

ORDINANCE NO. 185789

An ordinance adding Sections 57.305.5.2, 57.305.5.2.1, 57.322.1.1.10 and 57.322.1.1.10.1, and amending Section 57.322.1.1 to Article 7, Chapter V of the Los Angeles Municipal Code to prohibit the use of certain metal cutting blades for brush clearance activities in the Very High Fire Hazard Severity Zone (VHFHSZ), establishing specific requirements for engaging in brush clearance activities in the VHFHSZ, and establishing penalties for violations of such sections.

The City finds and declares the following:

WHEREAS, substantial public safety concerns are posed by the use of metal cutting blades to clear grass or brush located in the City of Los Angeles;

WHEREAS, several fires have ignited through the use of such blades; and

WHEREAS, regulation of use of metal cutting blades, and the establishment of appropriate safety measures is necessary to mitigate the occurrence of such fires.

NOW, THEREFORE,

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. A new Section 57.305.5.2 is added to Article 7, Chapter V of the Los Angeles Municipal Code to read as follows:

SEC. 57.305.5.2. RESTRICTION ON USE OF CERTAIN METAL CUTTING BLADES.

Use of metal cutting blades for grass or brush clearance shall be limited to those which are non-ferrous/non-sparking.

The provisions of this section shall apply when grass or brush clearance operations are being conducted in accordance with Section 57.322.1 in areas within the Very High Fire Hazard Severity Zone (VHFHSZ), as defined in Figure 57.4908.1.1.

Sec. 2. A new Section 57.305.5.2.1 is added to Article 7, Chapter V of the Los Angeles Municipal Code to read as follows:

SEC. 57.305.5.2.1. PENALTY.

A first violation of this section shall be an infraction punishable by a fine not to exceed \$250. A second and all subsequent violations of this section shall be subject to the provisions of Section 11.00 of the Los Angeles Municipal Code, including prosecution as an infraction or prosecution as a misdemeanor punishable by a fine not

to exceed \$1,000, by imprisonment in the County Jail for a period not to exceed six months, or by both such fine and imprisonment. In addition to the aforementioned penalties, any violator convicted under this section, which resulted in a fire, may be liable for any civil cost recovery associated with the fire, as permitted by law.

Sec. 3. Section 57.322.1.1 of Article 7, Chapter V of the Los Angeles Municipal Code is amended to read as follows:

SEC. 57.322.1.1. SPECIFIC REQUIREMENTS.

Each person who has any ownership or possessory interest in, or control of, a parcel of land shall comply with the requirements set forth in Sections 57.322.1.1.1 through 57.322.1.1.10.1.

Sec. 4. A new Section 57.322.1.1.10 is added to Article 7, Chapter V of the Los Angeles Municipal Code to read as follows:

SEC. 57.322.1.1.10. ADDITIONAL BRUSH CLEARANCE REQUIREMENTS.

All Individuals performing grass or brush clearance activities in the VHFHSZ shall adhere to the following specific requirements:

1. Grass or brush clearance operations shall not be conducted on red flag days.
2. Individuals engaged in grass or brush clearance operations shall not engage in any other activities during their actual clearance of grass or brush.
3. Individuals engaged in grass or brush clearance operations shall use an appropriate extinguishing agent immediately to extinguish a fire.
4. All fires, regardless of size, shall be reported immediately via the 9-1-1 system to the Fire Department.
5. A Class 2-A two (2) gallon water fire extinguisher, pressurized garden hose with attached nozzle (fully open), or comparable pressurized Class 2-A extinguishing device, shall be within 10 feet of any grass or brush clearance operation.
6. Where a gasoline container is present at the site of the grass or brush clearance operation, a minimum 4A 60 BC dry chemical fire extinguisher shall be within 10 feet of the brush clearance operation.

7. A cell phone capable of dialing 9-1-1 shall be charged and readily accessible to the grass or brush clearance operation.

8. A safety strap shall be used at all times for any tool or appliance with hot exhaust. Hot exhaust shall not come in contact with any brush, grass, flash fuels, or other flammable material.

Sec. 5. A new Section 57.322.1.1.10.1 is added to Article 7, Chapter V of the Los Angeles Municipal Code to read as follows:

SEC. 57.322.1.1.10.1. PENALTY.

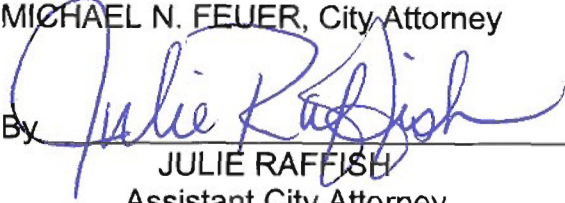
A first violation of this section shall be an infraction punishable by a fine not to exceed \$250. A second and all subsequent violations of this section shall be subject to the provisions of Section 11.00 of the Los Angeles Municipal Code, including prosecution as an infraction or prosecution as a misdemeanor punishable by a fine not to exceed \$1,000, by imprisonment in the County Jail for a period not to exceed six months, or by both such fine and imprisonment. In addition to the aforementioned penalties, any violator convicted under this section, which resulted in a fire, may be liable for any civil cost recovery associated with the fire, as permitted by law.

Sec. 6. **URGENCY CLAUSE.** Based on the findings set forth above, and that use of metal cutting blades to clear grass and brush is likely to continue to occur within the Very High Fire Hazard Severity Zone without the necessary safeguards, the City Council adopts this ordinance as an urgency ordinance that is required for the preservation of the public peace, health and safety. This ordinance shall become effective upon publication.

Sec. 7. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
JULIE RAFFISH
Assistant City Attorney

Date 09/14/18


File No. _____


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I hereby certify that the foregoing ordinance was passed by the Council of the City of Los Angeles, **by a vote of not less than three-fourths** of all its members.

CITY CLERK

MAYOR





Ordinance Passed 10/10/2018

Approved 10/12/2018

Published Date: 10/17/2018
Ordinance Effective Date: 10/17/2018
Council File No.: 09-1977-S2