

City of Seal Beach



CITY HALL, 20 EIGHTH STREET
SEAL BEACH, CALIFORNIA 92740
(562) 431-2527 www.ci.seal-beach.ca.us

April 28, 2003

Carlos N. Olvera, Foreman
2002-2003 Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, CA 92701

Subject: **CITY OF SEAL BEACH ADOPTION OF ORDINANCE
NO. 1496**

Dear Foreman Olvera:

The City Council of the City of Seal Beach adopted Ordinance No. 1496 on April 28, 2003. This ordinance amends the current building code provisions to require, at a minimum and in conformance with Grand Jury Recommendation 2, 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. This ordinance will become in effective in thirty days.

A copy of the adopted ordinance is being forwarded to your office, as we indicated in our April 15, 2003 response letter regarding the findings and recommendations of the Grand Jury Report.

If you have any questions on this matter, please contact my office at your convenience. I can be reached at (562) 431-2527, extension 313, or by e-mail at lwhittenberg@ci.seal-beach.ca.us.

Sincerely,

Lee Whittenberg
Director of Development Services

Enclosure: Ordinance No. 1496

ORDINANCE NO. 1496

AN ORDINANCE OF THE CITY OF SEAL BEACH AMENDING SECTION 5-30, NO. 35, TABLE 15-A, OF CHAPTER 5, ARTICLE 1, OF THE CODE OF SEAL BEACH, 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 2002-2003 Orange County Grand Jury released a report entitled "*Wood Roofs Are Dangerous*" on February 10, 2003. This report reviews the current requirements of each permitting jurisdiction within Orange County regarding the installation and replacement of wood roofs and concludes that:

"The thirty-five different jurisdictions within Orange County currently require three different classifications for roof. A uniform building code for roof construction needs to be established throughout Orange County to protect public safety, and the lives and property of the individual homeowner based on the unique climatic conditions caused by topographical conditions", and

WHEREAS, as set forth in the Grand Jury Report, Recommendation 2 is applicable to the City of Seal Beach and states:

"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 (Class A) in all fire zones, when more than 50 percent of the roof is replaced within one year. (Findings 1 through 4)", and

WHEREAS, the City of Seal Beach desires to amend the Codes to assure that their provisions are tailored to the particular safety needs of the City of Seal Beach as required by its unique climatic, geological and topographical conditions, and in response to the 2002-2003 Orange County Grand Jury Report entitled "*Wood Roofs Are Dangerous*".

NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF SEAL BEACH DOES HEREBY ORDAIN AS FOLLOWS:

Section 1. Section 5-30, No. 35, Table 15-A, of Chapter 5, Article 1, of the Code of Seal Beach, as adopted pursuant to Chapter 5, Article 1, Section 5-1 is hereby amended as follows:

**“SECTION 5-30
CALIFORNIA BUILDING CODE AMENDMENTS**

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 2. 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.

1. This amendment is reasonably necessary because of the following local climatic and topographical conditions:
 - a. The City of Seal Beach 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 3. CEQA. The City Council hereby finds and determines that it can be seen with certainty 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. This, 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. Staff is

directed to file a Notice of Exemption with the Orange County Clerk's Office within five (5) working days of the approval of this ordinance.

Section 4. If any section, subsection, subdivision, paragraph, sentence, clause or phrase of this ordinance or any part thereof is for any reason held to be invalid, such invalidity shall not affect the validity of the remaining portions of this ordinance or any part hereof. The City Council of the City of Seal Beach hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase hereof, irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared invalid.

PASSED, APPROVED AND ADOPTED by the City Council of the City of Seal Beach at a meeting thereof held on the 28th day of April, 2003

Jon H. Larsen
Mayor
CITY OF SEAL BEACH

ATTEST:

Joanne M. Yeo
City Clerk

STATE OF CALIFORNIA }
COUNTY OF ORANGE } SS
CITY OF SEAL BEACH }

I, Joanne M. Yeo, City Clerk of the City of Seal Beach, California, do hereby certify that the foregoing Ordinance is an original copy of Ordinance Number 1476 on file in the office of the City Clerk, introduced at a meeting held on the 14th day of April, 2003, and passed, approved and adopted by the City Council of the City of Seal Beach at a meeting held on the 28th day of April, 2003 by the following vote:

AYES: Councilmembers Antos, Campbell, Davis, Jones

NOES: Councilmembers None

ABSENT: Councilmembers None

ABSTAIN: Councilmembers None

and do hereby further certify that Ordinance Number 1411 has been published pursuant to the Seal Beach City Charter and Resolution Number 2836.

Loane M. Lee
City Clerk