



City of Mission Viejo

Community Development Department

John Paul "J.P." Ledesma
Mayor

Gail Reavis
Vice Mayor

William S. Craycraft
Council Member

Trish Kelley
Council Member

Lance R. MacLean
Council Member

September 22, 2003

Frederick P. Horn
Presiding Judge of the Superior Court
Orange County Grand Jury
700 Civic Center West
Santa Ana, CA 92701

Dear Honorable Judge Horn:

In response to the 2002-2003 Orange County Grand Jury report, "Wood Roofs are Dangerous", the City of Mission Viejo City Council adopted an ordinance on September 15, 2003 requiring Class A roof assemblies for re-roofing and additions on all residential structures when more than 50 percent of the roof is replaced or added onto within one year. All other re-roofs and additions will have minimum Class B roof assemblies. Enclosed is a copy of this Ordinance (Ord. No. 03-219) for your records.

Sincerely,

Charles E. Wilson, AICP
Director of Community Development

Enclosure

cc: Buster Scholl, Building Official

Orange County Grand Jury
700 Civic Center West
Santa Ana, CA 92701



ORDINANCE 03-219

AN ORDINANCE OF THE CITY OF MISSION VIEJO AMENDING TABLE 15-A, OF SECTION 8.02.220 OF CHAPTER 8.02 OF TITLE 8 OF THE MISSION VIEJO MUNICIPAL CODE, COMPRISING PART 2 OF TITLE 24 OF THE CALIFORNIA CODE OF REGULATIONS, THE 2001 CALIFORNIA BUILDING CODE

WHEREAS, California Health and Safety Code Section 17958.7 authorizes cities to adopt the Codes with modifications determined to be reasonably necessary because of local climatic, geological or topographical conditions; and

WHEREAS, the City of Mission Viejo desires to amend the Codes to assure that their provisions are tailored to the particular safety needs of the City of Mission Viejo as required by its unique climatic, geological and topographical conditions.

THE CITY COUNCIL OF THE CITY OF MISSION VIEJO DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Findings. To the extent that the following change to the Codes is deemed more restrictive than the standards contained in the Codes, thus requiring findings be made pertaining to local conditions to justify such modifications, the City Council hereby finds and determines that the following change is reasonably necessary due to local climatic, geological and topographical conditions.

Table 15-A of the California Building Code.

This amendment is reasonably necessary because of the following local climatic and topographical conditions:

The City of Mission Viejo is located adjacent to a major mountain range, which creates extreme wind conditions (Santa Ana winds) and severe fire dangers. These climatic and topographical conditions cause extreme drying of vegetation and wood roofing materials and predispose the area to large, destructive fires.

Section 2. Table 15-A, Section 8.02.220 of Chapter 8.02 of Title 8 of the City of Mission Viejo Municipal Code modified by Ordinance 02-209 is hereby amended as follows:

**"CHAPTER 8.02
BUILDING AND HOUSING CODES**

Section 8.02.220. Table 15-A-Minimum Roof Class. Table 15-A of the California Building Code is hereby amended to read as follows:

Table 15-A Minimum Roof Class

Occupancy	Roofing
All	Class A


EXCEPTION: Class A roof assemblies shall be required for re-roofing and additions on all residential structures when more than 50 percent of the roof is replaced or added onto within a one year period. All other re-roofs and additions shall have minimum Class B roof assemblies.

Section 3. The City Council hereby finds and determines that there is no possibility that this ordinance may have a significant adverse effect on the environment, since it adopts updated building and safety standards, which the City had previously adopted in substantial form. Thus, the adoption of this ordinance is exempt from the requirements of the California Environmental Quality Act ("CEQA") pursuant to Section 15061(b)(3) of the CEQA Guidelines; a Notice of Exemption, therefore, is hereby approved by the City Council.

Section 4. If any sentence, clause or phrase of this ordinance is for any reason held to be unconstitutional or otherwise invalid, such decision shall not affect the validity of the remaining provisions of this ordinance. The City Council hereby declares that it would have passed this ordinance and each sentence, clause or phrase thereof irrespective of the fact that any one or more sentences, clauses or phrases be declared unconstitutional or otherwise invalid.

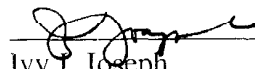
Section 5. The Director of Legislative Services/City Clerk of the City of Mission Viejo shall certify to the passage and adoption of this Ordinance and shall cause the same or a summary thereof to be published and posted in the manner required by law. Upon the effective date of this ordinance, the provisions hereof shall supercede any conflicting provision of the Municipal Code of the City of Mission Viejo.

PASSED, APPROVED AND ADOPTED this 15th day of September, 2003.



John Paul Ledesma
Mayor

ATTEST:



Ivy J. Joseph
Director of Legislative Services/City Clerk


STATE OF CALIFORNIA)
COUNTY OF ORANGE) ss
CITY OF MISSION VIEJO)

I, Ivy J. Joseph, Director of Legislative Services/City Clerk of the City of Mission Viejo, do hereby certify that the foregoing Ordinance No. 03-219 was duly introduced and placed upon its first reading at a regular meeting of the City Council on the 5th day of May, 2003, and that thereafter, said Ordinance was duly adopted and passed at a regular meeting of the City Council on the 15th day of September, 2003 by the following vote, to wit:

AYES: Kelley, Ledesma, MacLean, Reavis

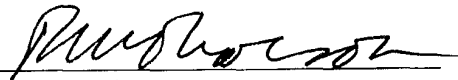
NOES: None

ABSENT: Craycraft



Ivy J. Joseph
Director of Legislative Services/City Clerk

APPROVED AS TO FORM:



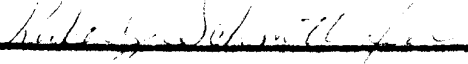
Peter M. Thorson
City Attorney

I hereby certify, under penalty of perjury, that the above and foregoing is a true and correct copy of:

Ordinance 03-219

as adopted by the City Council of the City of Mission Viejo, California, on the 15th day of September, 2003.

CITY CLERK

By: 

Ivy J. Joseph