinance.

Sec. 1-2. Administrative regulations.

(a) The District Fire Chief may adopt amend or repeal administrative regulations to implement, interpret or make specific provisions of this chapter. Notice of the proposed adoption, amendment, or repeal of a regulation pursuant to this section shall be posted for a period of thirty (30) days in the public lobby of the Fire Protection District’s office and shall be mailed to every person who has filed a request for notice of such actions with the Fire Protection District fire chief. Every notice shall include a copy of the express terms of the proposed action and a statement that the public may submit written comments on the proposed action prior to the close of the posting period. The Fire Protection District fire chief may approve, modify, or withdraw the proposed adoption, amendment or repeal of a regulation following the posting period.

(b) The adoption, amendment or repeal of a regulation pursuant to this section shall take place not less than fifteen (15) nor more than one hundred eighty (180) days following the close of the posting period specified in subsection (a) and shall be effective upon posting of an order of adoption, amendment or repeal in the public lobby of the district’s offices. Each such order shall include a concise and clear summary of the action taken by the Fire Protection District fire chief and shall remain posted for a period of thirty (30) days.

(c) The regulations adopted or amended pursuant to this section shall have the same force and effect as provisions of this chapter. Failure by any person to comply with any regulation adopted or amended pursuant to this section shall be a violation of this chapter.

(d) The regulations adopted or amended pursuant to this section shall be periodically compiled and copies thereof made available to the public for purchase at cost or review free of charge at the office of Fire Protection District.

Article II. Reserved.

Sec. 2-1. Reserved.

Article III. Appeals.

Sec. 3-1. Board of Appeals.

The Kelseyville Fire Protection District Board of Directors shall function as the Board of Appeals under this chapter. Except where inconsistent with the provisions of Kelseyville Code. The duties of the Board of Appeals shall be as prescribed in Chapter 1, Division II, Section 109 of the California Fire Code.

Sec. 3-2. Appeals.

Appeals of notice and orders issued pursuant to violations of this chapter shall be conducted and determined by Chapter 1, Division II, Section 109 of the California Fire Code. See the Kelseyville Fire Prevention Policy Manual for adopted rules of procedures.

Article IV. District Fire Code.

Sec. 4-1. Administration and enforcement.

The 2025 California Fire Code, Title 24, Part 9 as adopted by the State Fire Marshal, as reference and amended in this ordinance by the Board of Directors of the Kelseyville Fire Protection District, shall constitute the District Fire Code.

The 2025 California Wildland-Urban Interface Code, Title 24, Part 7 as adopted by the State Fire Marshal, as reference and amended in this ordinance by the Board of Directors of the Kelseyville Fire Protection District, shall constitute the District WUI Code.

Sec. 4-2. Conflicting regulations.

The provisions of this chapter shall prevail over any inconsistent provision contained in the California Fire Code provided, in the case of inconsistent regulations, no regulation shall prevail that is less restrictive than the regulations established by the State of California unless otherwise authorized by the State.

Sec. 4-3. California Fire Code adopted amendments.

(a) The portion of the California Building Standards Code that imposes substantially the same requirements as are contained in the California Fire Code, 2025 Edition published by the International Code Council and the California Building Standards Commission with Errata,

published by the International Code Council, save and except such portions as are hereinafter deleted, modified, or amended by subsection (b) of this section, are adopted and incorporated as fully as if set out at length herein for the purpose of prescribing regulations governing conditions hazardous to life and property from fire, hazardous materials or explosions within the boundary of the Kelseyville Fire Protection District.

Article V. Reserved.

Article VI. Fireworks.

Sec. 13-66. Sale, use or discharge of fireworks prohibited--Exception.

(a) Except for public displays of fireworks authorized pursuant to this section, it is unlawful for any person to possess, store, offer or expose for sale, sell at retail, give away or in any manner dispose of any fireworks, or to use, explode, or otherwise discharge any fireworks within the unincorporated area of the county.

(b) Any person or group desiring to perform a public display of fireworks within the unincorporated area of the county shall first make written application for a permit to the local fire chief, if the display is to be held within a local fire protection district, or the County fire chief, if the display is to be held within a portion of the unincorporated area of the county not in a local fire protection district. Application for a permit shall be made in writing at least twenty (20) days prior to the proposed display. The application shall be considered and acted upon by the local fire chief or County fire chief, as appropriate, pursuant to Title 19 of the California Code of Regulations. Any permit for a public display of fireworks may be suspended or revoked at any time by the local fire chief or the County fire chief, as appropriate. (Ord. No. 5373 § 2, 2002: Ord. No. 4905 § 1, 1995.)

NOTE: The sale of fireworks within the city limits of the City of Clearlake are prohibited by the City of Clearlake Municipal Code.

Article VI – Open Burning

The County of Lake does not allow open burning except by special permit.

Article VIII. Fees and Charges.

Sec. 8-1. Schedule of fees and charges.

(a) The Board of Supervisors may from time to time establish a schedule of fees and charges following the procedure set forth in California law (currently Government Code Section 66016 et seq.) to recover the reasonable cost of providing services, issuing permits and enforcing regulations pursuant to the Kelseyville Fire Code.

(b) The Board of Directors of any fire protection district may from time to time establish a schedule of fees and charges following the procedure set forth in California Law to

recover the reasonable cost of providing services, issuing permits and enforcing regulations pursuant to this Chapter. Pursuant to Health and Safety Code Section 13916, no such fee or charge on new construction or development shall be for construction of public improvements or facilities or the acquisition of equipment.

Article IX. Enforcement.

Sec. 9-1. Responsibility for enforcement.

Except as otherwise provided herein, the fire chief and/or his designee shall be responsible for enforcing the provisions of this chapter.

Article X. Violations.

Sec.10-1. Violation--Penalty.

Any person who violates or fails to comply with any provision of the California Fire Code as adopted, or this chapter, or who violates or fails to comply with any order or regulation made thereunder, or who acts in violation of any detailed statement of specifications or plans submitted and approved thereunder, or who violates any provisions of a certificate or permit issued thereunder, is guilty of a misdemeanor, punishable as provided by law. The imposition of one penalty for any violation shall not excuse the violation or permit it to continue; all such persons shall be required to correct or remedy such violations or defects within a reasonable time; and when not otherwise specified in any citation or notice of violation, each day or portion thereof that prohibited conditions are maintained shall constitute a separate offense. The application of the provisions of this section shall not be held to prevent the enforced removal of prohibited conditions.

Article XI

SECTION 11-1. Except as added, revised, amended or deleted herein, the remaining provisions of this code, as previously adopted shall remain in full force and effect.

SECTION 11-3. The provisions of this Code shall not be construed as imposing upon the Fire Protection District any liability or responsibility for damages to persons or property resulting from defective work, nor shall the Fire Protection District, or any official, employee or agent thereof, be held as assuming any such liability or responsibility by reason of the review or inspection authorized by the provisions of this Code of any permits or certifications issued under this Code.

SECTION 11-4. The Board of Directors finds and determines that this ordinance is exempt from the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the State CEQA Guidelines as it can be seen with certainty that there is no possibility that this ordinance may have a significant effect on the environment. This finding and determination is based on the environmental determination of the

SECTION 11-5. If any section, subsection, sentence, clause or phrase of this ordinance is for

any reason held to be unconstitutional and invalid, such decision shall not affect the validity of the remaining portion of this ordinance. The Board of Directors hereby declares that it would have passed this ordinance and every section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

SECTION 11-6. This ordinance shall be and the same is hereby declared to be in full force and effect on January 1, 2026. The ordinance shall be published once before the expiration of fifteen (15) days after its passage, with the names of the Directors voting for or against the same, in a newspaper of general circulation published and circulated in the County of Lake.

ADOPTION

The foregoing ordinance amendment was introduced before the Board of the Directors of the Kelseyville Fire Protection District on the 15th day of October 2025 and passed by the following roll call vote on xx/xx/xx.

AYES:

NOES:

ABSENT OR ABSTAIN:

ATTEST:

Board Chairperson

Clerk of the Board