



# CLEARING DUE TO AN ABATEMENT ORDER

501

June 2023

City of Murrieta – Development Services Department  
1 Town Square, Murrieta CA 92562

This Information Bulletin provides additional information for the public when receiving an abatement letter from Murrieta Fire & Rescue (Fire Department).

## I. BACKGROUND

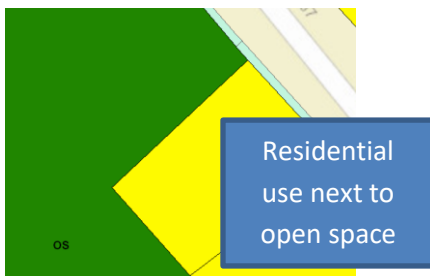
Local Fire Departments are required to inspect each property within their jurisdiction and subsequently provide property owners with an abatement letter if there is the need for the removal of sources of fire hazards (weeds, dead or dying vegetation, clearance around structures/propane tanks/fire hydrants, etc.).

There has been an increase in the amount of tree and shrub mortality brought on by prolonged drought, insect infestation, disease, and lack of maintenance. In addition to the significant rainfall in the winter of 2022/2023, the upcoming fire season will need to be carefully prepared for. Owners have a key role in maintaining their properties in a responsible manner to ensure safety for not only themselves, but for the larger community.

## II. WHY DO I HAVE TO CLEAR MY PROPERTY?

As per the City of Murrieta Municipal Code, Title 8 (Health & Safety), Section 8.32.010, states that certain vegetation and weeds have been declared a nuisance. If it is determined by the city that a public nuisance exists on any lot or premises, the city shall cause a notice to be issued to abate such nuisance. When a property owner receives a letter to remove weeds and nuisance vegetation, this is requested in order to comply with City and State regulations. There is also State law (Public Resources Code) requiring property owners to "Maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line..."

## III. WHAT IF MY PROPERTY IS NEXT TO OPEN SPACE?



### Documents Referenced in this Information Bulletin

Weed and Brush Management:

<https://www.murrietaca.gov/330/Weed-and-Brush-Management>

Murrieta Municipal Code 8.32 (Health & Safety):

[https://codelibrary.amlegal.com/codes/murrieta/latest/murrieta\\_ca/0-0-0-20780#JD\\_Chapter8.32](https://codelibrary.amlegal.com/codes/murrieta/latest/murrieta_ca/0-0-0-20780#JD_Chapter8.32)

Public Resources Code 4291:

[https://leginfo.ca.gov/faces/codes\\_displaySection.xhtml?lawCode=PRC&sectionNum=4291](https://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=PRC&sectionNum=4291)

Can I clear on property that is adjacent to my property? No, there can be exclusions for adjacent properties that may be under protection as environmental open space.

## IV. WHY ARE CERTAIN PROPERTIES NOT CLEARED?

Some properties have been placed into open space or other easement protection as required by State law, and are owned by the City, Regional Conservation Authority, and Natural Lands Management to name a few. Open space areas typically include wetlands, creeks and other sensitive vegetation communities. These are also where various endangered, threatened and vulnerable species of avian and mammals use these areas for habitat, foraging, breeding and migration. Clearing activities are significantly limited in these open spaces due to the protections under Regional, State and Federal regulations.