



## STAFF REPORT

### Board Report for January 15, 2019

**STAFF CONTACT:** Fire Chief Bill Seline  
**AGENDA TITLE:** Ordinance to Require a Buyer to Read and Sign a Wildfire Risk Disclosure Document and Receive a Defensible Space Inspection of the Property They are Purchasing Prior to the Close of Escrow.  
**AGENDA ACTION:** Discussion and Possible Action

---

#### RECOMENDATION:

The Board vote to move forward with Ordinance 01-2019 requiring new buyer of property to receive and sign a defensible space disclosure document and have a defensible space inspection of the property prior to close of escrow.

#### BACKGROUND

- 9 of the 20 most destructive fires in California have occurred in the last 5 years with 39,056 structures destroyed.
- There have been 166 fatalities in the last 5 years including 7 firefighters that died in 2018 alone.
- More people have moved to areas considered the Wildland Urban Interface (WUI) in the last 20 years putting more people and structures in wildfire prone areas.
- 100 years of fire suppression has allowed fuels to build up to unnatural levels causing fires to burn hotter and faster than ever.
- Historic drought in California has killed millions of trees and dried fuels to levels not seen before.

#### LOCAL BACKGROUND

- Truckee is no exception and is designated a Very High Fire Hazard Severity Zone by Cal Fire because of the possibility of a catastrophic fire.
- One home's poor defensible space threatens not only the home but the entire neighborhood by allowing the fire to take hold and grow in intensity.
- Having good defensible space around homes is a proven method to reduce spread and intensity of most fires.
- Truckee Fire and Cal Fire conducted over 2300 defensible space inspections in the Truckee Fire District in 2018 enforcing PRC 4291 and TFPD Ordinance 02-2012. Compliance was enforced and in a few cases the District abated the property and forced a tax lien to recover expenses.
- People buy homes and are often not aware of the wildfire danger or the laws requiring the maintenance of defensible space, putting the community in danger.

- Some real estate agents we spoke to are already communicating the wildfire risk and having defensible space inspections conducted by the Fire District prior to close of escrow. They have told us this is a best practice.
- A few large HOA's are conducting defensible space inspections at time of sale. The report that the inspection at the time of sale is the highest leverage inspection with 80% remediation compliance. Our analysis has also concluded that through training and oversight HOA inspectors can be and have been trained to conduct inspections following the standard set out in PRC 4291 and TFPD Ordinance 02-2012.
- The risk of a catastrophic wildfire in our community is greater than ever so we believe that we need to continue to implement all reasonable opportunities.

### **THE ORDINANCE**

- The first goal of the ordinance is to improve communication of the wildfire risk by compelling buyers to read and sign a disclosure statement prior to close of escrow. This disclosure closely mirrors what Northstar Fire already has in place.
- The second goal of the ordinance is to have the Fire District or other authorized and trained inspector conduct an inspection following PRC 4291 and Truckee Fire Ordinance 02-2012 prior to the close of escrow. We anticipate that in many cases the disclosure of a property that is not compliant will compel the parties to remediate prior to the close of escrow or make arrangements to get the work done at a later date.
- We presented the proposed ordinance to the Tahoe Sierra Board of Realtors for feedback on two different occasions. After hearing their feedback, we made a number of changes to the draft ordinance. They have communicated that they have a general policy of not adding any new requirements at point of sale.
- With every prevention and safety staff member having the ability to conduct a defensible space inspection, we are confident that we can complete all inspections in 48 hours or less.

### **ALTERNATIVES**

- Continue with our current neighborhood and complaint driven inspection program.

### **FISCAL IMPACT**

- This ordinance will lead to an increased number of inspections. We estimate during a high transaction year there will be around 600 additional inspections created by this ordinance. However, with the ability to utilize HOA inspection programs the total incremental inspections will be closer to 300. We plan to handle the inspections in place of 300 current neighborhood inspections, requiring no additional funding.