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Resolution No. 04-03

AMY HARVEY, CLERK

BY J. [Signature] DEPUTY

**RESOLUTION FOR ADOPTION OF THE
*INTERNATIONAL URBAN-WILDLAND INTERFACE CODE***

A resolution of the North Lake Tahoe Fire Protection District adopting the 2003 edition of the *International Urban-Wildland Interface Code*, as ordinance regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures and prevention of structure fires from spreading to wildland fuels in the North Lake Tahoe Fire Protection District; providing for the issuance of permits therefore; repealing a portion of Resolution No. 00-4, specially all references to the 1997 Urban Wildland Interface Code and the Appendix Standards published by the International Fire Code Institute included in the recital under Section 1. ADOPTION OF UNIFORM FIRE CODE, and all other ordinances and parts of the ordinances in conflict therewith.

The Board of Directors of the North Lake Tahoe Fire Protection District does ordain as follows:

Section 1. That a certain document, three (3) copies of which are on file in the office of the County Clerk of Washoe County, being marked and designated as the *International Urban-Wildland Interface Code*, 2003 edition, including Appendix Chapters A, B, C, as published by the International Code Council, is hereby adopted as the Urban-Wildland Interface Code of the North Lake Tahoe Fire Protection District, in the State of Nevada for regulating and governing the mitigation of hazard to life and property from the intrusion of fire from wildland exposures, fire from adjacent structures and prevention of structure fires from spreading to wildland fuels as herein provides; providing for the issuance of permits; each and all of the regulations, provisions, penalties, conditions and terms of said Urban-Wildland Interface Code on file in the office of the North Lake Tahoe Fire Protection District are hereby referred to, adopted, and made a part hereof, as

if fully set out in this ordinance, with the additions, insertions, deletions and changes, if any, prescribed in Section 2 of this ordinance. Appendix I to this document is provided for reference and educational purposes only, Appendix I is not adopted as part of this Code. In all applications, the provisions of the Code shall take precedence in any case of conflict arising from the recommendations of the Appendix.

Section 2. The following sections are hereby revised:

Insert:

Section 101.1. Insert: North Lake Tahoe Fire Protection District

Section 3. That a portion of Resolution Number 00-4 of North Lake Tahoe Fire Protection District, Section 1. Adoption of Uniform Fire Code specifically the reference to Urban Wildland Interface Code and the Appendix Standards published by the International Fire Code Institute, being particularly the 1997 edition and the whole thereof, herewith are hereby repealed.

Section 4. That if any section, subsection, sentence, clause or phrase of this ordinance is, for any reason, held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this ordinance. The Board of Directors hereby declares that it would have passed this ordinance, and each section, subsection, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses and phrases be declared unconstitutional.

Section 5. That nothing in this ordinance or in the *Urban-Wildland Interface Code* hereby shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of his ordinance; nor shall any just or legal right or remedy of any character be lost, impaired or affected by this ordinance.

Section 6. That the North Lake Tahoe Fire Protection District is hereby ordered and directed to cause this ordinance to be published.

Section 7. That this ordinance and the rules, regulations, provisions, requirements, orders and matters established and adopted hereby shall take effect and be in full force and effect for its duration from and after the date of its final passage and adoption.

Section 8. Specific boundaries of natural or man-made features of urban-wildland interface areas shall be as shown on the wildland area interface map. The legal description of such area is as described as follows:

The North Lake Tahoe Fire Protection District original boundary established July 7th. 1959 is as follows: Beginning at the intersection of the ordinary low water line of Lake Tahoe with the Nevada-California State line, being a point south of fractional Section 30. T. 16 N., R. 18 E., thence northerly along the said state line to the quarter corner of Sections 18 and 19, T. 16 N., R. 18 E., thence in a northeasterly direction to the point where Latitude Line 39° 15' intersects the section line common to Sections 17 and 18 T. 16 N. R. 18 E., thence in an easterly direction 1000 feet north of Highway 28 to the Section corner common to Sections 15, 16, 21 and 22, T. 16 N., R. 18 E., thence easterly along that section line to a point on the quarter corner of Sections 14 and 23, T. 16 N., R. 18 E., thence in a southerly direction to the intersection of the ordinary low water line on the shore of Lake Tahoe, then westerly along the ordinary low water line of Lake Tahoe to point of beginning.

The North Lake Tahoe Fire Protection District changing the boundary previously outlined, establishes amended boundaries through Resolution # 4-63 annexing additional territory as Incline Village, lying within Township 16 North, Range 18 East, M.D.B. & M., Washoe County, Nevada, comprised of the following parcels: Section 1 All; Section 2 All; Section 3 All; Section 8 South Half; Section 9 All; Section 10 All; Section 11 All; Section 12 West Half; West

Half of East Half; Section 13 All; Section 14 All; Section 15 All; Section 16 All of Section 16 lying-Northerly of a line running parallel to and 1000 feet Northerly of Nevada State Highway Number 28; Section 17 All of Section 17 lying Northerly of a line running parallel to and 1000 feet Northerly of Nevada State Highway Number 28; Section 18 That portion of the Northeast Quarter; West Half of the Southeast Quarter and Lots 1 and 11 of Southeast Quarter of Section 18 lying North of the present North Lake Tahoe Fire Protection District; Section 23 East Half; Section 24 West Half; West Half of the Northeast Quarter; South Half of the Southeast Quarter; as duly given in public notice through said District's Resolution dated October 2, 1963.

Be it further resolved that the Board of Fire Commissioners of the North Lake Tahoe Fire Protection District voted to accept this resolution.

Passed and adopted this 16 day of June, 2004 by the following vote:

Ayes:

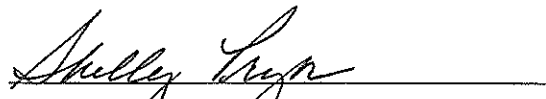
Noes:

Absent:


Jeff Connors, Chairman

Certification and Seal

Attest:


Shelly Pryor, Secretary to the Board

CHAPTER 1 – ADMINISTRATION

SECTION 101 – GENERAL

Insert to read as follows:

101.1 Title. These regulations shall be known as the *Urban-Wildland Interface Code* of the North Lake Tahoe Fire Protection District, hereinafter referred to as “this code.”

Add new subsection to read as follows:

101.3.1 Conflicting requirements. Any section within the *Urban-Wildland Interface Code* that conflicts with the 1997 Uniform Fire Code or, when adopted by the District, the 2003 International Fire Code or its amendments, shall be subordinate to that code.

SECTION 104 – APPEALS

Add new subsection to read as follows:

104.3 Application. All applications for appeal to the board shall be submitted to the Chief in writing. An application fee of \$250.00 shall accompany the appeal.

SECTION 106 – PLANS AND SPECIFICATIONS

Amend Section 106 to read as follows:

106.4 Vegetation management plans. ~~When utilized by the permit applicant pursuant to Section 502, vegetation management plans shall be prepared and shall be submitted to the code official for review and approval as part of the plans required for a permit.~~ For all new construction, a vegetation management plan shall be prepared and presented to the code official for review and approval as part of the plans submittal required for a permit. Any addition that constitutes an increase of 10% of total square footage of the structure, or a maximum of 350 square feet shall submit a vegetation management plan as for new construction. See Appendix B.

CHAPTER 3 – URBAN-WILDLAND INTERFACE AREAS

SECTION 302 – URBAN-WILDLAND INTERFACE AREA DESIGNATIONS

Amend Section 302 to read as follows:

302.3 Review of urban-wildland interface areas. The code official shall reevaluate and recommend modification to the urban-wildland interface areas in accordance with Section 302.1 ~~on a three-year basis or more frequently~~ as deemed necessary by the legislative body.

CHAPTER 4 – URBAN-WILDLAND INTERFACE AREA REQUIREMENTS

Delete Section 402:

~~SECTION 402 – APPLICABILITY~~

Delete Section 403.7

~~**403.7 Grade.** *The gradient for fire apparatus access roads and driveways shall not exceed the maximum approved by the code official.*~~

Delete Section 404:

~~SECTION 404 – WATER SUPPLY~~

~~CHAPTER 5 – SPECIAL BUILDING CONSTRUCTION REGULATIONS~~

Delete CHAPTER 5:

CHAPTER 6 – FIRE PROTECTION REQUIREMENTS

Delete Section 602:

~~SECTION 602 — AUTOMATIC FIRE SPRINKLER SYSTEMS~~

Amend Section 603 to read as follows:

603.2 Fuel Modification. ~~In order to qualify as a conforming defensible space for the purpose of Table 503.1, fuel modification shall be provided within a distance from buildings or structures as specified in Table 603.2.~~ Fuel modification shall be provided within a distance from buildings or structures as specified in Table 603.2. For all other purposes, the fuel modification distance shall not be less than 10 feet (3048 mm) or to the property line, whichever is less. Distances specified in Table 603.2 shall be measured along the grade from the perimeter or projection of the building or structure as shown in Figure 603.2. Distances specified in Table 603.2 may be increased by a qualified forester or code official because of a site-specific analysis based on local conditions and the fire protection plan.

Persons owning, leasing, controlling, operating or maintaining buildings or structures requiring defensible spaces are responsible for modifying or removing nonfire resistive vegetation on the property owned, leased or controlled by said person.

Trees are allowed within the defensible space. ~~provided the horizontal distance between crowns of adjacent trees and crowns of trees and structures, overhead electrical facilities or unmodified fuel is not less than 10 feet (3048 mm).~~ Horizontal distances between trees shall be determined by a qualified forester approved by the District, or code official based upon determination of fire risk and forest health. Deadwood and litter shall be regularly removed from trees.

Where ornamental vegetative fuels or cultivated ground cover, such as green grass, ivy, succulents or similar plants are used as ground cover, they are allowed to be within the designated defensible space, provided they do not form a means of transmitting fire from the native growth to any structure.

Add new subsections to read as follows:

603.3 Tree Marking. A qualified forester approved by the District or code official shall mark trees for removal within the District's jurisdiction. All trees so marked for removal shall be removed from site within a period of 12 months from date of permit.

603.4 Brush. A qualified forester approved by the District or code official shall establish requirement for brush removal within the District's jurisdiction. All brush designated for removal shall be removed from site within a period of 12 months from date of permit.

603.5. Combustible waste. All brush waste, tree litter, deadwood and slash shall be removed from site or chipped and scattered on site within a period of 12 months from date of permit.

Amend Section 604 to read as follows:

604.4 Trees. Tree crowns extending to within 10 feet (3048 mm) of any structure shall be pruned to maintain a minimum horizontal clearance of 10 feet (3048 mm). Tree crowns within the defensible space shall be pruned to remove limbs located less than 6 feet (1829 mm) above the ground surface adjacent to the trees a clearance as determined by a qualified forester approved by the District or code official, based upon determination of fire risk and forest health.

Portions of tree crowns that extend within 10 feet of the outlet of a chimney shall be pruned to maintain a minimum horizontal clearance of 10 feet in all directions.

Deadwood and litter shall be regularly removed from trees.

Add new subsection to read as follows:

604.5 Non-combustible area. The area extending from the base of any structure to 5 feet beyond the base of such structure shall be composed entirely of non-combustible material or water dependent vegetation.

Appendix A

Delete A102.3 with tables:

~~**A102.3 CLEARANCE OF BRUSH AND VEGETATIVE
GROWTH FROM ELECTRICAL TRANSMISSION AND
DISTRIBUTION LINES.**~~

Add new Section A102.2.1

A102.2.1 Electrical distribution and transmission line clearances. Electrical transmission lines shall have appropriate clearances as determined by a qualified forester or code official according to fire risk and site specific conditions. Residential electrical distribution lines shall have a minimum of 5 feet radial clearance from any brush or tree limbs.

Add new Section A109

A109 Wood shakes and shingles. On any new construction or subsequent re-application, all roofs shall have Class A material applied. Built up roofing that has a mineral surface may be Class B. Re-roofing and repairs where more than twenty five percent (25%) of the roof is under construction or replacement shall meet all the provisions of this code for new construction. If the re-roof or repair is less than twenty five percent (25%) it will be permitted to match existing materials provided any wood product such as wood shake or shingle material is a class "B" pressure treated product. This exception shall be allowed only once. Wood Shake or Shingle siding shall be Class "B" or better material. Wood shingle siding presently in existence shall be repaired only with Class "B" rated materials.

Add new Appendix I as reference document:

Appendix I

Wildfire Threat Reduction Recommendations for Lake Tahoe Basin Homeowners

See attached document: