

WUI VEGETATION CODE WORKGROUP

REGULAR MEETING

OCTOBER 15, 2025

9:00 AM

Cypress Room – 2180 Milvia St. 1st Floor

Fire Chief's Representative – Asst. Chief Colin Arnold

Assistant Chief David Winnacker
Richard Illgen
George Perez-Velez

Eric Weaver
Margit Roos-Collins

AGENDA

Preliminary Matters

Call to Order

Approval of the October 8 Minutes

Public Comment on Non-Agenda Matters

AGENDA MATTERS *All Regular agenda matters are for discussion and possible action.*

- Action:** Discussion regarding citations, penalties, and appeals process and reviewing differing perspectives on the enforcement approach (e.g., formal vs. informal).

Written Materials: BMC 1.28
EMBER Enforcement, Page 3 (modified).
Email regarding internal Administrative Citation Progress.
Proposed Modifications of Berkeley Fire Code for WUI Appeals and Violations
Report 26, Fire Hazard Severity Zone 0
Implementation Plan, dated September 9

BFD WUI Division Inspection and Compliance
Process Statement

2. Action: Discussion and possible action on suggestions for the Resident Guide.

3. Action: Discussion on developing a framework for submitting scientific evidence for review.

4. Action: Agenda topics submitted by a member for consideration and discussion:
State Fire Regulations
Excerpts from the Government Code on Fire Zones
Soils and Geology
Fire-resistant Vegetation
Eucalyptus and Other Dangerous Trees
Building Composition and Compliance
Compliance Costs
Review and Discussion of Submitted Reference Materials on Wildfire Preparedness and Zone 0 Regulations

Written Materials: To reduce printing and paper use, all referenced documents will be available in a binder for public access at the meeting.

State Fire Regulations
Excerpts from the Government Code on Fire Zones
Firewise: How To Prepare Your Home For Wildfires
Elsevier, Landscape and Urban Planning article
NFPA Preparing Homes for Wildfire
Reducing the Vulnerability of Buildings to Wildfire
Science Summary by Dr. Travis Longcore
Brentwood HOA Comments on Proposed Zone 0 Regulations
Zone 0 Won't Save Your Home from Wildfire

WORK GROUP REPORTS

Adjournment

This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to the Wildland Urban Interface Division of the Berkeley Fire Department, wildfire@berkeleyca.gov 510-981-5620. Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: E-mail addresses, names, addresses, and other contact information are not required but, if included in any communication to a City board, commission, or committee, will become part of the public record. If you

do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission, or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission, or committee for further information.

Any writings or documents provided to a majority of the commission regarding any item on this agenda will be made available for public inspection at Berkeley Fire Department located at 2100 Martin Luther King Jr. Way Berkeley, CA.

COMMUNICATION ACCESS INFORMATION:

This meeting is being held in a wheelchair-accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

~~~~~  
I hereby certify that the agenda for this regular/special meeting of the Berkeley City's Disaster and Fire Safety Commission was posted at the front of the Division of Training, 997 Cedar Street, as well as on the City's website, three days prior to the scheduled Commission meeting.

SECRETARY SIGNATURE

*Colin Arnold*

## Chapter 1.28

### ADMINISTRATIVE CITATIONS

Sections:

- 1.28.010 Purpose and applicability.**
- 1.28.020 Enforcement officer--Defined--Authority.**
- 1.28.030 Administrative citation.**
- 1.28.040 Amount of fines.**
- 1.28.050 Payment of the fine.**
- 1.28.060 Hearing request.**
- 1.28.070 Advance deposit hardship waiver.**
- 1.28.080 Hearing officer.**
- 1.28.090 Hearing procedures.**
- 1.28.100 Hearing officer's decision.**
- 1.28.110 Late payment charges.**
- 1.28.120 Recovery of administrative citation fines and costs.**
- 1.28.130 Right to judicial review.**
- 1.28.140 Notices.**

#### **1.28.010 Purpose and applicability.**

- A. This chapter provides for administrative citations as provided in Government Code Section [53069.4](#).
- B. The remedies provided by this chapter are in addition to all other legal remedies, criminal or civil, which may be pursued by the City to address any violation of this code.
- C. Use of this chapter shall be at the sole discretion of the City. (Ord. 6710-NS § 2, 2002)

#### **1.28.020 Enforcement officer--Defined--Authority.**

- A. For purposes of this chapter, "enforcement officer" shall mean any City employee or agent of the City with the authority to enforce any provision of this code.

B. Enforcement officers shall have authority to issue administrative citations pursuant to this chapter. (Ord. 6710-NS § 2, 2002)

### **1.28.030 Administrative citation.**

A. Whenever an enforcement officer charged with the enforcement of any provision of this code determines that a violation of that provision has occurred, the enforcement officer may issue an administrative citation to any person responsible for the violation.

B. Each administrative citation shall contain the following information:

1. The date of the violation;
2. The address or a definite description of the location where the violation occurred;
3. The section of this code violated and a description of the violation;
4. The amount of the fine for the code violation;
5. A description of the fine payment process, including a description of the time within which and the place to which the fine shall be paid;
6. An order prohibiting the continuation or repeated occurrence of the code violation described in the administrative citation;
7. An order to correct the code violation described in the administrative citation if said violation is correctable as described in Section [1.20.030](#);
8. A description of the administrative citation review process, including the time within which the administrative citation may be contested and the place from which a request for hearing form to contest the administrative citation may be obtained and an advance deposit waiver; and
9. The name and signature of the citing enforcement officer.

C. In addition to the administrative citation and penalty authorized by this chapter, an order to correct a violation under subdivision B.7 of this section may be enforced as set forth in the chapter applicable to that violation.

D.

1. In cases involving a continuing violation pertaining to building, plumbing, electrical, or other similar structural or zoning issues that do not create an immediate danger to health or safety, a reasonable time not to exceed six months shall be provided to remedy or correct the violation prior to imposition of fines or penalties. In determining what is a reasonable time, the City may consider the estimate of local professionals including licensed contractors. In the case of such violations, the time within which the violation must be corrected in order to avoid a fine shall also be specified on the administrative citation.
2. In cases where a citation is based solely on a person's failure to have obtained a permit or license from the City other than for a regulated business activity, and the person has not previously been cited for the same violation, the citation shall specify a reasonable time to obtain the permit or license, and the penalty shall not exceed \$50.00 if the cited person shows proof of correction to the enforcing officer within the time established for obtaining the permit or license. This subdivision shall apply to violations of Title [23](#) only at the option of the enforcement officer. (Ord. 6836-NS § 1 (part), 2005; Ord. 6710-NS § 2, 2002)

#### **1.28.040 Amount of fines.**

- A. The amounts of the fines for code violations imposed pursuant to this chapter shall be set forth in the schedule of fines established by resolution of the City Council.
- B. The schedule of fines shall specify any increased fines for repeat violations of the same code provision by the same person within 36 months from the date of an administrative citation.
- C. The schedule of fines shall specify the amount of any late payment charges imposed for the payment of a fine after its due date. (Ord. 6710-NS § 2, 2002)

#### **1.28.050 Payment of the fine.**

- A. The fine shall be paid to the City within 30 days from the date of the administrative citation.
- B. Payment of a fine under this chapter shall not excuse or discharge any continuation or repeated occurrence of the code violation that is the subject of the administrative citation. (Ord. 6710-NS § 2, 2002)

**1.28.060 Hearing request.**

A. Any recipient of an administrative citation may contest the existence of a violation of the code, that they are the responsible party or any order issued under Section [1.28.030.B](#) by completing a request for hearing form and returning it to the City within 21 days from the date of the administrative citation, together with an advance deposit of the fine or notice that a request for an advance deposit hardship waiver has been filed pursuant to Section [1.28.070](#).

B. The person requesting the hearing shall be notified of the time and place set for the hearing at least ten days prior to the date of the hearing.

C. If the enforcement officer submits an additional written report concerning the administrative citation to the hearing officer for consideration at the hearing, a copy of this report also shall be served on the person requesting the hearing at least five days prior to the date of the hearing. (Ord. 6836-NS § 2 (part), 2005; Ord. 6710-NS § 2, 2002)

**1.28.070 Advance deposit hardship waiver.**

A. Any person who intends to request a hearing under Section [1.28.060](#) and who is financially unable to make the advance deposit of the fine as required in Section may file a request for an advance deposit hardship waiver.

B. The request shall be filed with the City on an advance deposit hardship waiver application form within ten days of the date of the administrative citation.

C. The requirement of depositing the full amount of the fine as described in Section [1.28.060.A](#) shall be stayed unless or until the City makes a determination not to grant the advance deposit hardship waiver.

D. The City may grant the advance deposit hardship waiver only if the cited party submits a sworn declaration, together with any supporting documents or materials, which demonstrates their financial inability to deposit with the City the full amount of the fine in advance of the hearing.

E. If the City determines not to issue an advance deposit hardship waiver, the cited party shall remit the deposit to the City within ten days of the date of that decision or 30 days from the date of the administrative citation, whichever is later.

F. The City shall issue a written determination of its reasons for granting or denying an advance deposit hardship waiver. This written determination shall be final.

G. The written determination shall be served upon the applicant for the advance deposit hardship waiver by first class mail. (Ord. 6710-NS § 2, 2002)

### **1.28.080 Hearing officer.**

The City Manager shall designate the hearing officer for administrative citation hearings. (Ord. 6710-NS § 2, 2002)

### **1.28.090 Hearing procedures.**

A. No hearing to contest an administrative citation before a hearing officer shall be held unless the fine has been deposited in advance in accordance with Section [1.28.060](#) or an advance deposit hardship waiver has been granted in accordance with Section [1.28.070](#).

B. A hearing before the hearing officer shall be set for a date that is not less than 15 days and not more than 30 days from the date that the request for hearing is filed in accordance with the provisions of this chapter.

C. At the hearing, the party contesting the administrative citation shall be given the opportunity to testify and to present evidence concerning the administrative citation.

D. The failure of any recipient of an administrative citation to appear at the administrative citation hearing shall constitute a forfeiture of the fine, a failure to exhaust their administrative remedies and consent to any order issued pursuant to Section [1.28.030.B.6](#) and [B.7](#).

E. The administrative citation and any additional report submitted by the enforcement officer shall constitute *prima facie* evidence of the respective facts contained in those documents. If the party contesting the citation presents evidence to the contrary, the burden of proof shall shift to the enforcement officer.

F. The hearing officer may continue the hearing and request additional information from the enforcement officer or the recipient of the administrative citation prior to issuing a written decision. (Ord. 6836-NS § 3 (part), 2005; Ord. 6710-NS § 2, 2002)

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**1.28.100 Hearing officer's decision.**

- A. After considering all of the testimony and evidence submitted at the hearing, the hearing officer shall issue a written decision to uphold, reduce or cancel the administrative citation and shall list in the decision the reasons for that decision. The decision of the hearing officer shall be final.
- B. If the hearing officer determines that the administrative citation should be upheld, then the fine amount on deposit with the City shall be retained by the City.
- C. If the hearing officer determines that the administrative citation should be upheld and the fine has not been deposited pursuant to an advance deposit hardship waiver, the hearing officer shall set forth in the decision a payment schedule for the fine.
- D. If the hearing officer determines that the administrative citation should be canceled or reduced and the fine was deposited with the City, then the City shall promptly refund the amount of the deposited fine or the amount paid in excess of the reduced fine, together with interest at the average rate earned on the City's portfolio for the period of time that the fine or excess fine amount was held by the City.
- E. The recipient of the administrative citation shall be served with a copy of the hearing officer's written decision.
- F. The employment, performance evaluation, compensation and benefits of the hearing officer shall not be directly or indirectly conditioned upon the amount or number of administrative citation fines upheld by the hearing officer. (Ord. 6710-NS § 2, 2002)

**1.28.110 Late payment charges.**

Any person who fails to pay to the City any fine imposed pursuant to the provisions of this chapter on or before the date that fine is due also shall be liable for the payment of any applicable late payment charges set forth in the schedule of fines, as well as interest at the legal rate. (Ord. 6710-NS § 2, 2002)

### **1.28.120 Recovery of administrative citation fines and costs.**

The City may collect any past due administrative citation fine or late payment charge by use of all available legal means, including, but not limited to, means available for the collection of judgments, liens and actions for recovery of money. The City also may recover its collection costs. (Ord. 6710-NS § 2, 2002)

### **1.28.130 Right to judicial review.**

- A. Any person aggrieved by an administrative decision of a hearing officer on an administrative citation may obtain review of the administrative decision by filing a petition seeking review in accordance with Government Code Section [53069.4](#).
- B. The City is prohibited from seeking review of an administrative decision of a hearing officer on an administrative citation pursuant to Government Code Section [53069.4](#).
- C. No administrative decision of a hearing officer on an administrative citation shall estop the City Council or any other board or commission or officer or employee of the City from exercising their independent authority and judgment in any other forum within or outside the City. (Ord. 7081-NS § 1, 2009; Ord. 6710-NS § 2, 2002)

### **1.28.140 Notices.**

- A. Whenever a notice or report is required to be given or provided under this chapter, unless different provisions herein are otherwise specifically made, such notice may be given either by personal delivery thereof to the person to be notified or by deposit in the United States Mail, in a sealed envelope postage prepaid, addressed to such person to be notified at their last-known business or residence address as the same appears in the public records or other records pertaining to the matter to which such notice is directed. Service by mail shall be deemed to have been completed at the time of deposit in a U.S. mail box.
- B. Failure to receive any notice specified in this chapter does not affect the validity of proceedings conducted hereunder.

C. Proof of giving any notice may be made by the certificate of any officer or employee of the City, or by affidavit of any person over the age of 18 years, which shows service in conformity with this code or other provisions of law applicable to the subject matter concerned. (Ord. 6710-NS § 2, 2002)

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**The Berkeley Municipal Code is current through Ordinance 7957-NS, passed April 15, 2025.**

Disclaimer: The City Clerk's Office has the official version of the Berkeley Municipal Code. Users should contact the City Clerk's Office for ordinances passed subsequent to the ordinance cited above.

[City Website: www.berkeleyca.gov](http://www.berkeleyca.gov)

[Hosted by General Code.](#)



the City as a Hearing Officer. The Hearing Officer shall serve as the presiding officer of the Board. The members of the Board shall be hired or appointed by the City Manager. The resident member shall serve without compensation.

- (b) A Property Owner may appeal a Notice of Compliance or a Notice of Violation to the Board of Appeals within 30 days after a Notice of Non-Compliance or a Notice of Violation is served. The Appeal document shall set out all grounds for Appeal, ~~and~~ *Any documents supporting the appeal shall be due within 30 days after filing the appeal, unless the time is extended by the Hearing Officer.* ~~provide any supporting documents.~~
- (c) Basis for Appeal. A Property Owner may appeal a Notice on the following grounds:
  - (1) The intent of Chapter 49 or any rules applying or interpreting the Chapter have been incorrectly applied or interpreted,
  - (2) Chapter 49 does not apply to the property or circumstances of the Notice of Non-Compliance or Notice of Violation;
  - (3) An equally good or better form of construction for Chapter 49 is proposed;
  - (4) The facts of the Notice are in error,
  - (5) City denied an Alternate Means and Measures Request,
  - (6) Compliance with a Notice may cause substantial harm to the property or neighboring properties (such as mudslides)
  - (7) Such other good cause (such as incapacity or lack of financial resources to comply).
- (d) The Board shall not have the authority to waive requirements of Chapter 49 or to interpret the administration of this Chapter.
- (e) Stay. The filing of an Appeal stays any action on the Notice until the Appeal is decided by Board, except in the case of an immediate danger.
- (f) Final City Decision. The Board's decision is the final decision of the City.
- (g) Open hearing. All proceedings of the Board shall be publicly noticed and open to the public.
- (h) City support. The City Clerk shall provide support for the Board as the Board shall require. The City Attorney shall provide such legal support for the Board as the Board shall require.
- (i) City Review of Appeal. Prior to the Board hearing an Appeal, the City may review the Appeal and may address the issues raised in the Appeal and rescind or modify the Notice at issue. The City and the Property Owner may also engage in negotiations or mediation to seek to resolve the issues in the Notice informally.
- (j) City response. The City shall have 30 days to respond to an Appeal, *unless extended by the Hearing Officer.*



Eric Weaver &lt;ericmartinweaver@gmail.com&gt;

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**Citation Process**

2 messages

**Winnacker, Dave** <DWinnacker@berkeleyca.gov>

Thu, Sep 18, 2025 at 9:29 AM

To: Eric Weaver &lt;ericmartinweaver@gmail.com&gt;

Eric,

Following up our conversation following the workgroup meeting yesterday, I reviewed the internal Administrative Citation process. In relevant part:

**BEFORE ISSUING A CITATION--****GIVE THE VIOLATOR A CHANCE TO CORRECT THE VIOLATION**

Before issuing a citation, give the violator a reasonable chance to correct the violation-- remember, this may be the first time he or she has heard about it.

*Note: From here on out, everything should be in writing.*

**A. First Notice**

Send a "first notice and order to correct" to the violator. The purpose of this letter is to **politely**:

1. Notify the violator of the specific violation;
2. Explain how it must be corrected (*i.e.*, removal of brush, obtaining a building permit, getting a dog license, etc.);
3. Set a reasonable deadline for doing so.

**B. Penalties**

Maximum administrative penalties, well beyond those permitted for infractions, have been established by Council resolution. **However, until we have gained experience with administrative citations, penalties should be the same as for infractions:**

\$100 for the first violation

\$200 for the second violation

\$500 for the third and subsequent violations.

In the case of exceptional violations that have serious consequences, a higher penalty may be imposed. **You should consult with the City Attorney's office before imposing any penalty higher than \$500.00.**

Please let me know if this answers your questions. I am available for a call to discuss as needed.

Best,

Dave

510.684.3021

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**From:** Arnold, Colin  
**Sent:** Thursday, September 18, 2025 8:54 AM  
**To:** Winnacker, Dave <DWinnacker@berkeleyca.gov>  
**Subject:** Citations

Internal



Colin Arnold • Interim Assistant Fire Chief  
Wildland Urban Interface Division  
[carnold@berkeleyca.gov](mailto:carnold@berkeleyca.gov) • 510-981-5620

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**Eric Weaver** <ericmartinweaver@gmail.com>  
To: "Winnacker, Dave" <DWinnacker@berkeleyca.gov>

Thu, Sep 18, 2025 at 10:00 AM

Hi Dave. So this is great. But it needs to be made clear to the public. In my opinion at a minimum it should be in the information sheet the BFD is developing. In advance of the completion of the sheet we should try to think of another way to publish it.

Thanks for looking into this for me.

Eric

Eric Weaver  
ericmartinweaver@gmail.com  
[Quoted text hidden]



Colin Arnold • Interim Assistant Fire Chief  
Wildland Urban Interface Division  
[carold@berkeleyca.gov](mailto:carold@berkeleyca.gov) • 510-981-5620

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## Proposed Modifications of Berkeley Fire Code for WUI Appeals and Violations

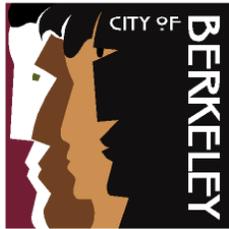
### Section 111 Means of Appeal

111.5 This Section 111, Means of Appeal, shall not apply to appeals arising from Section [] Wildland Urban Interface Regulations. Appeals from Wildland Urban Interface notices or violations shall be in accordance with Section [] Enforcement and Appeals from Wildland Urban Interface Decisions.

### Section 112 Violations

112.5 This Section 112, Violations, shall not apply to enforcement arising from Section [] Wildland Urban Interface Regulations. Appeals from Wildland Urban Interface notices or violations shall be in accordance with Section [] Enforcement and Appeals from Wildland Urban Interface Decisions.

DRAFT



Office of the City Manager

## INFORMATION CALENDAR

September 9, 2025

To: Honorable Mayor and Members of the City Council  
From: Paul Buddenhagen, City Manager  
Submitted by: David Sprague, Fire Chief  
Subject: Fire Hazard Severity Zone 0 Implementation Plan

### INTRODUCTION

This report provides an update on the progress of implementing the Zone 0 component of the Effective Measures for Berkeley's Ember Resilience (EMBER) initiative, adopted by the City Council on June 17, 2025. EMBER is a comprehensive strategy aimed at reducing ignition risk within the community during a wildfire through vegetation management, resident engagement, home hardening incentives, and interagency partnerships. Council adopted the portion of EMBER that added Zone 0 defensible space principals to the Berkeley Municipal Code.

### CURRENT SITUATION AND ITS EFFECTS

While the implementation plan is designed and launched, the Department has already taken meaningful action by narrowing the annual Defensible Space Inspection area from the former Very High Fire Hazard Severity Zone (over 9,000 parcels) to the Grizzly Peak and Panoramic Mitigation areas; just under 1,400 properties.

The smaller inspection area allows residents to make individual, scheduled appointments – a long sought after enhancement to the program. Inspectors are spending up to an hour with each resident discussing compliance, mitigation strategies, and upcoming code changes, compared to minimal engagement during past annual inspections due to the volume.

During this transition period, inspectors have been following a two-step approach:

1. Perform one property walkthrough using the existing legacy code.
2. Perform a second walkthrough explaining the 2026 code requirements and working with residents to create phased work plans that guide them towards improving resilience without requiring immediate completion of all the work.

Note: Residents are only required to comply with the legacy code, but many are choosing to move ahead with efforts to begin alignment of their properties with the forthcoming Zone 0 code, which will be rolled out in 2026.

## Resident Engagement

The Department has been tracking a significant increase in resident participation and in-person engagement with inspectors, including:

- **Full 360° inspections have increased from 36.3% to 55.6% (+19.3%),** a considerable improvement. Each full 360° inspection yields a more comprehensive recommendation for how a resident can reduce ignition risk and build resilience.
- **Residents walking with inspectors rose from 12.7% to 47% (+34.3%),** which results in a better understanding of the work that needs to occur.
- **Defensible space violations identified more than doubled** from the same period last year, from 244 to 571, indicating deeper and more thorough inspections.
- **Defensible space report engagement improved,** with 67.7% of residents opening their reports within 15 days, up from 59.7% last year.

## Vegetation Management – Chipping Services

The chipping program, which provides removal of more substantial vegetation that does not fit in a green bin, at no charge to residents, provides additional data points that support the effectiveness of the new approach.

- Through July 2025 crews have performed 673 pickups, removing 2,384 cubic yards of material, that's **17% more pickups and 44% more volume than the same period in 2024.**
- Strong growth in new participants via word-of-mouth and neighborhood outreach.

## BACKGROUND

The Department has developed a phased implementation plan to roll out the new Zone 0 requirements within the City's highest wildfire risk areas. This plan outlines the sequence of administrative, operational, and community engagement activities necessary to ensure a smooth transition. While the core milestones are established, the Department recognizes that implementation will require flexibility; adjustments will be made as needed based on lessons learned during each phase, particularly as the organization moves through the Fall and Winter of 2025.

## Phase I – Administrative & Structural Changes (July 2025 – October 2025)

- **July 2025:**
  - Update maps on public facing GIS portal. Visit <https://berkeleyca.gov> and then search "GIS". Select the "Community GIS Portal" link.

- Scroll down to find the “Fire and Emergency Services” link.
  - Select members for the resident working group and create the administrative and logistical structure to support it.
  - Design, build and launch digital Right of Entry form to allow residents to provide advance written permission for 360° inspections without owner present.
  - Design and launch the new workflow for the Resident Assistance Program (RAP). RAP provides city support to bring a parcel into compliance with the Fire Code.
  - Design and launch a solicitation for professional fire-wise landscape planning services.
  - Reconfigure inspection software (pending any additional changes to the municipal code approved by Council in December 2025). The process of refining language in the software will continue through 2025 as feedback from inspections and resident interactions is used to improve the platform.
- **August 2025:**
    - Coordinate schedules with community members and launch the resident working group.
    - Run the first tranche of eligible properties through the RAP as a beta test and design, prepare and advertise a webinar for all eligible properties in September.
    - Begin a complete redesign of the Berkeley Fire Safe website to provide a more sophisticated and intuitive user interface, making it easier for residents to find and act on critical information. Key improvements will include targeted, parcel-specific guidance based on geographic location; a clearly organized, step-by-step approach that breaks requirements and best practices into manageable actions; and streamlined navigation to connect users quickly with resources, checklists, and compliance tools.
  - **September 2025:**
    - Testing and final modifications to the Berkeley Fire Safe webpage.
    - Begin procurement for a communications consultant to assist in designing and running a multi-channel Zone 0 outreach program with a goal to have a consultant selected and onboarded by November 2025.

- **October 2025:**

- Launch new Berkeley Fire Safe webpage with updated user interface, branding and messaging.
- Update all existing public-facing information (websites, printed guides, FAQs).

### **Outreach & Engagement Rollout (November 2025 – March 2026)**

- **November 2025:**

- Finalize and launch outreach campaign with selected communications vendor. Potential components are outlined in the following months and are subject to change once a vendor is selected.
- Potential Step 1: Begin coordinated digital outreach (City email newsletters, social media, online ads).

- **December 2025 – January 2026:**

- Potential Step 2: Mail brochures and postcards to all affected parcels.
- Potential Step 3: Conduct public workshops, neighborhood Q&A sessions, and tabling at community events.

- **February – March 2026:**

- Begin inspector and staff training (classroom + field sessions).
- Potential Step 4: Partner with Home Owner Associations, neighborhood associations, FireWise groups, FireSafe Councils and local organizations for targeted outreach.
- Potential Step 5: Release short educational videos and “how-to” guides featuring local inspectors and subject matter experts.

### **Phase II – Beta Inspections (March 2025 – April 2026)**

- **March 2026:**

- Conduct pilot inspections in selected neighborhoods.
- Analyze findings and make necessary program improvements.

- **March – April 2026:**

- Make final adjustments to program including staff training, messaging, policy and procedures.

**Phase III – Full Implementation (May 2026 – Ongoing)**

• **May 2026:**

- Begin Zone 0 inspection cycle across mitigation areas.
- Review data annually to refine outreach and enforcement.

ENVIRONMENTAL SUSTAINABILITY AND CLIMATE IMPACTS

Reducing flammable vegetation and promoting fire-resistant landscaping supports climate adaptation goals, decreases wildfire-related greenhouse gas emissions, enhances preparedness, and preserves healthy mature trees.

POSSIBLE FUTURE ACTION

1. Continue low-volume, high-engagement inspection model.
2. Expand Resident Assistance Program scope and eligibility.
3. Increase nonprofit-managed home hardening funding.
4. Develop additional partnerships with regional Fire Safe Councils and grant-makers.

FISCAL IMPACTS OF POSSIBLE FUTURE ACTION

All fiscal impacts are currently projected to be covered through the Department's baseline budget allocations or grant funding.

CONTACT PERSON

David Sprague, Fire Chief, Berkeley Fire Department, (510) 981-3473

ATTACHMENTS:

1: Current Coaching Guide for Residents. Note: Will be integrated into the Defensible Space Inspection software by the time of this Council meeting.

# WILDFIRE HOME PROTECTION PLAN WORKSHEET

A PERSONALIZED GUIDE TO MEETING THE 2026 FIRE CODE

Property Address: \_\_\_\_\_ Resident Name: \_\_\_\_\_

Inspector(s): \_\_\_\_\_ Date: \_\_\_\_\_

### Resources you Qualify for:

- Resident Assistance Program
- Home Hardening Mesh Program
- Eucalyptus Understory Program

Visit [berkeleyfiresafe.org/programs](https://berkeleyfiresafe.org/programs), or email [firesafe@berkeleyca.gov](mailto:firesafe@berkeleyca.gov)

### Plan to address hazards in Ignition Zone 0 (0-5 ft. from a structure)

Priority items to be completed by May, 2026 (From structure out and ground up):

- Ground Cover
- Shrub Removal
- Limb Trees/Hedges within 5'
- Limb Trees (10' of roof)
- Remove Hedges
- Move combustible storage
- Re-pot plants into 5 gal. Containers
- Replace/Remove combustible gates/fences within 5'

Other: \_\_\_\_\_

Items to be addressed in the next phase of work (After 2026):

- ✓ \_\_\_\_\_
- ✓ \_\_\_\_\_

(continued on next page)

Plan to address hazards in Ignition Zone 1 (5-30 ft. from a structure)

Priority items to be completed by May, 2026 (From structure out and ground up):

Shrub Spacing:

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Remove Ladder Fuels:

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Separate Contiguous Fuels  
(Hedges, etc):

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Other:

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Items to be addressed in the next phase of work (After 2026):

- ✓ 

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- ✓ 

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- ✓ 

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Other notes:

FOLLOW UP FORM (IF NEEDED)

Date:

Inspector Name:

Resident Name:

Best Form of Resident Contact:

Information Needed:

Office Response:

## **BFD WUI Division Inspection and Compliance Process Statement**

The Berkeley Fire Department's Wildland Urban Interface (WUI) Division is committed to reducing hazardous vegetation and promoting home-hardening measures that protect lives, property, and our community from wildfire.

Our approach is based on compliance through education, with citations used only as a last resort. The division's goal is to achieve lasting risk reduction by helping residents understand what constitutes a hazard and how to address it safely and effectively.

During annual inspections, our staff emphasize outreach and education. Most residents in the Very High Fire Hazard Severity Zone are already aware of the risks and often need only clarification or guidance to achieve compliance.

While the Fire Code grants authority to issue citations, inspectors are directed to prioritize collaboration. They are empowered to identify the most significant hazards, work with residents to develop reasonable timelines for mitigation, and recognize legitimate challenges such as financial constraints, contractor availability, or environmental limitations.

When violations are issued, residents are provided a 60-day window for corrective action, followed by a reinspection. If hazards remain unaddressed, a service fee is applied for the reinspection, and a citation, typically \$100, may be issued 14 days later. Citations escalate only in rare cases of continued, willful noncompliance.

Ultimately, enforcement is reserved for situations where education and cooperation have failed. The division's philosophy is simple: help first, enforce when necessary; financial costs are best directed at the work to be done. By working in partnership with our community, we aim to create a safer, more resilient Berkeley.

# WUI VEGETATION CODE WORKGROUP

## REGULAR MEETING

OCTOBER 8, 2025

9:00 AM

Cypress Room – 2180 Milvia St. 1<sup>st</sup> Floor

Fire Chief's Representative – Asst. Chief Colin Arnold

Assistant Chief David Winnacker  
Richard Illgen  
George Perez-Velez

Eric Weaver  
Margit Roos-Collins

### DRAFT MINUTES

#### Preliminary Matters

**Call to Order: 9:00 AM**

**Present:**

- Assistant Fire Chief, Colin Arnold
- Eric Weaver
- Richard Illgen
- Margit Roos-Collins
- George Perez-Velez

**Not Present:**

- Assistant Fire Chief, David Winnacker

**Approval of the September 30 Minutes and October 1 Minutes**

Motion by George Perez-Velez, seconded by Richard Illgen, and approved by consensus.

**Public Comment on Non-Agenda Matters**

Public Members: 2 comments

**AGENDA MATTERS** *All Regular agenda matters are for discussion and possible action.*

- 1. Action:** **Discussion regarding citations, penalties, and appeals process.**
- Written Materials:** EMBER Enforcement, Page 3 (modified).  
Email regarding internal Administrative Citation Progress.  
Proposed Modifications of Berkeley Fire Code for WUI Appeals and Violations
- Discussion:** Chief Arnold provided an overview of how the department determines when a case reaches the citation level. The group reviewed how the department enforces defensible space requirements and discussed the internal review and appeals processes. The group requested that Report 26, Fire Hazard Severity Zone 0 Implementation Plan, dated September 9, is included on next week's agenda for further discussion. The group will discuss and prepare a proposal on the enforcement and citation process, including potential updates to the resident guide. Topics will include: adding language to emphasize that before issuing a citation, BFD will work with residents to develop a compliance work plan over time; determining the best mechanism for communicating enforcement procedures; and reviewing differing perspectives on the enforcement approach (e.g., formal vs. informal). The group requested that Chief Arnold draft a document outlining his envisioned guidelines for the citation and enforcement process. The draft will be reviewed and discussed at the next meeting.
- 2. Action:** **Discussion and possible action on suggestions for the Resident Guide.**
- Discussion:** The group recommended adding information on the enforcement and citation process to the resident guide, emphasizing that the approach prioritizes education before enforcement. Discussion on the resident guide will continue at the next meeting.
- 3. Action:** **Agenda topics submitted by a member for consideration and discussion:**  
State Fire Regulations  
Excerpts from the Government Code on Fire Zones  
Soils and Geology  
Fire-resistant Vegetation  
Eucalyptus and Other Dangerous Trees

Building Composition and Compliance  
Compliance Costs  
Review and Discussion of Submitted Reference  
Materials on Wildfire Preparedness and Zone 0  
Regulations

**Written Materials:** To reduce printing and paper use, all referenced documents will be available in a binder for public access at the meeting.

State Fire Regulations  
Excerpts from the Government Code on Fire Zones  
Firewise: How To Prepare Your Home For Wildfires  
Elsevier, Landscape and Urban Planning article  
NFA Preparing Homes for Wildfire  
Reducing the Vulnerability of Buildings to Wildfire  
Science Summary by Dr. Travis Longcore  
Brentwood HOA Comments on Proposed Zone 0  
Regulations  
Zone 0 Won't Save Your Home from Wildfire

**Discussion:** Agenda Item #3 was not addressed and will be carried forward to the next regular meeting for discussion. The item will be renumbered as Agenda Item #4, and a new agenda item will be added to discuss developing a framework for submitting scientific evidence for review and considering approaches for evaluating submitted evidence.

## WORK GROUP REPORTS

### Adjournment

The meeting was adjourned at 11:00 AM on a motion by Margit Roos-Collins, seconded by Richard Illgen, and approved by consensus.

The next regular meeting is scheduled for Wednesday, October 15, 2025, at 9:00 AM.

The November 5, 2025 meeting is scheduled for 2:00 PM, Cypress Room, 1<sup>st</sup> Floor at 2180 Milvia St.

*This meeting will be conducted in accordance with the Brown Act, Government Code Section 54953. Any member of the public may attend this meeting. Questions regarding this matter may be addressed to the Wildland Urban Interface Division of the Berkeley Fire Department, [wildfire@berkeleyca.gov](mailto:wildfire@berkeleyca.gov) 510-981-5620. Communications to Berkeley boards, commissions or committees are public record and will become part of the City's electronic records, which are accessible through the City's website. Please note: E-mail addresses, names, addresses, and other contact information are not required but, if included in any communication to a City board, commission, or committee, will become part of the public record. If you*

*do not want your e-mail address or any other contact information to be made public, you may deliver communications via U.S. Postal Service or in person to the secretary of the relevant board, commission, or committee. If you do not want your contact information included in the public record, please do not include that information in your communication. Please contact the secretary to the relevant board, commission, or committee for further information.*

*Any writings or documents provided to a majority of the commission regarding any item on this agenda will be made available for public inspection at Berkeley Fire Department located at 2100 Martin Luther King Jr. Way Berkeley, CA.*

**COMMUNICATION ACCESS INFORMATION:**

This meeting is being held in a wheelchair-accessible location. To request a disability-related accommodation(s) to participate in the meeting, including auxiliary aids or services, please contact the Disability Services specialist at 981-6418 (V) or 981-6347 (TDD) at least three business days before the meeting date. Please refrain from wearing scented products to this meeting.

I hereby certify that the agenda for this regular/special meeting of the Berkeley City's Disaster and Fire Safety Commission was posted at the front of the Division of Training, 997 Cedar Street, as well as on the City's website, three days prior to the scheduled Commission meeting.

**SECRETARY SIGNATURE**

*Colin Arnold*

DRAFT