

ORDINANCE NO. XXXX

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF FULLERTON, CALIFORNIA, AMENDING OF FULLERTON MUNICIPAL CODE CHAPTER 13.19 TO INCORPORATE THE 2025 FIRE HAZARD SEVERITY ZONES AS DESIGNATED BY THE CALIFORNIA DEPARTMENT OF FORESTRY AND FIRE PROTECTION AND PURSUANT TO CALIFORNIA GOVERNMENT CODE SECTION 51178

WHEREAS, the California Legislature has declared in Government Code Section 51175 that the prevention of wildfires is a matter of statewide concern.

WHEREAS, the California Department of Forestry and Fire Protection (CAL FIRE), through the Office of the State Fire Marshal, published revised Fire Hazard Severity Zone maps on March 24, 2025, pursuant to California Government Code Section 51178.

WHEREAS, Senate Bill 63 (2021) amended Government Code Section 51178 to require local agencies to designate Moderate and High Fire Hazard Severity Zones in addition to Very High designations within Local Responsibility Areas.

WHEREAS, these maps designate lands within the City of Fullerton as Moderate, High or Very High Fire Hazard Severity Zones based on a science-based and field-tested model that assigns hazard scores according to factors that influence fire likelihood and behavior, including fuel loading, slope, fire weather, natural vegetation, ember travel, terrain features and historical fire incidents.

WHEREAS, Government Code Section 51179(b)(3) prohibits local agencies from decreasing the level of Fire Hazard Severity Zone as identified by the State Fire Marshal, and the City review has determined that no additional areas beyond those identified by CAL FIRE require increased hazard designations.

WHEREAS, the City has made the proposed Fire Hazard Severity Zone maps available for public review and comment as required by state law and City Council considered all public input at its duly noticed regular meeting on May 6, 2025.

WHEREAS, the City reviewed and evaluated the CAL FIRE recommendations and determined that adoption of the 2025 Fire Hazard Severity Zones is necessary and appropriate for public safety and wildfire mitigation.

WHEREAS, City Council finds that adoption of these maps supports the preservation of life, property and natural resources and serves the public peace, health and safety.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF FULLERTON ORDAINS AS FOLLOWS:

SECTION 1. City Council amends Fullerton Municipal Code Chapter 13.19 Section 13.19.010 to read as follows:

13.19.010. Fire Hazard Severity Zones.

City Council establishes Fire Hazard Severity Zones and declares those areas designated by the State Director of Forestry and Fire Protection within the jurisdiction of the City, as depicted in the map titled "City of Fullerton – Orange County; Local Responsibility Area Fire Hazard Severity Zones" published by CAL FIRE on March 24, 2025. These zones include Very High, High and Moderate Fire Hazard Severity Zones. The Office of the City Clerk shall have this map on file and the City shall make the map available electronically on the City website.

SECTION 2. City Council makes no changes to Fullerton Municipal Code Sections 13.19.020 through 13.19.040, which shall remain in full force and effect.

SECTION 3. City Council amends Fullerton Municipal Code Chapter 13.19 by adding Section 13.19.050 as follows:

13.19.050. Prohibition of Fireworks in Fire Hazard Severity Zones.

Notwithstanding any other provision of this Code, including Chapter 7.26, it shall be unlawful for any person to possess, store, offer for sale, expose for sale, sell at retail, use or explode any fireworks, including those defined as "safe and sane" pursuant to Section 7.26.010, within any area designated as a Very High, High or Moderate Fire Hazard Severity Zone as established by Section 13.19.010 and depicted on the map referenced therein. This prohibition does not apply to supervised public displays authorized by permit pursuant to Section 7.26.010.

SECTION 4. If any section, subsection, sentence, clause or phrase of this ordinance is held unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining portions of this ordinance.

SECTION 5. The City Clerk shall certify to the adoption of this ordinance and shall publish according to law. This ordinance shall take effect thirty days from and after its passage.

SECTION 6. The City Clerk shall transmit a copy of this ordinance and the adopted Fire Hazard Severity Zone map to the State Board of Forestry and Fire Protection within thirty days of adoption, as required by Government Code Section 51179(c).

SECTION 7. The City Clerk shall provide notice to the office of the county recorder, county assessor and county planning agency identifying the location of the map provided by the State Fire Marshal, as required by Government Code Section 51179(g).

ADOPTED BY THE FULLERTON CITY COUNCIL ON MAY 20, 2025.

Fred Jung
Mayor

ATTEST:

Lucinda Williams, MMC
City Clerk

Date