

**ORDINANCE NO. 3344**

**AN ORDINANCE OF THE CITY OF CORONA, CALIFORNIA, ADDING SECTION 15.16.070 TO THE CORONA MUNICIPAL CODE REGARDING THE PROCESS FOR REQUESTING A DEFENSIBLE SPACE COMPLIANCE INSPECTION PRIOR TO THE SALE OF REAL PROPERTY WITHIN A VERY HIGH FIRE HAZARD SEVERITY ZONE**

**WHEREAS**, Article XI, § 7 of the California Constitution authorizes cities to make and enforce within their limits all local, police, sanitary, and other ordinances and regulations not in conflict with general laws; and

**WHEREAS**, Corona Municipal Code (“CMC”) Chapter 15.16 authorizes the Fire Chief for the City of Corona to designate within the City Very High Fire Hazard Severity Zones (“VHFHSZ”); and

**WHEREAS**, Civil Code § 1102.19(a)(1) requires the owner of real property that is located in a VHFHSZ, prior to the sale of such property, to obtain documentation from the City that the property is in compliance with the defensible space requirements set forth in Section 4291 of the Public Resources Code or a local vegetation management ordinance and provide a copy of such documentation to the buyer; and

**WHEREAS**, the City Council desires to add Section 15.16.070 to the CMC to describe the process for obtaining such documentation and requiring payment of a fee to cover the City’s estimated reasonable costs for inspecting the real property and preparing the documentation required by Civil Code § 1102.19(a)(1).

**NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF CORONA, CALIFORNIA, DOES ORDAIN AS FOLLOWS:**

**SECTION 1.** Incorporation of Recitals. The City Council finds and determines that the foregoing Recitals are true and correct and incorporates the Recitals herein.

**SECTION 2. CEQA Findings.** This action is exempt pursuant to Section 15061(b)(3) of the Guidelines for the California Environmental Quality Act (CEQA), which states that a project is exempt from CEQA if the activity is covered by the common sense exemption that CEQA applies only to projects that have the potential for causing a significant effect on the environment. Where it can be seen with certainty that there is no possibility that the activity in question may have a significant effect on the environment, the activity is not subject to CEQA. This action simply establishes the process for requesting and obtaining documentation evidencing compliance with defensible space requirements for property in VHFHSZ, and there is no possibility that adopting this Ordinance will have a significant effect on the environment. Therefore, no environmental analysis is required.

**SECTION 3. Addition of Section 15.16.070.** Section 15.16.070 (Defensible space compliance inspections) is hereby added to Chapter 15.16 (Fire Hazard Severity Zones) of Title 15 (Buildings and Construction) of the Corona Municipal Code to read as follows:

**“15.16.070 Defensible space compliance inspections.**

The owner of real property located within a VHFHSZ that is subject to the requirements of Civil Code § 1102.19(a)(1), as it shall be amended from time to time, may request a defensible space compliance inspection by submitting such request upon a form provided by the Fire Chief for that purpose. The purpose of the defensible space compliance inspection is to document whether the real property complies with the requirements set forth in § 15.12.320 of this code. A request for a defensible space compliance inspection shall be accompanied by an inspection fee in the amount established by resolution of the City Council. A request for a defensible space compliance inspection shall be submitted at least fourteen (14) days prior to the anticipated sale of the real property located within a VHFHSZ to provide sufficient time for the Fire Department to conduct the inspection and prepare a report of such inspection.”

**SECTION 4. Severability.** If any provision or clause of this Ordinance or any application of it to any person, firm, organization, partnership or corporation is held invalid, such invalidity shall not affect other provisions of this Ordinance which can be given effect without the invalid provision or application. To this end, the provisions of this Ordinance are declared to be severable.

**SECTION 5.** Conflicting Ordinances. This Ordinance shall supersede all other previous City Council resolutions and ordinances that may conflict with, or be contrary to, this Ordinance.

**SECTION 6.** Effective Date. The Mayor shall sign this Ordinance and the City Clerk shall attest thereto and shall within fifteen (15) days of its adoption cause it, or a summary of it, to be published in a genal circulation newspaper published and circulated in the City of Corona. This Ordinance shall take effect and be in force on the 30<sup>th</sup> day after its adoption.

**PASSED, APPROVED AND ADOPTED** this 16th day of March, 2022.

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Mayor of the City of Corona, California

**ATTEST:**

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City Clerk of the City of Corona, California

CERTIFICATION

I, Sylvia Edwards, City Clerk of the City of Corona, California, do hereby certify that the foregoing Ordinance was regularly introduced at a regular meeting of the City Council of the City of Corona, California, duly held on the 16th day of March 2022, and thereafter at a regular meeting held on the 6th day of April, 2022, it was duly passed and adopted by the following vote of the City Council:

**AYES:**

**NOES:**

**ABSTAINED:**

**ABSENT:**

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the City of Corona, California, this 16th day of March, 2022.

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City Clerk of the City of Corona, California

(SEAL)