



Office of the City Council

City of Tustin

May 6, 2003

Mr. Frederick P. Horn
Presiding Judge of the Superior Court
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**SUBJECT: RESPONSE TO ORANGE COUNTY GRAND JURY REPORT
"WOOD ROOFS ARE DANGEROUS"**

Honorable Judge Horn:

Thank you for the opportunity to review and comment on the Orange County Grand Jury's Report on "Wood Roofs Are Dangerous." The Grand Jury recommends that cities within Orange County and the County of Orange consider adopting amendments to the California Building Code or modifying their local building codes, adding the most stringent class (Class A) of roofs for new construction, based on the unique climatic and topographical conditions of Orange County. The City of Tustin has recently adopted the 2001 California Building Code and amendments thereto requiring minimum Class B roofing throughout the City and Class A in high fire hazard areas. In the interest of protecting the lives and property of citizens from loss of life and loss of property due to fire and other recommendations made by the Grand Jury to promote affordable housing, we will take the two recommendations into consideration during the next code adoption cycle.

In compliance with Penal Code Section 933.05, the City of Tustin offers the following responses to the findings and recommendations made by the Orange County Grand Jury.

Finding 1

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

City Response:

Based on the information compiled by the Grand Jury, there are different standards being enforced in Orange County related to roof installations. We agree that some jurisdictions with similar environments have different roofing standards; however, these jurisdictions may have different climatic, topographical, and geological conditions. These three conditions are taken into account as required by State law in amending the California Building Code.

Ernie W. Woods
Mayor

Tom Kawashima
Mayor Pro Tem

Eric Brice
Councilmember

Doug Davert
Councilmember

Jeffrey M. Thomas
Councilmember

It would be difficult to find two jurisdictions with the identical climatic, topographical, and geological conditions; therefore, the roofing standards adopted by each jurisdiction vary due to these different conditions. The City of Tustin has two roofing standards: Class B roofing standards for the flat areas that are generally not subject to high fire hazards and a Class A standard for the hillside area of the City.

Finding 2

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

City Response:

Based on the testing standards of the wood shakes and shingles as described in the report and on the wind storm that occurred recently in the County, we concur with this finding. However, we feel that this is not an issue since no permit request has been made for wood shake or shingle roof installation in Tustin over the past three-year period. This is mainly due to the high cost of installing rated wood roofs and insurance restrictions.

Finding 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.

City Response:

We disagree with this finding. The City Council of the City of Tustin did take into account the three conditions (climatic, topographical, and geological) as required by State law in adopting and amending the California Building Code. The City of Tustin has recently adopted the 2001 California Building Code and amendments thereto requiring minimum Class B roofing throughout the City and Class A in high fire hazard areas. These amendments are more restrictive than the California Building Code.

Finding 4

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

City Response:

The City of Tustin concurs with this finding, particularly in areas where the topography limits accessibility and/or in high fire hazard areas. In addition, the City of Tustin has a Citywide ban on the use of fireworks, thereby reducing the threat of fire particularly during the summer months.

Recommendations

In accordance with California Penal Code Section 933 and Section 933.05, each recommendation must be responded to by the government entity to which it is addressed. Based on the findings, the 2002-2003 Orange County Grand Jury recommends that:

Recommendation 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. (Findings 1 through 4)

City Response:

Although the City has adopted the most stringent regulations in our high fire hazard areas, we will take the Grand Jury's two recommendations into consideration during the next code adoption cycle.

Recommendation 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. (Findings 1 through 4)

City Response:

Although the City has adopted the most stringent regulations in our high fire hazard areas, we will take the Grand Jury's two recommendations into consideration during the next code adoption cycle.

If you have any questions regarding this letter, please contact Elizabeth A. Binsack, Community Development Director, at 714-573-3031.

Sincerely,



Tracy Wills Worley
Mayor

cc: Carlos N. Olvera, Foreman, Orange County Grand Jury
William A. Huston, City Manager
Elizabeth A. Binsack, Director of Community Development
Khanh Nguyen, Building Official