

DID YOU KNOW? IT'S THE LAW!

Governor Brown recently toured the burned out neighborhoods in the Redding area. Talking about fire safety and prevention, he said that “government couldn't do it all.” He's right! There's an element of personal responsibility that cannot be ignored.

That “personal responsibility” is summed up in a law that's been on the books since 2005. It's Public Resources Code Section 4291. It states that a person who “owns” or “controls” a “building or structure” must “maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line...” Yes, it's a California State Law enforceable by our fire officials.

We encounter people who don't know this as a “law,” who think defensible space is a “good idea” or some kind of “recommendation.” Or maybe it's just a thoughtful “guideline.” Are you one of those people?

The confusion is understandable when the efforts to get the word out about 4291 seem so spotty and less than forceful. We often hear just the words “defensible space” but scant mention that it is a law, or background information, or good advice on how to achieve legal compliance. The Firewise communities are encouraging County officials and others to shine a stronger light on this lapse. New residents shouldn't have to wait around to find out about this law when it could be too late to make a difference.

The logic behind 4291 should be made clearer. The point is that we don't have to be sitting ducks, powerless to improve our risks in a wildfire. We can take matters into our own hands by cleaning up, clearing away deadfall, and rooting out those fire footholds on our properties that can become the source of a new fire. Also, driveways need to be open enough for access by a fire engine. Keep in mind just one fact: half the houses that burn in wildfires are not lost to the front of the fire, but to the flying embers that blow off the main fire event. In other words, a big fire might be stopped well before reaching your property, but your place could still burn if vulnerable to these embers. Creating defensible space is your ace up the sleeve in saving your home.

When cars started to be outfitted with seat belts, we were “recommended” to use them. When the mandatory seat belt law took effect in California in 1986, compliance with the law began to soar especially with the addition of widespread advertising and public safety appeals. Since then, seat belts have saved thousands of lives because people understood their value and took responsibility. We all have seen the “Click-it or Ticket” signs on our highways. Maybe we need a similar highway campaign for the subject of defensible space law.

If we all followed the defensible space law, many lives would also be saved. Having defensible space may be the reason you get out alive in a wildfire as well as making the difference in saving your house. Understand that 80% of the houses lost in the devastating 49er fire did not have the required defensible space. In our “new normal” of more dangerous than ever megafires, there should be no room for incomplete information. All of us need to recognize that THE LAW IS THE LAW and to “take responsibility” in the same way we have with seat belts.

The Fire Safe Council of Nevada County has been working for years to get out the whole story about PRC 4291 and what the “defensible space” law means in our heavily wooded area. The Council provides information and resources. If you are in doubt about what meets the letter of the law on your property, you can contact the Council and have a trained volunteer make a free home visit to help you with fire safety ideas. See areyoufiresafe.com and/or call the office at 530-272-1122.

Cascade Shores Firewise Committee, October 2018