



City/County of [NAME OF CITY]
LARUCP INFORMATION BULLETIN DA-01



Unreasonable Hardship Determination

Effective: 01-01-2010
Revised: 01-01-2010

The purpose of this Information Bulletin is to alert designers, tenants and owners of public buildings, public accommodations, commercial buildings and publicly funded housing that exception to full compliance for disabled access upgrades as required by Chapter 11B of the 2007 California Building Code may be considered with a determination of unreasonable hardship from the Jurisdiction having authority.

When the total construction cost of **alterations, structural repairs, or additions** to existing buildings and facilities does not exceed a valuation threshold of **\$128,410.86** and the Jurisdiction having authority finds that full compliance with the requirements for disabled access upgrades serving the area of alteration, structural repair, or addition creates an "unreasonable hardship," an exception can be granted to allow for less than full compliance for the upgrades. This determination for "unreasonable hardship," as detailed in Section 1134B.2.1 of the 2007 California Building Code, can be requested when the cost of providing the disabled access upgrades is disproportionate to the total construction cost; that is, where it exceeds 20% of the cost of the project without these upgrades. Under this determination, upgrades will still need to be made, but only to the point where the upgrade costs are disproportionate (i.e. 20% of the total construction cost will be required to be spent toward these upgrades).

In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access in the following order:

1. An accessible building entrance and an accessible path of travel to this entrance from either the public sidewalk or the disabled parking space.
2. An accessible route of travel from the accessible building entrance to the area of alteration, structural repair, or addition.
3. At least one accessible restroom for each sex serving the area of alteration, structural repair, or addition.
4. Accessible telephones, if provided, serving the area of alteration, structural repair, or addition.
5. Accessible drinking fountains, if provided, serving the area of alteration, structural repair, or addition.
6. Additional accessible elements such as parking, storage, and alarms.

The plan check staff reviewing your project can provide additional information regarding the "unreasonable hardship" determination.