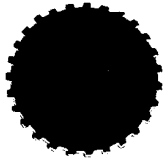


CITY OF GARDEN GROVE



Bruce A. Broadwater

Mayor

Van E. Fran

Mayor Pro Tem

William J. Dalton

Councilman

Mark Eyles

Councilman

Mark Rosen

Councilman

May 15, 2003

Honorable Frederick P. Horn
Presiding Judge of the Superior Court
7000 Civic Center Drive West
Santa Ana, CA 92701

Re: Orange County Grand Jury Report:
"Wood Roofs Are Dangerous"

Dear Judge Horn:

The City of Garden Grove has received and reviewed the above Grand Jury Report. We have been requested to provide a response to each of the four findings and the two recommendations of the Grand Jury contained in the report.

FINDINGS

Finding No. 1:

There is a lack of uniformity in local building codes involving roofs for identical environmental conditions within Orange County.

Response to Finding No. 1:

We respectfully disagree with Finding No. 1. The current California Building Code, applicable to all local jurisdictions in California, including Orange County, requires a Class C roof for all single-family dwellings. This requirement is more restrictive than all previous editions of the California Building Code. Thus, the State of California has adopted a stringent, basic requirement applicable to all jurisdictions.

Under law, each City has the ability to adopt modifications to the California Building Code if it makes an express finding that such modification is reasonably necessary because of local climatic, geological, or topographical conditions. Unless it can make such findings, a city is required to adopt and/or implement the California Building Code in its entirety. Each City is therefore authorized to consider its unique climatic, geologic, and topographic situation in considering whether it wishes to modify the California

Building Code for their respective communities. In addition, the City of Garden Grove does not believe that there is evidence in the Grand Jury Report that adequately supports a finding that the local climatic, geological, or topographical conditions in the City of Garden Grove warrants the imposition of a modification of the California Building Code related to roofing materials beyond the requirements already specified in the Code.

Finding No. 2:

The testing and qualification standards of wood shakes and shingles are below the environmental conditions of Orange County.

Response to Finding No. 2:

We respectfully disagree with Finding No. 2. The Grand Jury Report attempts to target wood roofing materials as suspect and inadequate, yet does not exclude wood roofing materials with a Class A fire retardant rating. Although the Grand Jury recommends that all roofing materials used in residential construction have a Class A fire retardant rating, the Grand Jury Report does not attempt to provide any facts or evidence that supports the recommendation that all roofing materials, including asphalt or composition shingles, steel manufactured products, or even clay tile products also attain a Class A fire retardant rating. As all roofing products are subjected to rain and weathering tests in accordance with Uniform Building Code (UBC) Standard 15-2, the Grand Jury report provided little additional evidence which justifies the City Council adopt a position more restrictive than that currently required by the California Building Code.

Finding No. 3:

The cities' and county's roofing codes do not adequately take into account the climate, particularly the Santa Ana winds, and topographical conditions unique to Orange County.

Response to Finding No. 3:

The City of Garden Grove is unable to respond to this finding insofar as it relates to any other cities' code or the county's code or the unique climatic, geological, or topographical conditions in those cities or the unincorporated areas of the county. The City is only able to respond to Finding No. 3 to the extent this finding relates to the City of Garden Grove's code and in this regard we respectfully disagree with Finding No. 3. As stated above, the City may modify the provisions of the California Code if the City makes findings that the local climatic, geological, or topographical conditions of the City warrant a modification. The City of Garden Grove does not believe that there is evidence in the Grand Jury Report that adequately supports a finding that the local climatic, geological, or topographical conditions in the City of Garden Grove warrants the imposition of a modification of the California Building Code related to roofing materials beyond the requirements specified in the Code.

Finding No. 4:

Fire conflagrations stress finite fire fighting resources especially during the period of Santa Ana winds.

Response to Finding No. 4:

The City of Garden Grove is unable to respond to this finding insofar as it relates to any other city or the Orange County Fire Authority. The City is only able to respond to Finding No. 3 to the extent this finding relates to the City of Garden Grove and its fire fighting resources. The City of Garden Grove respectfully disagrees with Finding No. 4. The City of Garden Grove does not believe that there is evidence in the Grand Jury Report that adequately supports a finding that there exists in the City any significant increase in fire conflagrations which may stress the City's finite fire fighting resources during Santa Ana Wind conditions.

RECOMMENDATIONS

Recommendation No. 1:

Each responding jurisdictional agency should consider amending the building code to require the most fire retardant class of roof covering (Class A) for new construction of all residential structures (Group R) in all fire zones.

Response to Recommendation No. 1:

In the manner provided under law, the City Council periodically adopts revisions to the California Building Code. As part of this periodic adoption process, the City Council may also consider modifications to the California Building Code that the Council finds are warranted or reasonably necessary because of local climatic, geological, or topographical conditions. As we proceed with future adoptions of the California code, should the City Council determine sufficient evidence exists to support a finding that a local climatic, geological, or topographical condition exists within the City to justify a modification of the roofing materials permitted under the California Building Code, the City Council will consider such a modification at that time.

Recommendation No. 2:

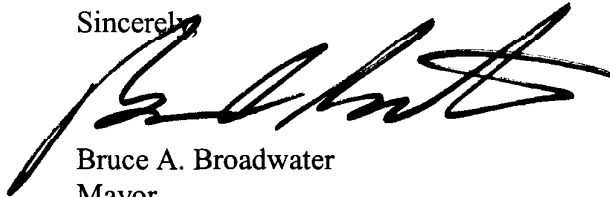
Each responding jurisdictional agency should consider amending the building code to require the most fire retardant class of roof covering (Class A) for re-roofing of all residential structures (Group R) in all fire zones, when more than 50 percent of the roof is replaced within one year.

Response to Recommendation No. 2:

In the manner provided under law, the City Council periodically adopts revisions to the California Building Code. As part of this periodic adoption process, the City Council also considers modifications to the California Building Code that the Council finds are warranted or reasonably necessary because of local climatic, geological, or topographical conditions. In the event the City Council determines that there is sufficient evidence to support a finding that a local climatic, geological, or topographical condition exists in the City of Garden Grove to justify a modification of the required roofing materials permitted under the California Building Code, the City Council will consider such a modification as appropriate.

The City of Garden Grove appreciates the dedication and hard work of this year's Grand Jury and each member's efforts on behalf of the residents of Orange County. We hope that our comments and responses will assist and further the dialogue on this important issue tempered with an appreciation for our duty as the City Council in the administration of the State Building Code and our local modifications.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce A. Broadwater". The signature is stylized and cursive, with a long horizontal stroke at the end.

Bruce A. Broadwater
Mayor