

## **NOTICE TO GO OUT TO ALL REALTORS:**

### **NEW VENTURA COUNTY FIRE DEPARTMENT ORDINANCE 34, SUPERSEDING AB38 REQUIREMENTS**

**Effective January 1, 2026**, Ventura County Fire's Ordinance 34 (Section 617) applies to all sales and transfers of residential property located in a High or Very High Fire Hazard Severity Zone (**FHSZ**) across Ventura County that are within the jurisdictional boundaries of the Ventura County Fire Protection District (**VCFPD**) which includes the cities of Camarillo, Moorpark, Ojai, Santa Paula, Simi Valley, Thousand Oaks, plus unincorporated areas.

This local ordinance only applies to real residential property and only when a TDS is required.

(Note: The cities of Ventura, Oxnard, and Fillmore have their own fire departments and regulations, and are not covered under this ordinance. Check with these individual city fire departments. The City of Port Hueneme has no designated FHSZs. )

This Ventura County local ordinance, Ordinance 34, supersedes AB 38's State notice requirements, which require the buyer to obtain such documentation within one year of escrow closing.

The changes made locally between the California Civil Code and the new VCFD Ordinance are as follows:

- A Mandatory defensible space inspection must be accomplished **only by the Fire District** before transfer of properties in High/Very High FHSZ.
- Seller (or authorized rep) should request the inspection/report at:

<https://fire.venturacounty.gov/real-estate-inspection-request/>

Inspections may result in a notice of corrections needed. If corrections are needed, they must be completed within 30 days or before the close of escrow (whichever comes first)— unless the parties agree that the buyer will complete them within 60 days after closing, and that agreement (FHDS) must be provided to the Fire Prevention Bureau before close of escrow.

At this time, the requirement for ZONE ZERO clearance (0-5 feet from structure) is still under review and will not be required or enforced until a final determination is made.

VCFD does not currently have a separate form. The Ventura County Fire Department will accept our FHDS form as an acceptable notice. However, our FHDS form stipulates a 1-year timeframe, which is longer than the local ordinance now mandates.

The FHDS form can be used if the correction period is changed from a 1-year to a 60-day timeframe from COE, and the following statement is included: “ buyer is aware of Ordinance 34, Article 4, section 617.4.1 and assumes full responsibility for the corrections.”

This wording can be changed through an addendum to the FHDS form.

### **FHDS Form Information**

Per Gov Hutchinson at C.A.R., no form changes are currently planned. The FHDS form already covers this situation:

- Use **3C(2)** or **3C(4)** when the property is impacted, **and work/corrections still need to be done** (depending on whether the buyer is taking responsibility post-close or the seller is completing before close).
- Use 3C(5) if the property is already compliant. If there's an approved inspection within the last 6 months, you can request a copy instead of a new inspection.
- You must include an addendum to the FHDS with verbiage stating: **The correction period is changed from a 1-year to a 60-day timeframe from COE. Buyer is aware of Ordinance 34, Article 4, section 617.4.1, and assumes full responsibility for the corrections.**

For more information on real estate inspections, please visit the VCFD website:

<https://fire.venturacounty.gov/ab38/>

To request an inspection:

<https://fire.venturacounty.gov/real-estate-inspection-request-form/>

#### CURRENT VENTURA COUNTY FIRE DEPARTMENT INSPECTION CRITERIA:

This inspection requirement is for all real estate sold in the affected cities of Ventura County.

The inspection criteria have not changed for these inspections. Currently, Zone-Zero vegetation requirements apply only to new construction houses built within high fire zones. The State Board of Forestry has delayed the retroactive Zone-Zero laws that were supposed to be finalized by December 2025. At this point, they are set to reconvene meetings in March or April of 2026.

Once they finalize the requirements for existing homes within designated high fire zones, all our residents will have a 3-year window from the date the requirements are finalized to comply. At that point, inspections may be done for all homes in the county.

Because the State law has not yet been finalized, VCFD is only inspecting for the following basic requirements:

- Tree branches shall be trimmed back 3-ft from the roof & eaves
- Tree branches shall be trimmed back 10-ft from a chimney or stove pipe.
- Any trees within 100-ft of the home shall have branches limbed up 6-ft off the ground or 1/3 the height whichever is less.
- Remove any dead palm fronds from palm trees.
- Remove any dead vegetation or tree branches from the property.
- All grasses shall be trimmed to a maximum of 3-inch stubble.
- Any vegetation attached to a structure such as ivy and others shall be removed.

Any questions for the Fire Department should be directed to:

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