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Accessibility Guide For Small Businesses

City of San Diego; Development Services Department

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Accessibility Guide For Small Businesses

Abstract
[Excerpt] This guide provides clarification of some basic accessibility requirements for small businesses. For more in depth information refer to chapter 11B of CALIFORNIA BUILDING CODE, 2007 edition.

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disability, San Diego, accessibility, human rights

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City of San Diego
Development Services Department

Title 24, California Code of Regulations

Accessibility Guide For Small Businesses

Development Services Department
1222 First Avenue
San Diego, California 92101-4154

Revised 6/13/08

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Development service department is pleased to produce this information bulletin to help our small business community to better understand and comply with accessibility requirements of California Code of regulation, Title-24. These requirements shall not be confused with requirements of ADA, although in many cases, California code requirements are more stringent. For information on ADA (Americans with Disability Act) call: 1-800- 514-0301, or check their website at www.ADA.gov

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DISCLAIMER
While the material presented in this handout is believed to be correct, it reflects the opinions of the author. Compliance with disabled access provisions often involves considerable interpretation and judgment. This material is intended to help participants understand the provisions and provide the background to make subjective decisions on a case-by-case basis.

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INTRODUCTION:

This guide provides clarification of some basic accessibility requirements for small businesses. For more in depth information refer to chapter 11B of CALIFORNIA BUILDING CODE, 2007 edition.

Accessibility requirements of state of California is different from that of ADA .

CALIFORNIA ACCESSIBILITY LEGISLATION:

The purpose of this state law is to ensure that all buildings, structures, sidewalks, curbs and related facilities constructed in the state are made accessible to and usable by persons with disabilities.

These businesses maybe large or small and can be for profit or non profit.

While it is not possible for many small businesses to make their facilities fully accessible, there is much that can by done without much difficulty or expense.

This booklet focuses on businesses that provide goods and services to the public

In recognition that many small businesses can not afford to make significant physical changes to their places of business to improve accessibility to people with disability, title-24 has requirements for existing facilities (see Ch.11B) which is less stringent than the new construction.

Summary of

Current Access Laws

	Legislation Standards	Application	Enforcement
Federal	**ADA & ADAAG**	**Public Facilities & Public Accommodations**	**DOJ & Private Individuals**
	FHA & FHA Guidelines	**Multi-Family Residential Projects**	**DOJ & Private Individuals**
State	**Health & Safety & Government Codes Title 24 & DSA**	**Public Facilities & Public Accommodations**	**DSA & Local Building Official**
	Health & Safety & Government Codes Title 24 & HCD	**Multi-Family Residential Projects**	**HCD & Local Building Official**

UNREASONABLE HARDSHIP:

The law recognizes the fact that in existing buildings, complying with all the accessibility requirements might not be feasible and create an unreasonable hardship for the business owner.

You will be granted unreasonable hardship if the construction cost in your place of business in the last three years is less than $ 119,959. (This will change in Jan, 2009). In which case specific accessibility features that create a hardship may be exempted but not all the accessibility features. **The area of alteration itself may not be exempted.**

Providing access here might be unreasonable compared to the cost of construction

With such a sloped sidewalk providing access is not physically feasible

20% construction cost must be spent to upgrade access features.

Not accessible

ORDER OF BARRIER REMOVAL

Accessible entrance is a priority in removing architectural barriers

1. An accessible entrance
2. An accessible rout to the area of alteration
3. Accessible Bathrooms
4. Accessible telephone
5. Accessible drinking fountain
6. Parking
7. Signs

In choosing which accessible elements to provide, priority shall be given to the elements that will provide the greatest access.

Accessible path of travel is a priority in removing architectural barriers

EXAMPLES OF BARRIER REMOVAL

ACCESSIBLE ENTRANCE:

Doors shall provide min. 32" clear opening when in open position... Max. threshold shall not exceed ½ inch.

Doors need landing on both sides. Landing shall be min. 60" in the direction of door swing and 44" in the opposite direction. The width of the level area on the side to which the door swings shall extend 24 inches past the strike edge for exterior and 18 inches for the interior doors.

Unacceptable landing

A new landing and ramp will provide access

Door hardware shall be either lever or loop type which do not require any grasping or pinching or twisting

Push button door opener may be used when providing the strike edge clearance creates unreasonable hardship.

Not an acceptable hardware, need lever hardware

Lever hardware is an acceptable hardware

Max. effort to operate doors shall not exceed 5 pounds

ACCESSIBLE ROUTE:

Providing physical access to a facility from public sidewalks, public transportation, or parking is basic to making goods and services available to persons with disabilities. Having only one step on the path of travel can prevent access to a disabled person. In such cases access could be achieved by adding a ramp, a lift, or modifying the area in front of to the side of the entrance to eliminate the step.

Wide landings accommodates turns needed to access your business.

RAMPS:

When ramps are added to provide an accessible entrance, the maximum slope for the ramp should be 1:12. Ramps with slope of more than 1:20 and vertical rise of more than 6" shall be provided with handrails on both sides. It is best to grade the area that is adjacent to the ramp to avoid an abrupt drop-off. If a drop off exists, then a barrier such as a raised edge or railing must be installed.

Maximum slope is 1:12.

Ramps shall have top and bottom landings.

Six inch rise, no handrail is required.

Ramps need handrails on both sides.

LIFT:

Another approach to providing access at an entrance is to use a platform or lift. Lifts are mechanical devices that can be used to transport a person using a wheel chair up or down several feet. A lift may be a preferred solution where little space exists for a ramp. When lifts are provided, they shall be designed and constructed to facilitate un-assisted entry operation and exit from the lift

Un-assisted entry and egress is required.

Lifts are accepted means of providing access in existing buildings.

Very usable when crunched in space.

ACCESSIBLE PARKING:

When parking is provided to serve a building, accessible parking must be provided for the disabled. Accessible parking spaces serving a particular building shall be located on the shortest accessible rout of travel from adjacent parking to an accessible entrance. In buildings with multiple parking, accessible parking spaces shall be dispersed and located closest to the accessible entrances. One in every eight accessible parkings need to be Van accessible. (See fig. ...)

Disable person shall not wheel behind parked cars except his/her own.

Proper signage is required

I.S.A. Sign

"No parking" sign here in white color 12" letters.

Need striped unloading zone 8' if Van Accessible 5" if regular

Van- Accessible Parking:

One out of eight accessible parkings (but at least one) shall be Van Accessible.

Accessible parkings shall be reasonably located towards accessible entrance.

Ramp does not comply and is not allowed to encroach in the loading isle.

ACCESSIBLE BATHROOMS:

When sanitary facilities are provided for non disabled persons, accessible facilities shall be provided for persons with disabilities. If separate facilities are provided for persons of each sex, separate facilities shall be provided for persons with disabilities. All sanitary facilities are not required to be accessible, if accessible facilities are provided within a reasonable distance of accessible area. When existing facilities are not being altered to provide accessibility, signage shall be provided at such inaccessible facilities indicating the location of the nearest accessible sanitary facility.

Signs
Men: Triangle
Women: Circle
Unisex: Combination

18" from center of lave to the wall.

Hand rails on back and side.

DRINKING FOUNTAIN:

When drinking fountains are provided, they need to be accessible to the disabled. Drinking fountains shall be located completely within alcoves or otherwise positioned so as not to encroach into pedestrian ways. In new construction , where only one drinking fountain is provided on a floor, there shall be a drinking fountain that is accessible to individuals who use wheel chair and accessible to those who have difficulty bending

If providing a water fountain, you need one high and one low, or the combination as shown.

SALES & SERVICE COUNTERS:

General sales and display area shall be made accessible. Sales employee work stations shall be located on accessible levels, and the customer side of sales or check-out station shall be accessible. Employee work areas shall be sized and arranged to provide access to employees in wheel chairs.

An accessible counter at a check cashing center.

Circulation aisles and pedestrian ways shall be sized according to functional requirements and in no case shall be less than 36" in clear width.

Minimum 36" long, maximum 34" high.

FITTING ROOMS:

When fitting or dressing room is provided for male or female customers or employees, 5% but never less than one of dressing rooms for each type of use in each cluster of dressing rooms shall be accessible. Entry doors shall provide clear opening of minimum 32". The bottom of the mirrors provided for use by persons with disabilities shall not be greater than 20" from the floor. Size of the mirror shall be minimum 18" wide by 54" high.

Every accessible dressing room shall have a 24” by 48” bench fixed to the wall along the longer dimension. Height of the bench shall be 17 to 19 inches. The minimum clear space within the room shall be 60” in width and length. No door shall encroach into this required space.

HISTORICAL BUILDINGS:

In order to preserve the Integrity of qualified historical buildings the law provides alternative regulations to facilitate access. These regulations allow any reasonable equivalent alternatives to regular codes.

ENTRY

The following means of entries are acceptable as listed in order of priority.
1. Access to any entrance used by the public and no further than 200 feet from the primary entrance.
2. Access at any entrance not used by the public, but stay open unlocked with directional signs at the primary entrance, and as close as possible to, but no further than 200 feet from primary entrance.
3. The accessible entrance shall have a notification system where security is a problem; remote monitoring may be used.

DOORS:

The following alternatives are acceptable as listed in order of priority.

1. A single leaf door which provides a min. of 29 ½ inches clear opening.

2. Double door, one leaf of which provides min. 29 ½ inches clear opening.

3. Double doors opening with a power-assist device to provide a min of 29 ½ in. clear opening when both doors are in the open position.

POWER-ASSISTED DOORS:

A power-assisted door may be considered an equivalent alternative to level landing, strike side clearance and door opening forces required by the regular code.

RAMPS:
(interior and exterior)

In the order of priority.

1. Ramps of greater than standard slope, but no greater than 1:10,for horizontal distances not to exceed 5 feet.
Signs shall be posted at upper and lower levels to indicate steepness of the slope

2. Access by ramps of 1:6 slope for horizontal distance not to exceed 13 in. with signs posted as above

SECTION 8-605– EXCEPTIONS

If the historical significance or character defining features would be threatened or destroyed by the application of alternative access standards as provided by this chapter, and no equivalent facilitation as provided in section 8-604 (CBC Ch.34) Is feasible, an exception from the literal requirements for full and equal access or any alternative provisions may be provided only if the following conditions are met:

1. Such exception is considered only on an item-by-item or a case-by-case basis

2. Interpretive exhibits and/or equal services of the exempted significant historical aspects are provided for the public in a location fully accessible to and usable by persons disabilities, including persons with hearing and sight impairment.

3. Services are provided in an accessible location equal to those provided in the excepted location.

4. The official charged with enforcement of the standards shall document the reasons for the application of the alternative design and/or technologies and their effect on the historical significance or character-defining features.

Such documentation shall be in accordance with section 8-602.2,(CBC Ch 34) item 3,and shall include the opinions and comments of representative local groups of people with disabilities. Such documentation shall be recorded and entered into the permanent file of the enforcing agency.