



# N·C·S·D

## Northstar Fire Department

Northstar Community Services District

910 Northstar Drive, Northstar, CA 96161

P: 530.562.1212 • F: 530.562.0702 • www.northstarcsd.org

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### Fire Chief

SEAN BAILEY

July 30, 2019

## RE. Northstar Community Services District's Ordinance 35-19: Defensible Space Requirements for Real Estate Sales/Transactions

Dear Local Real Estate and Title Companies;

Recently, the Northstar Community Services District passed a new local Ordinance (Ordinance #35-19) that affects your business for transactions occurring within the Northstar community. The Northstar Fire Department will oversee the enforcement of this ordinance. The Fire Department will work closely with the various stakeholders (Realtors, Title Companies, Sellers and Buyers) in order to make the compliance process as uncomplicated as possible.

The new Ordinance dictates two steps to be followed at the time of sale. First, sellers need to request and obtain a defensible space inspection from the Northstar Fire Department prior to the close of escrow. A seller is not required to have the defensible space work completed prior to the close of escrow.

Secondly, all buyers are required to read and sign a Wildfire Defensible Space Disclosure Form that describes the local risk of wildfire, State and Local laws requiring homeowners to maintain defensible space and the specific defensible space requirements. This disclosure must be signed by the buyer prior to the close of escrow. It is the responsibility of the Real Estate companies, Brokers and/or agents acting on behalf of the BUYER to include this with other disclosures and documents to be signed.

The best practice is for the seller or seller's agent to request immediately upon listing of the property a defensible space inspection. Do not wait. During the Fire Season, the Fire Department is performing a lot of inspections producing longer wait times. The seller or the seller's agent may simply contact the Northstar Fire Department and request for a defensible space inspection. The Fire Department will ask for a Right of Entry (ROE) to be signed by the homeowner. Once the Fire Department receives the signed ROE they will then schedule for an inspection as soon as possible. Once the inspection is completed, a report will be sent to the seller's contact information noted on the ROE. Eventually, when escrow is opened the Title Company will also contact the Northstar Fire Department seeking a copy of the original inspection report.

The Northstar Fire Department does not perform defensible space inspections when there is snow on the ground. However, the Northstar Fire Department is willing to make an exception for real estate transactions. Should there be snow on the ground at the time of the defensible space inspection, the fire department will provide the most thorough findings as possible based on the conditions. An inspection form, regardless of its limited findings captured or noted, will be enough in meeting the requirements of the Ordinance #35-19.



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In conclusion, should the seller choose to not mitigate their property to meet compliance (based upon an inspection report noting violations to be corrected) prior to the close of escrow, it will be the buyer's responsibility to bring the property under compliance within the timeframe given on the inspection report. All owners of properties within Northstar are given 30 days to comply from the date of the 1<sup>st</sup> defensible space inspection. We are confident that once sellers and buyers are made aware of possible deficiencies in a property's defensible space compliance, they will earnestly seek to mitigate the violations – weather pending - before or immediately after the close of escrow.

Sincerely,

*Chief Sean Bailey*

Fire Chief/Paramedic

Northstar Fire Department