

March 13, 2025

REF: Executive Order N-18-25 "Ember Resistant Zone" as it relates to Vinyl Fencing

In the past, Vinyl Manufacturers have provided literature stating that vinyl fence products are "self-extinguishing" and vinyl fence products passed ASTM E-84. Whether or not these statements are factual, vinyl fence products do not meet the current ASTM E-2768 standard. Being a vinyl fence installer and becoming aware of the new California Building Code Section 7A, I needed to know if vinyl fencing met the ASTM E-2768 standard. I sent a vinyl panel to a CalFire approved testing facility, Intertek. The results from Intertek clearly show that the vinyl fence does not meet ATSM E-2768. The entire 24' vinyl fence panel was consumed in fire in 20 minutes **(SEE TAB A)**.

Due to the recent fires in Southern California, Governor Newsom signed executive order N-18-25. Part of this order addresses fencing within at least 5 feet of a home. Local authorities have the authority to extend this zone up to 30' (Public Resources Code Section 4291).

Timeline for Implementation: The LRA (Local Responsibility) FHSZ (Fire High Severity Zone) Rollout Plan states that Phase 4 will be implemented on March 24, 2025. With the addition of Phase 4, all counties in California are now included in the Plan. **(SEE TAB B)**

Specifics of Executive Order N-18-25 as it relates to fencing:

1. Creation of ember resistant zone within 5' to 30' of a home (Zone 0 Regulations) (Public Resources Code section 4291 & Government Code section 5118). **(SEE TAB C)**
2. An "ember resistant zone" includes the removal of any combustible materials including petroleum-based products. Vinyl fencing is a petroleum-based product and would not be allowed in ember resistant zones. **(SEE TAB D)**
3. California Building Code Chapter 7A requires all materials in an ember resistant zone to meet ASTM-E-2768. Wood and vinyl fencing do not meet ASTM-E-2768.

We have developed a product that looks exactly like vinyl fencing, made completely of steel and meets ASTM E-2768 (verified by Intertek). This product has been approved in San Diego, Riverside, Orange, San Bernardino counties and multiple cities within these counties. Our product is published on the Cal Fire Building Material List (under Greenfield Metal Systems, category 8170 "Ignition Resistant Materials").

As a licensed contractor, we are responsible for complying with current building codes. Our customers and City/County Planning Departments are not up to date on these regulations. We are hoping this information can get passed onto the Planning Departments associated with your jurisdiction.

If you would like to discuss this, please contact our office.

Thank you,

Mike McLaughlin
President
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951-514-1568

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GREENFIELD FENCE FIRE TEST REPORT

SCOPE OF WORK

ASTM E2768-11 TESTING ON STANDARD VINYL FENCE

REPORT NUMBER

105823794SAT-002

TEST DATE

May 16, 2024

ISSUE DATE

May 16, 2024

PAGES

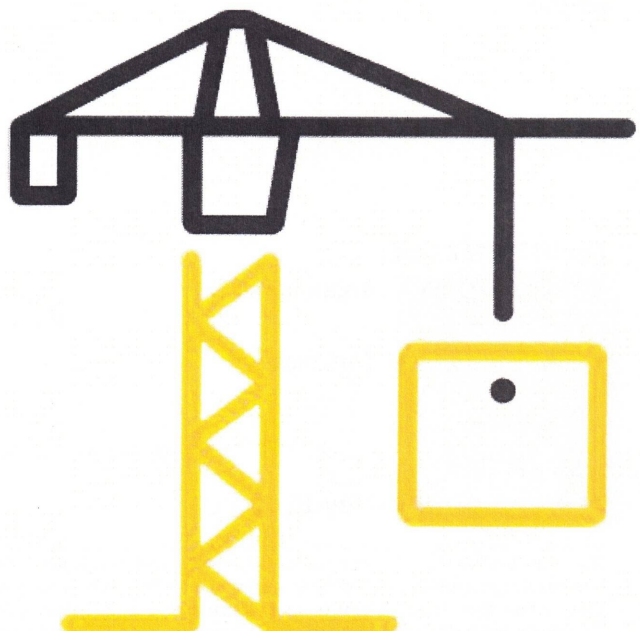
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DOCUMENT CONTROL NUMBER

RT-R-AMER-Test-2780 (9/19/18)

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VINYL FENCE
DID NOT PASS
THE ASTM E2768
FIRE TEST
SEE PAGE 7



TEST REPORT FOR GREENFIELD FENCE INC.

Report No.: 105823794SAT-002

Date: May 16, 2024

REPORT ISSUED TO

Greenfield Fence Inc.
4051 Oceanside Blvd.
Oceanside, CA 92056
USA

SECTION 1

SCOPE

Intertek Building & Construction (B&C) was contracted by Greenfield Fence Inc., 4051 Oceanside Blvd., Oceanside, CA 92056, USA, USA to evaluate the flame spread and smoke developed properties of "Standard Vinyl Fence". Testing was conducted at the Intertek B&C test facility in Elmendorf, Texas. Results obtained are tested values and were secured by using the designated test method(s). A summary of test results and the complete graphical test data is reported herein.

Unless differently required, Intertek reports apply the "Simple Acceptance" rule also called "Shared Risk approach," of ILAC-G8:09/2019, Guidelines on Decision Rules and Statements of Conformity.

This report does not constitute performance certification of this product nor an opinion or endorsement by this laboratory. Intertek B&C will service this report for the entire test record retention period. The test record retention period ends four years after the test date. Test records, such as detailed drawings, datasheets, representative samples of test specimens, or other pertinent project documentation, will be retained for the entire test record retention period.

For INTERTEK B&C:

COMPLETED BY: Bryan Lopez

TITLE: Technician II

SIGNATURE:

DATE: May 16, 2024

REVIEWED BY: Servando Romo

TITLE:

SIGNATURE:

DATE: May 16, 2024

This report is for the exclusive use of Intertek's Client and is provided pursuant to the agreement between Intertek and its Client. Intertek's responsibility and liability are limited to the terms and conditions of the agreement. Intertek assumes no liability to any party, other than to the Client in accordance with the agreement, for any loss, expense or damage occasioned by the use of this report. Only the Client is authorized to permit copying or distribution of this report and then only in its entirety. Any use of the Intertek name or one of its marks for the sale or advertisement of the tested material, product or service must first be approved in writing by Intertek. The observations and test results in this report are relevant only to the sample(s) tested. This report by itself does not imply that the material, product, or service is or has ever been under an Intertek certification program.

TEST REPORT FOR GREENFIELD FENCE INC.

Report No.: 105823794SAT-002

Date: May 16, 2024

SECTION 2

SUMMARY OF TEST RESULTS

Specimen I.D.: Standard Vinyl Fence

ASTM E2768-11 Test Results

FLAME SPREAD INDEX	SMOKE DEVELOPED INDEX	MAXIMUM FLAME FRONT (ft.)
20	1000	24.0

*See Section 8 for additional information and commentary

SECTION 3

TEST METHOD

The specimen was evaluated in accordance with the following:

ASTM E2768-11, *Standard Test Method for Extended Duration Surface Burning Characteristics of Building Materials (30 min Tunnel Test)*

SECTION 4

MATERIAL SOURCE/INSTALLATION

The test specimen was submitted to Intertek directly from the client. Samples were not independently selected for testing. Intertek has not verified the composition, manufacturing techniques or quality assurance procedures. The specimen, identified as "Standard Vinyl Fence", was received in good order at the Evaluation Center on May 14, 2024 and given identification number SAT2405141417-002.

TEST REPORT FOR GREENFIELD FENCE INC.

Report No.: 105823794SAT-002

Date: May 16, 2024

SECTION 5

LIST OF OBSERVERS

NAME	COMPANY
Bryan Lopez	Intertek B&C
Luis Canales	Intertek B&C

SECTION 6

TEST PROCEDURE

This report describes the results of testing conducted in accordance with ASTM E2768-11 Test for Extended Duration Surface Burning Characteristics of Building Materials; a test method for comparative surface burning behavior extended to a total of 30 minutes. This method uses the same equipment, apparatus, calibration of flame spread index and smoke develop index as test method ASTM E84. The flame spread index is calculated in accordance with ASTM E84 during the first 10 minutes and then extended by 20 minutes to a period of 30 minutes to determine the maximum flame travel from the burner centerline. This standard is based on a modification of Test Method E84 that has been used for many years in provisions in the building codes and related specifications pertaining to fire-retardant-treated wood. Such codes include the International Building Code (IBC) and International Residential Code (IRC) as well as other documents.

“The use of supporting materials on the underside of the test specimen may lower the flame spread index from that which might be obtained if the specimen could be tested without such support. This method may not be appropriate for obtaining comparative surface burning behavior of some cellular plastic materials. Testing of materials that melt, drip, or delaminate to such a degree that the continuity of the flame front is destroyed, results in low flame spread indices that do not relate directly to indices obtained by testing materials that remain in place.” – ASTM E84-23 Section 1.4 – 1.5

The purpose of the method is to determine the relative burning behaviour of the material by observing the flame spread along the specimen for a period of 30 minutes. Flame spread and smoke density developed are reported, however, there is not necessarily a relationship between these two measurements.

TEST REPORT FOR GREENFIELD FENCE INC.

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SECTION 6 (Continued)**TEST PROCEDURE**

It is the expressed intent of the test method to provide only comparative measurements of surface flame spread and smoke density of the tested material against measurements for select grade red oak flooring and fiber-cement board when tested under specific fire exposure conditions. The test method exposes a nominal 24-ft. (7.32-m) long by 20-in. (508-mm) wide test specimen to a controlled air flow and flaming fire exposure adjusted to produce a specific flame spread distance vs. time calibration using select grade red oak flooring.

The test method does not provide information regarding heat transmission through the tested surface, the effect of aggravated flame spread behaviour resulting from the proximity of combustible walls and ceilings, or the classification or definition of materials as non-combustible using flame spread index alone.

The test method has the following conditions of classification for a material or product to be classified as meeting the requirements of this standard:

- a.) The flame spread index shall be 25 or less as determined for the initial 10-minute test period.
- b.) The maximum flame front shall not progress more than 10.5-ft. (3.2-m) beyond the centerline of the burners at any time during the 30-minute test period. This is considered evidence of no significant progressive combustion in this test method.

This standard should be used to measure and describe the properties of materials, products, or assemblies in response to heat and flame under controlled laboratory conditions and should not be used to describe or appraise the fire hazard or fire risk of materials, products, or assemblies under actual fire conditions. However, results of this test may be used as elements of a fire risk assessment which takes into account all of the factors which are pertinent to an assessment of the fire hazard of a particular end use.

There were no deviations from the requirements prescribed in ASTM E2768-11.

TEST REPORT FOR GREENFIELD FENCE INC.

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SECTION 7

TEST SPECIMEN DESCRIPTION

SPECIMEN I.D.*	Standard Vinyl Fence
SPECIMEN DESCRIPTION*	Privacy Vinyl Fence Panels
CONDITIONING TIME	2 days
SPECIMEN LENGTH	24 ft. (3, 8-ft. long panels)
SPECIMEN WIDTH	22 in.
THICKNESS	1.9 in.
TOTAL WEIGHT	85 lbs.
SIDE TO FLAME*	Both sides the same
SUPPORT USED*	The sample was self-supported
MOUNTING METHOD	Standard
CEMENT BOARD	0.25-in. thick fiber cement board was placed on top of the sample.

*From the client's material description and/or instructions

Note: Specimens were conditioned as per the requirements of Section 6.4 of ASTM E84.

TEST REPORT FOR GREENFIELD FENCE INC.

Report No.: 105823794SAT-002

Date: May 16, 2024

SECTION 8

TEST RESULTS

TEST RESULTS	
Test Date	May 16, 2024
Test Operator	Bryan Lopez
Flame Spread Index (FSI)	20
Smoke Developed Index (SDI)	1000

TEST DATA	
FSI (unrounded)	21.2
SDI (unrounded)	3511.2*
FS * Time Area (Ft * Min)	41.2
Smoke Area (% * Min)	2830.0*
Total Fuel Burned (Cubic Ft.)	133.57
Max Flame Front Advance (Ft.)	24.0
Time to Max Flame Front (sec)	710
Max Temp At Exposed T/C (°F)	1488
Time To Max Temp (sec)	891

*Represents results after the 30-minute test period.

TEST OBSERVATIONS	
Steady Ignition	0:19 Minutes: Seconds
Blistering	0:27 Minutes: Seconds
Melting	1:21 Minutes: Seconds
Falling	1:31 Minutes: Seconds
Floor Flames	3:53 Minutes: Seconds
Observations After the Test:	
0 – 24 ft.	Consumed

SECTION 9

CONCLUSION

This specimen did not pass the ASTM E2768-11 because it did not meet the Class A requirements within the first 10 minutes of the test and the maximum flame front was more than 10.5ft. beyond the centerline of the burners.

TEST REPORT FOR GREENFIELD FENCE INC.

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Date: May 16, 2024

SECTION 10

PHOTOGRAPHS



Photo No. 1
Exposed Surface of the Test Specimen (Pre-test)



Photo No. 2
Exposed Surface of the Test Specimen (Post-test)

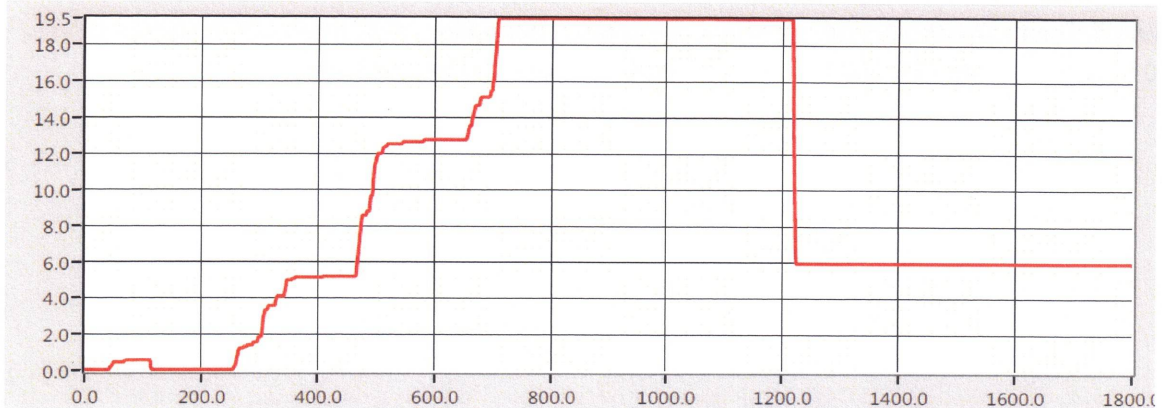
TEST REPORT FOR GREENFIELD FENCE INC.

Report No.: 105823794SAT-002

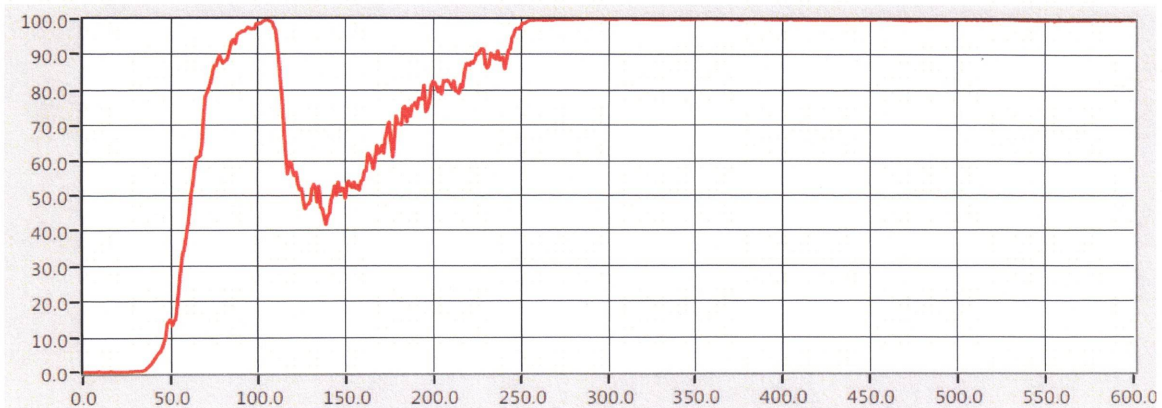
Date: May 16, 2024

SECTION 11

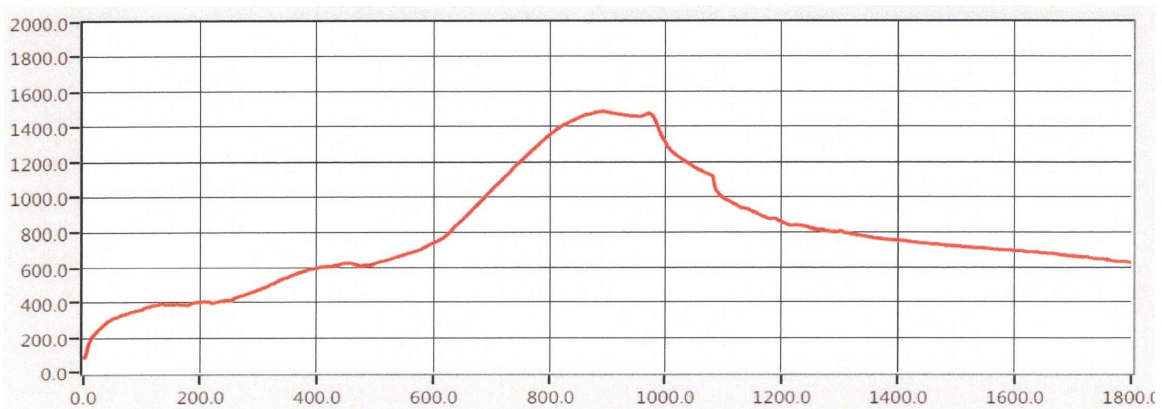
GRAPHS



Graph No. 1 - Flame Spread Distance (ft) Versus Time (sec)



Graph No. 2 - Light Obscuration (%) Versus Time (sec)



Graph No. 3 - Tunnel Air Temperature (F) Versus Time (sec)



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TEST REPORT FOR GREENFIELD FENCE INC.

Report No.: 105823794SAT-002

Date: May 16, 2024

SECTION 12

REVISION LOG

REVISION #	DATE	PAGES	REVISION
0	May 16, 2024	N/A	Original Report Issue

LRA FHSZ Rollout Plan

OFFICE OF THE
STATE FIRE MARSHAL



Phase 1 (2/10/25)

Butte	Placer
Colusa	Plumas
El Dorado	Shasta
Glenn	Sierra
Lake	Siskiyou
Lassen	Sutter
Modoc	Tehama
Nevada	Yuba

Phase 2 (2/24/25)

Alameda	San Joaquin
Contra Costa	San Mateo
Del Norte	Santa Clara
Humboldt	Santa Cruz
Marin	Solano
Mendocino	Sonoma
Merced	Stanislaus
Napa	Yolo
San Francisco	

Phase 3 (3/10/25)

Amador	Sacramento
Calaveras	San Benito
Fresno	San Luis Obispo
Kern	Santa Barbara
Kings	Tulare
Madera	Tuolumne
Monterey	Ventura

Phase 4 (3/24/25)

Imperial
Inyo
Los Angeles
Mono
Orange
Riverside
San Bernardino
San Diego



EXECUTIVE DEPARTMENT
STATE OF CALIFORNIA

EXECUTIVE ORDER N-18-25

WHEREAS on January 7, 2025, I proclaimed a State of Emergency to exist in Los Angeles and Ventura Counties due to fire and windstorm conditions that have now caused multiple fires, including the Palisades, Eaton, Hurst, Lidia, Sunset, Woodley, and Hughes Fires; and

WHEREAS these fires have devastated communities across the Greater Los Angeles Area and have collectively burned over 47,900 acres, destroying or damaging more than 16,250 structures, including homes, small businesses, and places of worship, with initial estimates placing this disaster among the most destructive in California history; and

WHEREAS since the fires began, I have issued multiple Executive Orders to provide relief to impacted communities, protect survivors and expedite and aid recovery efforts, including orders streamlining permitting requirements to enable Los Angeles to build back quickly, and safer and more resilient than before; and

WHEREAS these fires were not isolated incidents, but rather the latest examples of how a changing climate creates weather extremes that can combine with wildfire-susceptible fuel loads, even during California's traditionally wet season, to cause massive conflagrations; and

WHEREAS the State's agencies responsible for fire response and resilience, including the Board of Forestry and Fire Protection (Board of Forestry), the Department of Forestry and Fire Protection (CAL FIRE), the Office of the State Fire Marshal, and the Governor's Office of Emergency Services (Cal OES), have already begun evaluating these fires, and should move quickly to incorporate standards, regulations, and statutes, to harden communities urgently; and

WHEREAS scientific research has shown that the greatest risk of embers directly or indirectly igniting a home, as occurred in many neighborhoods in the Palisades and Eaton firestorms, stems from combustible materials built or planted within five feet of a home, including perpendicular wood fences and combustible landscaping; and

WHEREAS because of the risk presented by embers, Assembly Bill No. 3074 (Friedman, 2020) requires promulgation of regulations to establish an ember-resistant "Zone Zero" within five feet of structures in certain fire severity zones, and insurance companies may factor wildfire mitigations such as Zone Zero clearance into insurance rates; and

WHEREAS the State Fire Marshal is responsible for periodically updating fire hazard severity zone maps for both the State Responsibility Area and the state's Local Responsibility Areas, and while the State Responsibility Area maps were updated in 2024, the Local Responsibility Area maps are due to be updated; and

WHEREAS CAL FIRE and Cal OES collaborate with the federal government and other states on operational plans for wildfire response, including mutual aid systems and sequences for dispatching resources, but the federally managed system, known as the Federal Interagency Resource Ordering Capability (IROC), lacks the capacity to process in real-time requests to dispatch additional resources for wildfire incidents of this magnitude, resulting in ad-hoc communication and coordination around such requests and imperfect visibility to resource availability and deployment as the incident response evolves; and

WHEREAS my 2025-2026 Budget proposal reflects a total of \$4 billion for Wildland Management, which maintains \$2.5 billion in prior investments and commits another \$1.5 billion over the next several years to ramp up and implement my Wildfire and Forest Resilience Action Plan, increasing the pace of fuel reduction, prescribed fire, and forest health; and

WHEREAS my Administration has invested \$2 billion to support CAL FIRE operations, a 47% increase since 2018 and is committed to adding 2,400 additional firefighters to CAL FIRE's ranks over the next five years; and

WHEREAS my Administration has overseen the expansion of California's aerial firefighting fleet, including the addition of more than 16 helicopters equipped for night operations, and seven C-130 air tankers, making it the largest fleet of its kind globally; and

WHEREAS California is leveraging AI-powered tools to spot fires quicker, has deployed the Fire Integrated Real-Time Intelligence System (FIRIS) to provide real-time mapping of wildfires, and has partnered with the U.S. Department of Defense to use satellites for wildfire detection and invested in LiDAR technology to create detailed 3D maps of high-risk areas; and

WHEREAS in anticipation of severe fire weather conditions in early January 2025, Cal OES approved the prepositioning of 65 fire engines, as well as more than 120 additional firefighting resources and personnel throughout seven Southern California counties, and CAL FIRE moved firefighting resources to Southern California including 45 additional engines and six hand crews to the region; and

WHEREAS California was able to mobilize more than 15,000 personnel including firefighters, National Guard servicemembers, law enforcement officers and transportation teams to support the response to the Los Angeles firestorms, and more than 1,900 firefighting apparatus composed of engines, aircraft, dozers and water tenders to aid in putting out the fires.

NOW, THEREFORE, I, GAVIN NEWSOM, Governor of the State of California, in accordance with the authority vested in me by the State Constitution and statutes, do hereby issue the following Order to become effective immediately.

IT IS HEREBY ORDERED THAT:

1. The Board of Forestry and Fire Protection, in consultation with the State Fire Marshal, shall require the creation of an ember-resistant zone within 0 to 5 feet of a home ("Zone 0 regulations"), consistent with Public Resources Code section 4291 and Government Code section 51182. The Board of Forestry and Fire Protection shall post a pre-rulemaking draft regulation to its internet website and hold a public workshop to gather public input on its draft regulation within 45 days of this Order, and shall complete the formal rulemaking process no later than December 31, 2025.
2. The State Fire Marshal shall, consistent with Government Code sections 51178 and 51179, provide to local agencies, and make available to the public, its proposed Fire Hazard Severity Zone maps for Local Responsibility Areas (LRA). Maps representing different regions of the State shall be provided to the public in phases starting no later than February 10.
3. To ensure that resources are ordered and dispatched efficiently and effectively, the Department of Forestry and Fire Protection (CAL FIRE) and the Governor's Office of Emergency Services (Cal OES) are directed to, in consultation with local, tribal, and federal partners and FIREScope, work with the federal government to evaluate the Federal Interagency

State of California

PUBLIC RESOURCES CODE

Section 4291

4291. (a) A person who owns, leases, controls, operates, or maintains a building or structure in the state responsibility area shall at all times do all of the following:

(1) (A) Maintain defensible space of 100 feet from each side and from the front and rear of the structure, but not beyond the property line, except as provided in subparagraph (B). The amount of fuel modification necessary shall consider the flammability of the structure as affected by building material, building standards, location, and type of vegetation. Fuels shall be maintained and spaced in a condition so that a wildfire would be unlikely to ignite the structure. This subparagraph does not apply to single specimens of trees or other vegetation that are well-pruned and maintained so as to effectively manage fuels and not form a means of rapidly transmitting fire from other nearby vegetation to a structure or from a structure to other nearby vegetation or to interrupt the advance of embers toward a structure. The intensity of fuels management may vary within the 100-foot perimeter of the structure, with more intense fuel reductions being utilized between 5 and 30 feet around the structure, and an ember-resistant zone being required within 5 feet of the structure, based on regulations promulgated by the board, in consultation with the department, to consider the elimination of materials in the ember-resistant zone that would likely be ignited by embers. The regulations may also alter the fuel reduction required between 5 and 30 feet to integrate the ember-resistant zone into the requirements of this section. Consistent with fuels management objectives, steps should be taken to minimize erosion, soil disturbance, and the spread of flammable nonnative grasses and weeds. For purposes of this subparagraph, “fuel” means any combustible material, including petroleum-based products, cultivated landscape plants, grasses, and weeds, and wildland vegetation.

(B) A greater distance than that required under subparagraph (A) may be required by state law, local ordinance, rule, or regulation. Fuel modification beyond the property line may only be required by state law, local ordinance, rule, or regulation in order to maintain 100 feet of defensible space from a structure. Fuel modification on adjacent property shall only be conducted following written consent by the adjacent landowner. Any local ordinance related to fuel modification shall be in compliance with all applicable state laws, regulations, and policies. Any local ordinance may include provisions to allocate costs for any fuel modification beyond the property line.

(C) An insurance company that insures an occupied dwelling or occupied structure may require a greater distance than that required under subparagraph (A) if a fire expert, designated by the director, provides findings that the fuel modification is necessary to significantly reduce the risk of transmission of flame or heat sufficient

to ignite the structure, and there is no other feasible mitigation measure possible to reduce the risk of ignition or spread of wildfire to the structure. The greater distance may not be beyond the property line unless allowed by state law, local ordinance, rule, or regulation.

(2) Remove that portion of a tree that extends within 10 feet of the outlet of a chimney or stovepipe.

(3) Maintain a tree, shrub, or other plant adjacent to or overhanging a building free of dead or dying wood.

(4) Maintain the roof of a structure free of leaves, needles, or other vegetative materials.

(5) Before constructing a new building or structure or rebuilding a building or structure damaged by a fire in an area subject to this section, the construction or rebuilding of which requires a building permit, the owner shall obtain a certification from the local building official that the dwelling or structure, as proposed to be built, complies with all applicable state and local building standards, including those described in subdivision (b) of Section 51189 of the Government Code, and shall provide a copy of the certification, upon request, to the insurer providing course of construction insurance coverage for the building or structure. Upon completion of the construction or rebuilding, the owner shall obtain from the local building official, a copy of the final inspection report that demonstrates that the dwelling or structure was constructed in compliance with all applicable state and local building standards, including those described in subdivision (b) of Section 51189 of the Government Code, and shall provide a copy of the report, upon request, to the property insurance carrier that insures the dwelling or structure.

(b) A person is not required under this section to manage fuels on land if that person does not have the legal right to manage fuels, nor is a person required to enter upon or to alter property that is owned by any other person without the consent of the owner of the property.

(c) (1) Except as provided in Section 18930 of the Health and Safety Code, the State Fire Marshal may adopt regulations exempting a structure with an exterior constructed entirely of nonflammable materials, or, conditioned upon the contents and composition of the structure, the director may vary the requirements respecting the removing or clearing away of flammable vegetation or other combustible growth with respect to the area surrounding those structures.

(2) An exemption or variance under paragraph (1) shall not apply unless and until the occupant of the structure, or if there is not an occupant, the owner of the structure, files with the State Fire Marshal, in a form as the State Fire Marshal shall prescribe, a written consent to the inspection of the interior and contents of the structure to ascertain whether this section and the regulations adopted under this section are complied with at all times.

(d) The State Fire Marshal may authorize the removal of vegetation that is not consistent with the standards of this section. The State Fire Marshal may prescribe a procedure for the removal of that vegetation and make the expense a lien upon the

building, structure, or grounds, in the same manner that is applicable to a legislative body under Section 51186 of the Government Code.

(e) (1) The board, in consultation with the State Fire Marshal, shall develop, periodically update, and post on its internet website a guidance document on fuels management pursuant to this chapter. The guidance document shall include, but not be limited to, regionally appropriate vegetation management suggestions that preserve and restore native species that are fire resistant or drought tolerant, or both, minimize erosion, minimize water consumption, and permit trees near homes for shade, aesthetics, and habitat; and suggestions to minimize or eliminate the risk of flammability of nonvegetative sources of combustion, such as woodpiles, propane tanks, decks, outdoor furniture, barbecue equipment, and outdoor fire pits.

(2) On or before January 1, 2023, the board, in consultation with the State Fire Marshal, shall update the guidance document to include suggestions for creating an ember-resistant zone within five feet of a structure, based on regulations promulgated by the board, in consultation with the department, to consider the elimination of materials in the ember-resistant zone that would likely be ignited by embers. Existing and new structures shall meet the same standard for the ember-resistant zone, but regulations shall allow the staging of work for existing structures to support implementation of the ember-resistant zone and address the costs of compliance.

(f) The State Fire Marshal shall do both of the following:

(1) Recommend to the board the types of vegetation or fuel that are to be excluded from an ember-resistant zone based on the probability that vegetation and fuel will lead to ignition by ember of a structure as a part of the update to the guidance document pursuant to paragraph (2) of subdivision (e).

(2) Make reasonable efforts to provide notice to affected residents describing the requirements added by the amendments to paragraph (1) of subdivision (a) made in Assembly Bill 3074 of the 2019–20 Regular Session before the imposition of penalties for violating those requirements.

(g) (1) The requirement for an ember-resistant zone pursuant to paragraph (1) of subdivision (a) shall not take effect for new structures until the board updates the regulations, pursuant to paragraph (1) of subdivision (a), and the guidance document, pursuant to paragraph (2) of subdivision (e).

(2) The requirement for an ember-resistant zone pursuant to paragraph (1) of subdivision (a) shall take effect for existing structures three years after the effective date for the new structures.

(h) The department shall not change defensible space inspection practices and forms or enforcement to implement the requirement for an ember-resistant zone until the State Fire Marshal makes a written finding, which the State Fire Marshal shall post on the department's internet website, that the Legislature has appropriated sufficient resources to do so.

(i) For purposes of this section, a structure for the purpose of an ember-resistant zone shall include any attached deck. This section does not limit the authority of the board or the department to require the removal of fuel or vegetation on top of or underneath a deck pursuant to this section.

(j) As used in this section, “person” means a private individual, organization, partnership, limited liability company, or corporation.

(Amended by Stats. 2024, Ch. 982, Sec. 4. (SB 504) Effective January 1, 2025.)

