



MICHAEL N. FEUER
CITY ATTORNEY

REPORT NO. R 1 4 - 0 2 8 2
JUN 19 2014

REPORT RE:

**DRAFT OF ORDINANCE AMENDING SUBSECTIONS 99.01.101.3 AND 99.04.106.5
OF ARTICLE 9, CHAPTER IX OF THE LOS ANGELES MUNICIPAL CODE
TO REFLECT LOCAL ADMINISTRATIVE CHANGES AND INCORPORATE
A PORTION OF THE CALIFORNIA ENERGY CODE**

The Honorable City Council
of the City of Los Angeles
Room 395, City Hall
200 North Spring Street
Los Angeles, California 90012

Council File No.14-0675

Honorable Members:

This Office has prepared and now transmits for your consideration, the enclosed draft ordinance approved as to form and legality. This draft ordinance amends Subsections 99.01.101.3 and 99.04.106.5 of the Los Angeles Municipal Code (LAMC) to reflect local administrative changes and incorporate a portion of the California Energy Code.

Summary of Ordinance Provisions

On May 20, 2014, the City Council adopted a motion requesting the City Attorney to prepare and present an ordinance adjusting the implementation date of the Cool Roof Ordinance (Subsection 99.04.106.5 of Article 9, Chapter IX of the Los Angeles Municipal Code) to January 1, 2015, for the rehabilitation of existing roofs and to July 1, 2014, for all other applicable roof installations. This draft ordinance makes the requested changes.

CEQA Determination

Under California Environment Quality Act (CEQA) Section 21065 and State CEQA Guidelines Section 15378(b)(2) and (b)(5), continuing administrative activities and organizational activities that will not result in direct or indirect physical changes in the environment are not CEQA projects. The draft ordinance makes various technical changes to the existing regulations, eliminates obsolete code sections, and clarifies code sections. These changes will not result in any direct or indirect physical change to the environment. Therefore, the ordinance is not subject to CEQA.

Council Rule 38 Referral

A copy of the draft ordinance was sent, pursuant to Council Rule 38, to the Department of Building and Safety with a request that all comments, if any, be presented directly to the City Council or its Committees when this matter is considered.

If you have any questions regarding this matter, please contact Deputy City Attorney Kim Rodgers Westhoff at (213) 978-8242. She or another member of this Office will be present when you consider this matter to answer any questions you may have.

Very truly yours,

MICHAEL N. FEUER, City Attorney

By 

DAVID MICHAELSON
Chief Assistant City Attorney

DM/KRW:mrc
Transmittal

ORDINANCE NO. _____

An ordinance amending sections 99.01.101.3 and 99.04.106.5 of Article 9, Chapter IX of the Los Angeles Municipal Code to reflect local administrative changes and incorporate by reference a portion of the California Energy Code.

**THE PEOPLE OF THE CITY OF LOS ANGELES
DO ORDAIN AS FOLLOWS:**

Section 1. Subsection 99.01.101.3 of the Los Angeles Municipal Code is amended to read as follows:

99.01.101.3. Scope. The provisions of this code shall apply to the construction of every new building, every building alteration with a building permit valuation of \$200,000 or more, and every building addition, unless otherwise indicated in this code, throughout the City of Los Angeles.

EXCEPTION: Roof replacements of any value are subject to Subsection 99.04.106.5.

Sec. 2. Subsection 99.04.106.5 of the Los Angeles Municipal Code is amended to read as follows:

99.04.106.5. Cool Roof for Reduction of Heat Island Effect. Roofing material shall comply with both Subsections 99.04.106.5.1 and 99.04.106.5.2, or comply with Subsection 99.04.106.5.3 of this code.

EXCEPTIONS:

1. Roof repair as defined in Section 100.1(b) of the California Energy Code; or
2. Roof replacement when the roof area being replaced is equal to or less than 50% of the total roof area; or
3. Building-Integrated Photovoltaics (BIPV); or
4. Application for a building permit with full payment of all fees prior to July 1, 2014; or
5. Application for a building permit with full payment of all fees prior to January 1, 2015, for the replacement of an existing roof with asphalt roof shingles or asphalt composition roll roofing.

99.04.106.5.1. Solar Reflectance. Roofing material shall have a minimum 3-year aged solar reflectance equal to or greater than the values specified in Table 4.106.5 of

this code. Solar reflectance shall be determined by testing by an approved agency in accordance with ASTM C1549, ASTM E1918 or CRRC-1. Solar reflectance values shall be based on the aged reflectance value of the roofing product or the equation in Section A4.106.5.1 of this code if aged solar reflectance values are not available.

99.04.106.5.2. Thermal Emittance. Roofing materials shall have an emittance value equal to or greater than those specified in Table 4.106.5 of this code. Thermal emittance shall be determined by testing by an approved agency in accordance with ASTM C1371, ASTM E408 or CRRC-1.

99.04.106.5.3. Solar Reflectance Index. Roofing materials shall have an aged solar reflectance Index equal to or greater than those specified in Table 4.106.5 of this code. Solar Reflectance Index (SRI) shall be determined in accordance with ASTM E1980. Calculation of aged SRI shall be based on aged tested values of solar reflectance and on thermal emittance. Calculation of initial SRI shall be based on initial tested values of solar reflectance and on thermal emittance.

TABLE 4.106.5

| ROOF SLOPE | MINIMUM 3-YEAR AGED SOLAR REFLECTANCE | THERMAL EMITTANCE | SOLAR REFLECTANCE INDEX SRI |
|-------------------|--|--------------------------|------------------------------------|
| < 2:12 | 0.63 | 0.75 | 75 |
| ≥ 2:12 | 0.20 | 0.75 | 16 |

Sec. 3. The City Clerk shall certify to the passage of this ordinance and have it published in accordance with Council policy, either in a daily newspaper circulated in the City of Los Angeles or by posting for ten days in three public places in the City of Los Angeles: one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall; one copy on the bulletin board located at the Main Street entrance to the Los Angeles City Hall East; and one copy on the bulletin board located at the Temple Street entrance to the Los Angeles County Hall of Records.

I hereby certify that this ordinance was passed by the Council of the City of Los Angeles, at its meeting of _____.

HOLLY L. WOLCOTT, Interim City Clerk

By _____ Deputy

Approved _____

Mayor

Approved as to Form and Legality

MICHAEL N. FEUER, City Attorney

By 
KIM RODGERS WESTHOFF
Deputy City Attorney

Date 6/19/14

File No. CF 14-0675