



Urgency Ordinance to Provide for Clean-Up of Parcels that Contain Fire Debris and Destroyed Structures

City Council Meeting
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Background

- Almost 3000 residential units within Santa Rosa were destroyed in the Tubbs and Nuns Canyon Fires.
- Emergency Order was issued by the Sonoma County Health Officer.
- Emergency Order declared fire debris to be a “substantial present or potential hazard to human health and the environment.”

Debris Removal Required

- Fire debris contains hazardous and toxic materials left from burned building materials, vehicles, electronics, paint, cleaning solutions, and other common household products.
- The debris must be cleared, transported and disposed in a manner that protects the public health and the environment, and complies with all local, state and federal requirements.
- Time is critical given the risks of cross-contamination and threats to general public and the environment.

Alternatives for Clearing Debris

- Consolidated Debris Removal Program
 - Government sponsored
 - Performed by USACE
 - No cost to property owner
 - Cleared to bare soil
- Private Santa Rosa Fire Clean-up Application and Work Plan
 - Property owner prepares plan
 - Property owner bears responsibility and expense
 - Must meet essential environmental standards, but foundation may remain
 - City approval and oversight

Failure to Commit to Clearing

What remedy for properties that:

- Contain fire debris and a destroyed structure
- Not yet committed to either the government-sponsored Consolidated Debris Removal Program or a private Santa Rosa Fire Clean-up Application and Work Plan.

Ordinance Option - 1

- Council declares ash and fire debris to be a public nuisance
- Chief Building Official identifies parcels that contain fire debris but that have no clean-up plan
- Using all reasonable means, two weeks notice is given to the owners of those parcels
- Upon expiration of two week notice, if no objection has been received, the City would authorize United States Army Corps of Engineers to enter and clear property

Ordinance Option - 2

- Council declares ash and fire debris to be a public nuisance
- Chief Building Official identifies parcels that contain fire debris but that have no clean-up plan
- City submits application to the Superior Court for an inspection and abatement warrant to allow entry and clearing of the private properties
- Upon issuance of such warrant, City inspects and clears the identified parcels utilizing the services of either the United States Army Corps of Engineers or private contractors

Ordinance Option - 3

- Council declares ash and fire debris to be a public nuisance
- Chief Building Official identifies parcels that contain fire debris but that have no clean-up plan
- City Attorney brings a civil action in the Superior Court to compel the property owner to clear the property of the public nuisance

Questions?