

VILLAGE OF ANGEL FIRE
3388 Mountain View Blvd.
PO Box 610
Angel Fire, NM 87710
(505) 377-3232

NOTICE OF MEETING / P U B L I C N O T I C E
And
INTENT TO ADOPT ORDINANCE

The Village of Angle Fire , New Mexico (the Village) hereby gives notice of a regular Village Council meeting for Tuesday , September 9th ,2014 at the hour of 5:30pm, at Village Hall , Angel Fire , New Mexico . At such meeting, the Village Council will hold a public hearing concerning and will consider for adoption the ordinance described below. Complete copies of the proposed ordinance are available for public inspection during the regular business hours of the Village Clerk at Village Hall, 3388 Mountain View Blvd., Angel Fire, NM

1. An Ordinance Amending Section 4 of Chapter 3 of Title Nine and Sections 13, 14, and 15 of Chapter 7 of Title Nine of the Village Code

A summary of the subject matter of the Ordinance is contained in its title.

This notice constitutes compliance with Section 3-17-3 NMSA 1978

Barbara Cottam, Mayor

Terry Cordova, Village Clerk

Post: 7-23-2014

Pub: 7-31-14 & 8-7-14 & 8/28/2014

ORDINANCE NO.

**AN ORDINANCE AMENDING
SECTION 4 OF CHAPTER 3 OF TITLE NINE AND
SECTIONS 13, 14, & 15 OF CHAPTER 7 OF TITLE NINE
OF THE VILLAGE CODE**

WHEREAS the Village has implemented the Healthy Forest Certificate program to encourage and promote lot thinning to improve wildfire protection and enhance the watersheds of Angel Fire; and

WHEREAS the existing fuel modification requirements are cumbersome and difficult to understand; and

WHEREAS the existing fuel modification requirements are overbearing for small lots; and

WHEREAS staff has prepared a rewrite of sections 9-3-4, 9-7-13 and 9-7-14.

NOW THEREFORE BE IT ORDAINED by the Angel Fire Village Council herein amends the fuel modification requirements of the supplemental regulations of Title Nine of the Village Code with these amendments:

9-3-4.C.2.m. For all new building permits, the subject lot will be thinned in accordance with the community assessments of the community wildfire protection plan and sections 9-7-13 and 9-7-14 of this title. The village forester and/or the chief building official will identify a specific prescription for each new building permit. The lot must be thinned as part of the construction site preparation and prior to the final inspection.

The village forester shall also determine if adjacent lots to the subject lot need to be thinned to protect the new structure being erected. If such a determination is made, compliance will be done through section 9-6-1 of this title. The village forester will prepare specific thinning prescriptions in accordance with the community assessments of the community wildfire protection plan and sections 9-7-13 and 9-7-14 of this title.

If the building permit is for something other than new construction, for example, additions or detached garages, the village forester and/or the chief building official will make the determination as to which portion of the lot will be thinned in accordance with the community assessments of the community wildfire protection plan and sections 9-7-13 and 9-7-14 of this title. The village forester and/or the chief building official will identify a specific prescription for each new building permit. The lot must be thinned as part of the construction of the permitted work.

The village forester shall also determine if adjacent lots to the subject lot need to be thinned to protect the new structure being erected. If such a determination is made, compliance will be done through section 9-6-1 of this title. The village forester will prepare specific thinning prescriptions

in accordance with the community assessments of the community wildfire protection plan and sections 9-7-13 and 9-7-14 of this title. (Ord. 2010-05, 4-20-2010)

~~9-7-13: FUEL MODIFICATION AREA:~~

~~A. General: The wildland fire risk in the village of Angel Fire requires establishment of a fuel modification area, the modification area shall extend at least thirty feet (30') from structures.~~

~~B. Treatment: Fuels are all combustible materials within the wildland urban interface or intermix including, but not limited to, vegetation and structures. Treatment includes limbing, lopping, pruning or cutting. Specific treatments will be determined by the village forester on a case by case basis. (Ord. 2010-05, 4-20-2010)~~

- ~~1. Ground fuels within the modification area space shall be treated or removed.~~
- ~~2. Dead material shall be removed and live vegetation past ten feet (10') of the structure shall be thinned and pruned.~~
- ~~3. Dead and/or downed fuels within the modification area of the building(s) shall be removed or treated to maintain the fuel modification area. (Ord. 2005-07, 8-18-2005)~~
- ~~4. Vegetation under trees within the fuel modification area shall be maintained at a height not to exceed six feet (6') that will preclude ground fire from spreading in the tree crown.~~

~~C. Combustible Materials: Other combustible material shall be removed from the modification area or stored in a suitable area as approved by the fire department or village forester. Combustibles, for example, are woodpiles, brush piles, grass mulching, tree debris and/or other combustible type material.~~

~~D. Existing Dwelling: All existing dwellings and structures may be subject to an inspection based on the community assessments of the community wildfire protection plan. The village forester will identify a specific prescription for each new building permit. The lot must be thinned as part of the construction of the permitted work. (Ord. 2010-05, 4-20-2010)~~

~~E. Lot Thinning Requirements:~~

Defensible Space	Requirements	Recommendations	Comments
Zone 1: Structure Protection			
0-10' from structure	Remove all pine needles and flammable ground materials Remove all ladder fuels	Maintain nonecombustible ground material 10' around structure (planting beds, rock gardens, gravel or bare soil) Prune native tree limbs	Consultation with the property owner will explain the "blended eye" assessment of the property. Using this "added value" approach landscape elements and forest health issues, as well as fire hazard reduction, will be considered. The property owner can better achieve his

	<p>Prune trees extending over eave of roof or 25%, whichever is less</p> <p>Remove branches within 15' of chimney—</p>	<p>overhanging roof</p> <p>Bedding plants (<18" high)</p> <p>Consider nonflammable landscape material (example: do not use railroad ties, wood fencing, etc.)—</p>	land objectives—
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Zone 2: Defensible Space—

10-20' from structure—	<p>Remove all pine needles and flammable ground materials</p> <p>Remove all ladder fuels</p> <p>Minimum 10' between stems of trees or "clumps" (maximum 5 trees/clump)</p> <p>Growth of stems or between "clumps" do not touch</p> <p>Prune flammable tree limbs minimum 10' from ground or 25% of tree height, whichever is less</p> <p>10-15' between planting islands and groups of shrubs—</p>	<p>Maintain low combustible ground covers</p> <p>Keep lawns watered and mowed (as conditions allow)</p> <p>Consider planting beds, rock gardens and fire resistant plants</p> <p>Bedding plants (<18" high)</p> <p>Consider nonflammable landscape material—</p>	<p>In both zone 1 and 2 attention will be paid to the potential threat posed by creeping and spot fire behavior. It is highly likely, given the number of lots 1 acre and less, that this zone will often overlap with neighboring property defensible space. It is also likely that assessments in areas with higher densities will be looked at as "neighborhoods" rather than individual properties. Individual consultations will occur in every case. Lots < 1/2 acre are dealing with zone 1 and 2 for the most part—</p>
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Zone 3: Forest/Woodland—

30-60' from structure—	<p>Maximum densities for target vegetation: Ponderosa pine—14-16' tree spacing Mixed conifer—16-18' tree spacing</p> <p>Remove all ladder fuels</p> <p>10-15' between stems of trees or "clumps" (maximum 5 trees/clump); 10-15' between planting islands</p> <p>Prune tree limbs minimum 8' from</p>	<p>Remove all pine needles and flammable ground materials</p> <p>Additional fuels reduction: Ponderosa pine—16' tree spacing Mixed conifer—18' tree spacing</p> <p>Prune tree limbs minimum 8-15' from ground or 25% of tree height, whichever is less—</p>	<p>In terms of thinning stems, the property owner will be advised of the different marking prescriptions that will achieve the requirements but could result in different aesthetics (multi-story, even aged, parklike, etc.). The property owner will decide. Zones 1, 2 and 3 constitute the minimum requirements around structures regardless of lot size. These zones have much to do with the ignitability of a structure and individual protection—</p>
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	ground or 25% of tree height, whichever is less—		
Zone 4: Property Perimeter Buffer—			
60'± property line for lots ³ / ₄ acre or less 120' wide buffer around perimeter for lots > ³ / ₄ acre—	<p>Maximum densities for target vegetation: —Ponderosa pine—12-14' tree spacing —Mixed conifer—14-16' tree spacing</p> <p>Remove all ladder fuels</p> <p>10-15' between crowns of trees or "clumps" (maximum 7 trees/clump)</p> <p>10-15' between planting islands</p> <p>Prune tree limbs minimum 8' from ground or 25% of tree height, whichever is less—</p>	<p>Additional fuels reduction: —Ponderosa pine—14'± tree spacing —Mixed conifer—16'± tree spacing</p> <p>Prune tree limbs minimum 8-16' from ground or 25% of tree height, whichever is less</p> <p>Consider coordination with neighboring properties</p> <p>Recommend treatment of entire property—</p>	<p>Treatment in this zone addresses wildfire rate of spread and intensity. Consistent application of these treatments will create conditions where crown fire could be transformed into a ground fire, slowing its rate of spread and creating opportunity for fire resources to safely respond. A property owner with < ³/₄ acre is required to treat all of the property. A property owner with > ³/₄ acre is required to implement zones 1, 2, and 3 around any structures > 50 square feet out to 60'. In addition, property owner shall create a buffer zone as described in zone 4. This zone now starts at the property line and comes in 120' minimum—]</p>

(Ord. 2005-07, 8-18-2005; amd. Ord. 2010-05, 4-20-2010)

9-7-13: FIRE ADAPTED COMMUNITY STANDARDS

A. PURPOSE.

1. The purpose of this ordinance is to transform the Village of Angel Fire into a Fire Adapted Community by preparing our homes, neighborhoods, businesses, infrastructure, natural areas, and surrounding landscape for wildfire. For decades, forest fires have been suppressed so fuels in the forest grew far greater than under natural conditions in which the quantity of fuel is reduced through a series of smaller fires over a period of years. As a result, forest fires today are often catastrophic. They exhibit very high temperatures and cause significant long-term damage to future vegetation and watersheds. These large fires also destroy more structures since they are hard to contain. An increasing number of communities, like Angel Fire, are located in the forest and are called the "wildland-urban interface" or WUI.

2. This ordinance is based on the scientific analysis contained in Angel Fire's Community Wildfire Protection Plan (CWPP), forest conditions, and the range of wildfire behavior that might be expected. It seeks to use that science while balancing safety, risk to watershed, economic capacity and values, preservation of natural setting, and other factors. This ordinance will work with the Village's Community Wildfire Protection Plan, the FEMA Hazard Mitigation Plan, other Village ordinances, and applicable tools to achieve the purpose of this ordinance.

3. The wildfire risk reduction standards in this ordinance are not the most stringent in similar communities in New Mexico and the west, but they do represent the reality of the dangers we all face and the need to take prompt, measured actions. This ordinance will not prevent wildfire, but it should allow wildfire to be contained to reduce potential loss of life and property from wildfire. The combination of these efforts will strengthen the community's resilience to the next wildfire. Other benefits include better insurability of residences and lower rates, higher property values, increased and improved natural habitats for our abundant wildlife, and more.

B. FUELS MANAGEMENT: DUTY TO ABATE AND CONTROL WILDFIRE FUELS.

1. It shall be the duty of every owner, occupant, and person in control of any land or interest therein or premises which are located within the jurisdictional limits of the Village, to control and/or abate therefrom all flammable vegetation that constitutes a fire hazard which may endanger or damage neighboring property. The abatement and control requirements form the Wildfire Risk Reduction Standards of this Code.

2. The monthly fees for Wildfire Protection shall apply to all parcels within the jurisdictional limits of the Village whether improved or not. The monthly rates for the Wildfire Protection Fund shall be set from time to time by Governing Body resolution.

C. WILDFIRE RISK REDUCTION STANDARDS. The Wildfire Risk Reduction Standards are specified in Section 9-7-14 of this Code.

D. ENFORCEMENT AND PRIORITY ON PRIVATE AND PUBLIC PROPERTY.

1. Cooperation from all landowners, private and public, will be encouraged through positive communication by mail and through personal contact. When flammable vegetation control measures are not carried out by a landowner, enforcement measures may be instituted. Procedures for enforcement shall be specified in Village Code.

2. Wildfire risk reduction priorities shall be established due to the size of the Village and the number of landowners therein. Human safety, structure protection and protection/enhancement to the watershed are the first priority of this Code. All compliance deadlines will be established by resolution and may be adjusted by subsequent resolutions due to circumstances such as drought, insect mortality, or changes to the code. The resolution and specific priorities shall be reviewed each year by the Village staff and governing body. The priority for phased implementation shall be as follows:

a. Zone 1 standards relating to all structures.

b. Zone 2 standards relating to all structures.

c. Lands within the Wildland Urban Interface with Communities Wildfire Hazard Ratings or Area of Special Interest Hazard Ratings of Very High.

d. Lands within the Wildland Urban Interface interface with Communities Wildfire Hazard Ratings or Area of Special Interest Hazard Ratings of High.

e. Lands within the Wildland Urban interface with Communities Wildfire Hazard Ratings or Area of Special Interest Hazard Ratings of Moderate.

f. All other lands.

E. NOTICE TO REMOVE. It shall be the concurrent duty of the Village Forester, Fire Chief, Planning and Zoning Director, Village Code Enforcement Officer, and the Certified Building Official/Inspector either of whom shall have authority to issue notices, together with their duly authorized representatives, to enforce the wildfire risk reduction standards of this code by issuing a notice to remove by mailing the notice to the property owner as his or her name appears on the county tax rolls and to the address as shown in the records of the county tax assessor. The notice shall be substantially in the form used to notify property owners of code violations. The notice shall include a copy of the standards for abatement and control specified in Section 9-7-14 of this code.

F. VIOLATIONS. Failure of a person to abate and control hazardous vegetation upon notice shall be a violation of the Code, and may be prosecuted and punished in Angel Fire Municipal Court as provided by this Code. Any such prosecution shall be in addition to the wildfire risk reduction standards provided for in this Code.

9-7-14: WILDFIRE RISK REDUCTION STANDARDS (Abatement and Control Standards)

A. PURPOSE. The purpose of these standards is to reduce the potential for a catastrophic crown fire within the Village while preserving the forested appearance of the Village.

B. WILDFIRE RISK REDUCTION RESPONSIBILITY. Every property owner in the Village has a shared responsibility to protect their own property and that of others from wildfire. All properties shall meet the following requirements for each particular Zone. Upon determination by the Village that a property is in compliance, the Village will issue a letter and certificate to the property owner valid for 5 years that certifies the requirements of this Code are met for that period. Owners must maintain the parcel during the period of Certification such that fuel hazards are not allowed to reemerge. Initial thinning should normally last a period of five (5) years before ladder fuels and tree growth are sufficient to require additional thinning. Maintenance activities such as needle raking and ladder fuel removal shall be conducted on a yearly basis as required to meet the standards of this ordinance. However, circumstances such as drought, insect mortality, or other factors can cause a property to deviate from these standards and become non-compliant. Should a property not be maintained or otherwise become non-compliant, the property owner will be notified to correct the problem and be given a timeframe for coming back into compliance.

C. MINIMUM WILDFIRE RISK REDUCTION STANDARDS. The following standards are minimum requirements at the time of ordinance approval. Circumstances such as drought, insect mortality, or other factors may require changes to the standards, implementation schedule, or other parts of the Community Wildfire Protection Program. Circumstances on individual parcels may require measures determined on a case-by-case basis by the Village.

1. PARCELS WITH STRUCTURES. Parcels with existing structures are subject to these Minimum Wildfire Risk Reduction Standards and may be subject to an inspection. The Village may identify specific additional thinning measures for the parcel with an existing structure to reduce wildfire risk commensurate with such factors as steepness of slope, direction that the parcel faces, vegetation types, and other factors. New Structures authorized by building permit will be subject to these Minimum Wildfire Risk Reduction Standards as part of the building permit on the lot(s) associated with the building permit. See Figure #1, Structure with Three Defensible Space Zones.

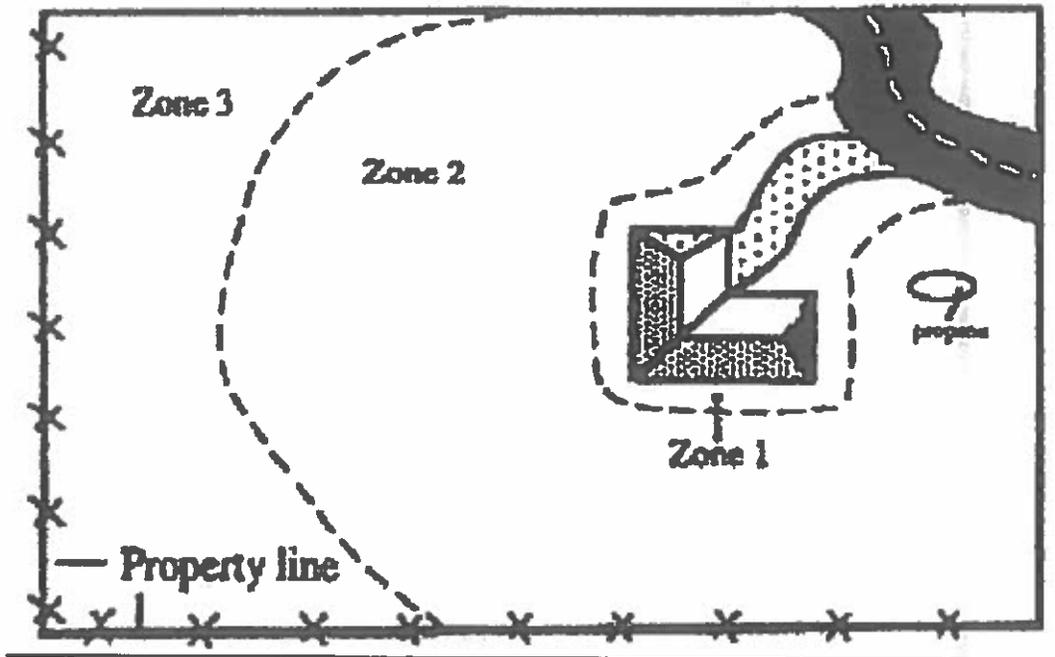


Figure 1, Structure with Three Defensible Space Zones

a. ZONE 1 STRUCTURE PROTECTION (0 to 10 feet from structure or deck). This zone is intended to reduce the chance of wind-blown embers from a nearby fire landing near the home, igniting combustible debris or materials and exposing the home to flames. This Zone also reduces the risk of a house fire initiating a wildfire in the community. This Zone should be devoid of flammable vegetation as much as possible. Trees within this Zone shall be considered a part of the structure and the Zone extended accordingly.

(1) Remove all combustible materials and ladder fuels.

(2) Thin trees to create a separation between individual tree crowns per Figure #2, Minimum Tree Crown and Shrub Clump Separation. No tree clumps allowed in Zone 1.

(3) No conifer trees less than eave height within 20 feet of vents, windows or doors.

(4) Prune trees eight (8') feet above ground or one-third of tree height, whichever is less. This does not apply to ornamental trees.

(5) Prune trees below eaves and within five (5') feet from the edge and above roof eaves and within fifteen (15') feet from chimney. (Drip lines must be 5' and 15' back from eaves and chimneys. Tree limbs must start above roof edge).

(6) Removal of any live tree greater than 20 inches DBH requires a permit from the Village. Large trees are hazardous to remove, and some species are more valuable and rare than others.

(7) No wood chips or similar materials allowed except in planting beds.

(8) All dead, down, diseased, or pest-infested trees removed.

(9) No low growing flammable vegetation such as juniper (including ornamental juniper).

(10) Roofs and gutters shall be kept free of needles and other debris.

(11) Firewood and other combustibles shall not be stored within thirty (30) feet of a dwelling unit or under decks except during winter season, wherein the winter season is defined from October 01 to April 30. These dates are subject to change based on any emergency proclamations that may be in effect.

Firewood can be stored in Zone 1 year-round if under an approved fire retardant cover. Examples of approved covers are: welder's cloth or other non-flammable rated material; metal enclosures; inside garages (not carports) and underneath split level homes that have areas with a closable door (not decks). The Village may approve other coverings for firewood.

Firewood must not be stacked against tree trunks. Firewood stacks should be located in the open space between tree or clump crowns outside any dripline so no foliage is above the stack.

<u>Percent (%) Slope</u>	<u>Individual Tree Crown Separation</u>	<u>Tree Clump Crown Separation From Next Clump or Tree (Zones 2 & 3, 2-5 trees per clump)</u>	<u>Tree Clump Crown Separation (Zone 3, 6-8 tree per clump)</u>	<u>Shrub & Brush Clump Horizontal Separation</u>
<u>0-10%</u>	<u>10'</u>	<u>15'</u>	<u>20'</u>	<u>2 ½ times shrub height</u>
<u>11-20%</u>	<u>15'</u>	<u>20'</u>	<u>25'</u>	<u>3 times shrub height</u>
<u>21-40%</u>	<u>20'</u>	<u>25'</u>	<u>30'</u>	<u>4 times shrub height</u>
<u>Greater than 40%</u>	<u>30'</u>	<u>35'</u>	<u>40'</u>	<u>6 times shrub height</u>

Figure 2, Minimum Tree Crown and Shrub Clump Separation

b. ZONE 2 DEFENSIBLE SPACE (Greater than 10 feet up to 210 feet from structure or deck as dictated by slope chart 9-7-14 Figure #3, Effect of Slope on Zone 2 Distance to Structure) The intent of this zone is to reduce the threat to a structure from an advancing wildfire and reduce the risk of a structural fire initiating a community wildfire. The minimum Zone 2 radius is 70 feet from the structure. Parcels with slopes greater than 20% generally require a Zone 2 that extends beyond 70

feet. Figure 3, Effect of Slope on Zone 2 Distance to Structure provides a guide, but property owners of parcels with steep terrain should consult the Village to determine the slope and necessary Zone 2 dimensions. The graph indicates the minimum dimensions for defensible space from the structure to the outer edge of Zone 2. For Example, if your home is situated on a 20 percent slope, the minimum defensible space dimensions would be 90 feet uphill and to the sides of the structure and 104 feet downhill from the structure.

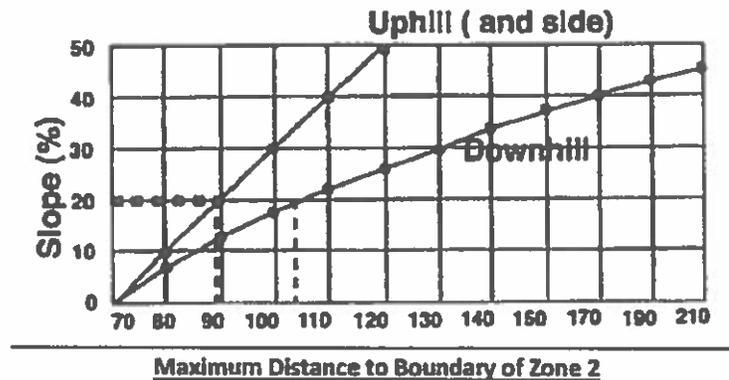


Figure #3, Effect of Slope on Zone 2 Distance to Structure

- (1) Remove all combustible materials and ladder fuels.
- (2) Minimum crowns separation of trees or "clumps" (maximum five (5) similar sized trees per clump) as per Figure #2, Minimum Tree Crown and Shrub Clump Separation.
- (3) Separation of shrub/brush species shall be as per Figure #2, Minimum Tree Crown and Shrub Clump Separation.
- (4) Removal of any live tree greater than 20 inches DBH requires a permit from the Village.
- (5) Prune all species a minimum of eight (8) feet from ground or one third of tree height, whichever is less.
- (6) No wood chips or similar materials allowed except in planting beds within 30 feet of structure.
- (7) No trees less than eave height within 20 feet of vents, windows or doors.
- (8) No standing dead trees closer to the structure than the tree's height plus ten feet.
- (9) No down dead trees within 60 feet of structure.
- (10) Remove all diseased or pest-infested trees.
- (11) Firewood and other combustibles shall not be stored within thirty (30) feet of a dwelling unit or under decks except during winter season, wherein the winter season is defined from October 01 to April 30. These dates are subject to change based on any emergency proclamations that may be in effect.

Firewood can be stored inside of thirty (30) year-round if under an approved fire retardant cover. Examples of approved covers are: welder's cloth or other non-flammable rated material; metal enclosures; inside garages (not carports) and underneath split level homes that have areas with a closable door (not decks). The Village may approve other coverings for firewood.

Firewood must not be stacked against tree trunks. Firewood stacks should be located in the open space between tree or clump crowns outside any drip line so no foliage is above the stack.

c. ZONE 3 FOREST WOODLANDS (from end of Zone 2 to the property line). This Zone is intended to slow fire so that it can be fought and contained before approaching nearby structures. Zone 3 shall maintain an open forested appearance with well-spaced trees and openings. The Zone should contain a variety of tree species of various ages will provide the multiple age structure and size structure present in a healthy forest.

(1) Tree crown separation shall be as per Minimum Tree Crown and Shrub Clump Separation Figure #2. Clumps in Zone 3 can include up to eight trees, but a wider canopy separation is required as shown in Minimum Tree Crown and Shrub Clump Separation Figure #2.

(2) Remove all ladder fuels. Remove and/or use wood over 5 inches in diameter, e.g. firewood, commercial sale, etc.

(3) Removal of any live tree greater than 20 DBH requires a permit from the Village.

(4) Prune all species a minimum of eight (8) feet from ground or one third of tree height, whichever is less.

(5) Mastication and chipping of slash are allowed for slash modification. Wood depth shall not exceed 2 inches. Wood over 5 inches in diameter shall be removed or properly stored as firewood. Where possible all slash shall be removed, burned under permit, masticated and/or chipped.

(6) Recent diseased or pest-infested trees must be harvested and removed or treated. If a parcel owner suspects green wood retained for firewood may be infested, they should call the Village for required actions based on the circumstances.

(7) Up to three 12 inch or larger non-hazardous standing dead trees (snags) may be retained per acre for wildlife habitat, but must be at least the height of the tree plus ten feet from any structure. One standing dead tree over 12 inches in diameter may be retained on parcels less than one acre with the same tree-to-structure separation in either Zone 2 or Zone 3.

(8) Up to three 12 inch or larger non-hazardous downed logs per acre may be retained for wildlife habitat. One downed log over 12 inches in diameter may be retained on parcels less than one acre in either Zone 2 or Zone 3.

d. DRIVEWAYS. Zone 1 requirements apply to a minimum width of thirty (30) feet along the length of the driveway to provide safe ingress / egress of residents and emergency personnel and equipment. The 30' width will be measured from the driveway centerline (15' on each side of centerline).

e. ACCESSORY BUILDINGS. Zone 1 requirements apply. Beyond 10 feet, the zone requirements for the main structure apply.

2. PARCELS WITHOUT STRUCTURES. Zone 3 standards apply to the entire parcel. If any portion of the parcel is within the Zone 2 defensible space of another property with a structure, Zone 2 standards shall apply to the portion of the parcel within Zone 2 distance of the structure on the other parcel. See Figure #4, Vacant Parcel Zone 2 from Structure on Adjacent Parcel.

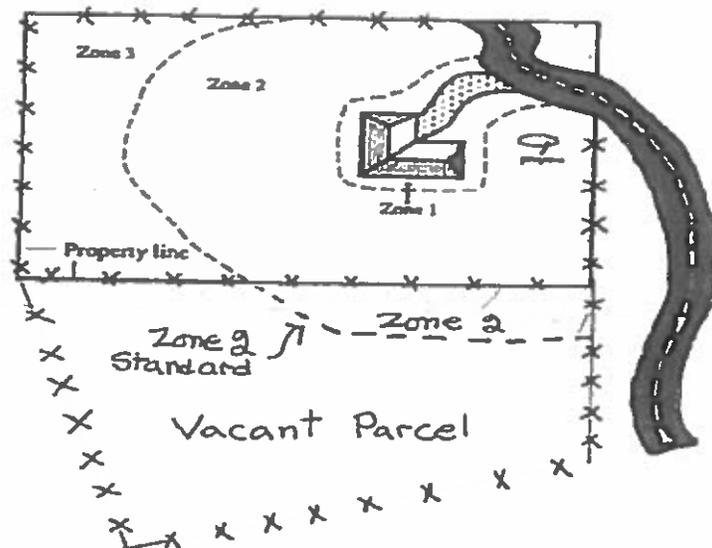


Figure #4, Vacant Parcel Zone 2 from Structure on Adjacent Parcel

3. LARGE PARCELS (greater than 5 acres with or without structures)

a. Large Parcel property owners that implement the standards for parcels less than 5 acres are in compliance with this ordinance.

b. Wildfire Risk Reduction Plan Alternative.

(1) Owners of Large Parcels will be allowed to present a Wildfire Risk Reduction Plan that addresses the risk reduction priorities of this ordinance. The plan will include specific actions and completion dates that provide an efficient and effective means of achieving the ordinance standards.

(2) These parcels shall be treated with the intent to keep a wildfire on the ground to minimize spotting potential. The goal of treatment is to prevent a stand replacing crown fire. Some untreated areas may remain to meet agreed upon objectives providing there is sufficient treated area surrounding the untreated areas to mitigate crown fire spread. Where structures are involved they shall be treated as in Zones 1 and 2.

(3) The Plan will be developed by the property owner and presented to the Village for approval. Once approved by the Village, compliance with the Plan will constitute compliance with this ordinance. However, circumstances such as drought may require the Plan to be revised and re-approved by the Village.

4. EXTRAORDINARY TERRAIN, SPECIES, AND OTHER SPECIAL CONSIDERATIONS. Some parcels contain terrain that is so steep that the standards in this ordinance are not feasible or safe to implement. Other parcels may have extensive stands of species like scrub oak for which the standards for crown or clump separation are not appropriate. When these or other conditions exist that present significant challenges to implement ordinance standards, the property owner should contact the Village for direction on how to comply with this ordinance.

~~8-7-14~~ **9-7-15: WATER RIGHTS REQUIREMENTS:**

~~8-7-15~~ **9-7-16: DEVELOPMENT REQUIREMENTS FOR COMMERCIAL AND RESIDENTIAL CONSTRUCTION:**

PASSED, APPROVED AND ADOPTED this 9th day of September , 2014

Mayor Barbara Cottam

ATTEST:

Terry Cordova, Village Clerk