

TITLE 19. Public Safety

Division 2. Office of Emergency Services Chapter 6. Disaster Assistance Act

§2925. Debris Removal.

(a) General Eligibility

(1) Debris removal from publicly and privately-owned lands and waters, undertaken in response to a state of emergency proclamation by the Governor is eligible for state financial assistance; and,

(2) For purposes of this program, the removal of debris from private property shall be reimbursed only when there is an immediate threat to public health and safety. In a case where reimbursement for debris removal from private property is authorized by the director, the following requirements shall apply, unless waived in part or full by the director:

(A) The property owner must remove all disaster-related debris from the property to the curb or public right-of-way;

(B) The local agency must obtain a signed statement from the property owner to the effect that the property owner does not have insurance covering the removal of the disaster-related debris; and,

(C) The local agency must have a signed statement from the property owner giving the local agency the right of entry and absolving the local agency and the state of any liability relative to removal.

(b) Criteria

Debris removal shall be considered necessary when removal will:

(1) Eliminate immediate threats to life, public health, and safety;

(2) Eliminate immediate threats of significant damage to improved public or private property; or,

(3) Be necessary for the permanent repair, restoration, or reconstruction of damaged public facilities.

(c) Examples of Eligible Work

(1) Removing debris such as pieces of destroyed buildings, structures, signs, or broken utility poles;

(2) Removing loose or broken sidewalks and driveways; or,

(3) Removing fallen trees.

NOTE

Authority cited: Section 8682.9, Government Code. Reference: Sections 8685 and 8685.2, Government Code.

HISTORY

1. New section filed 10-19-90 as an emergency; operative 10-29-90. Submitted to OAL for printing only pursuant to Government Code section 8682.9 (Register 91, No. 2). A Certificate of Compliance must be submitted to OAL by 2-26-91 or emergency language will be repealed by operation of law on the following day.
2. New section refiled 3-7-91 as an emergency; operative 3-7-91. Submitted to OAL for printing only pursuant to Government Code section 8682.9 (Register 91, No. 16). A Certificate of Compliance must be submitted to OAL by 7-5-91 or emergency language will be repealed by operation of law on the following day.
3. Editorial correction of History 1. (Register 91, No. 16).
4. Readoption of emergency filed 3-7-91; operative 3-7-91. Readoption filed 7-2-91, pursuant to Government Code section 8682.9; operative 7-2-91 (Register 91, No. 40).
5. New section refiled 10-30-91 as an emergency; operative 10-30-91 (Register 92, No. 6). A Certificate of Compliance must be transmitted to OAL 2-27-92 or emergency language will be repealed by operation of law on the following day.
6. New section filed 9-30-92; operative 10-30-92 (Register 92, No. 41).
7. Change without regulatory effect amending subsection (a)(2) filed 12-19-2002 pursuant to section 100, title 1, California Code of Regulations (Register 2002, No. 51).