



Disabled Access Unreasonable Hardship Request

California Building Code 11B-202.4, Exception 8 allows for an exemption to full-compliance of accessible path of travel. To qualify for the exception, (1) an unreasonable hardship must exist. (2) the project's Adjusted Construction Cost must exceed the current year's valuation threshold, and (3) additional elements/features, existing or proposed, must demonstrate compliance by equivalent facilitation or to the greatest extent feasible.

When the enforcing agency determines the cost of compliance with path of travel requirements is an unreasonable hardship, as defined, full compliance shall not be required. Compliance shall be provided by equivalent facilitation or to the greatest extent possible without creating an unreasonable hardship; but in no case shall the cost of compliance be less than 20% of the adjusted construction cost of alterations, structural repairs or additions.

UNREASONABLE HARDSHIP - When the enforcing agency finds that compliance with the building standard would make the specific work of the project affected by the building standard infeasible, based on an overall evaluation of the following factors:

- 1. The cost of providing access.
2. The cost of all construction contemplated.
3. The impact of proposed improvements on financial feasibility of the project.
4. The nature of the accessibility which would be gained or lost.
5. The nature of the use of the facility under construction and its availability to persons with disabilities.

ADJUSTED CONSTRUCTION COST - All costs directly related to the construction of a project, including labor, material, equipment, services, utilities, contractor financing, contractor overhead and profit, and construction management costs. The costs shall not be reduced by the value of components, assemblies, building equipment or construction not directly associated with accessibility or usability. The adjusted construction cost shall not include: project management fees and expenses, architectural and engineering fees, testing and inspection fees, and utility connection or service district fees.

VALUATION THRESHOLD - An annually adjusted, dollar-amount figure used in part to determine the extent of required path of travel upgrades. 2024 valuation threshold: \$200,399.

The adjusted construction cost of alterations, additions, or structural repairs shall not include the cost of path of travel upgrades.

The accessible feature(s) that will not be provided if this hardship is approved is (are):

Form with checkboxes for: Accessible entrance, Accessible public telephones, An accessible route to the area of remodel, Accessible drinking fountains, Accessible restroom, Accessible parking, signs, storage and alarms.

Justification why compliance cannot be achieved: (Attach supporting documentations, code exceptions, photos, analysis, etc.)

Please complete the attached worksheet, and prepare a site and floor plan that shows the existing and proposed accessibility improvements along the accessible route to the area of alteration. This request shall be submitted for review prior to submitting your plans review so the results can be incorporated into the approved set of plans.



Project Address:		Permit No.	
Project Description:		Permit Valuation:	
Type: <input type="checkbox"/> Alteration <input type="checkbox"/> Structural Repair <input type="checkbox"/> Addition		Adjusted Cost of Proposed Construction:	
<b>PATH OF TRAVEL REQUIREMENTS FOR AREA OF ALTERATION, STRUCTURAL REPAIR, OR ADDITION</b>			
Accessible Features	Does existing feature meet accessibility requirements of Chapter 11B of the current CBC?	Will this feature be replaced or altered to meet Chapter 11B of the current CBC?	If so, how much will be spent to make this feature accessible?
1. Accessible entrance	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
2. Accessible route to the altered area	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
3. Accessible restroom for each sex or a unisex restroom	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
4. Accessible telephones	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
5. Accessible drinking fountains	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
6. Other (Any of the below)	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
E. Accessible parking spaces	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
F. Signs	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
G. Alarms	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
H. Other:	<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	\$
Total of costs for all accessible features provided in <u>Nos. 1-6</u> above.			<b>Total:</b>
Adjusted cost of construction, as defined (construction cost for all proposed work on this permit application <b>except</b> accessible features Nos. 1-6 provided above).			<b>Total:</b>
Percentage of upgrades provided.			<b>Total:</b>
<b>Description of Access Features Provided:</b>			
<b>Applicant Certification:</b>			
I certify that the above information is true and correct to the best of my knowledge and belief.			
<b>Signature:</b>	<b>Date:</b>	<b>Company:</b>	
<b>Name: (print)</b>	<b>Address:</b>		
<b>Title:</b>	<b>City, State Zip:</b>		
<b>Agent for:</b> <input type="checkbox"/> Owner <input type="checkbox"/> Architect <input type="checkbox"/> Engineer <input type="checkbox"/> Contractor		<b>Phone No.:</b>	
<b>For Building Official Use Only</b>			
<b>Approved by:</b>	<b>Title:</b>	<b>Date:</b> /     /	
<b>Denied by:</b>	<b>Title:</b>	<b>Date:</b> /     /	
<b>Reason(s) for denial:</b>			
<input type="checkbox"/> No unreasonable hardship exists.			
<input type="checkbox"/> The project's Adjusted Construction Cost/Valuation does not exceed the current year's valuation threshold.			
<input type="checkbox"/> Additional elements/features, existing or proposed, does not demonstrate compliance by equivalent facilitation or to the greatest extent feasible.			
<input type="checkbox"/> The costs to upgrade the accessible path of travel is less than the required 20% of the project's construction costs/valuation.			

**Barrier removal, as required by the ADA is a continuous and ongoing obligation. This request does not exempt the applicant from any obligations of the ADA, or the requirement for barrier removal.**

**By signing this document, you understand this request applies only to California disabled access compliance as required by the California Building Code.**