



CITY OF STOCKTON  
**Building Division**  
 345 N El Dorado St.,  
 Stockton CA 95202  
 (209) 937-8561 • Fax (209) 937-8893

**APPLICATION FOR UNREASONABLE HARDSHIP EXCEPTION**

PROJECT ADDRESS: _____	PERMIT NO. _____
APPLICANT NAME: _____	TELEPHONE NO. _____
ADDRESS: _____	

1. State the total cost of providing the following access features..... \$ \_\_\_\_\_

**I Agree to allocate expenditures for the following access features.**

- A. The cost of providing primary entrance, (including but not limited to, a level threshold, landings, door hardware, maximum door pull, etc).....\$ \_\_\_\_\_
- B. The cost of providing the primary path of travel from the main entrance to the specific area of alteration, structural repair or addition.....\$ \_\_\_\_\_
- C. The cost of providing accessible restroom facilities. (If this item puts you above the 20% figure, provide a complete breakdown for each restroom).....\$ \_\_\_\_\_
- D. The cost of providing an accessible drinking fountain (if required or if a drinking fountain is present).....\$ \_\_\_\_\_
- E. The cost of providing public telephones, (if public telephones exist).....\$ \_\_\_\_\_
- F. The cost of providing path of travel from the parking area to the main entrance, including, but not limited to, signage, parking, loading/unloading, ramps and walks. ....\$ \_\_\_\_\_

2. The cost of all construction contemplated not included in Item #1.....\$ \_\_\_\_\_

3. Item #1 is less than 20% of Item #2.  YES  NO

4. I am the owner/agent of the above referenced property and attest that the above costs are true and accurate.

\_\_\_\_\_  
**SIGNATURE**

\_\_\_\_\_  
**DATE**



**CALIFORNIA ACCESS COMPLIANCE REFERENCE MANUAL . DIVISION OF THE STATE ARCHITECT Chapter 11B Part 2 Title 24 California Code of Regulations 134**

**Division IV – ACCESSIBILITY FOR EXISTING BUILDINGS**

**SECTION 1134B – ACCESSIBILITY FOR EXISTING BUILDINGS**

1134B.1 Scope. The provisions of this division apply to renovation, structural repair, alteration and additions to existing buildings, including those identified as historic buildings. This division identifies minimum standards for removing architectural barriers, and providing and maintaining accessibility to existing buildings and their related facilities.

1134B.2 General. All existing buildings and facilities, when alterations, structural repairs or additions are made to such buildings or facilities, shall comply with all provisions of Division I, New Buildings, except as modified by this division. These requirements shall apply only to the area of specific alteration, structural repair or addition and shall include those areas listed below:

1134B.2.1 A primary entrance to the building or facility and the primary path of travel to the specific area of alteration, structural repair or addition, and sanitary facilities, drinking fountains, signs and public telephones serving the area.

**EXCEPTIONS:**

1. When the total construction cost of alterations, structural repairs or additions does not exceed a valuation threshold of \$50,000, based on January 1981, “ENR US20 Cities” Average construction cost index of 3372.02 (Engineering News Record, McGraw Hill Publishing Company), and the enforcing agency finds that compliance with this code creates an unreasonable hardship, compliance shall be limited to the actual work of the project. The enforcing agency shall annually update the valuation threshold to a current amount based on the increase in the index since the last figure used. **(Current valuation threshold amount is \$126,764.66)** For purposes of this exception, an unreasonable hardship exists where the cost of providing an accessible entrance, path of travel, sanitary facilities, public phones and drinking fountains, is disproportionate to the cost of the project; that is, where it exceeds 20 percent of the cost of the project without these features. Where the cost of alterations necessary to make these features fully accessible is disproportionate, access shall be provided to the extent that it can be without incurring disproportionate cost. In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access in the following order:

- 1.1 An accessible entrance,
- 1.2 An accessible route to the altered area,
- 1.3 At least one accessible restroom for each sex,
- 1.4 Accessible telephones,
- 1.5 Accessible drinking fountains, and
- 1.6 When possible, additional accessible elements such as parking, storage and alarms.

The obligation to provide access may not be evaded by performing a series of small alterations to the area served by a single path of travel if those alterations could have been performed as a single undertaking. If an area has been altered without providing an accessible path of travel to that area, and subsequent alterations of that area or a different area on the same path of travel are undertaken within three years of the original alteration, the total cost of alterations to the areas on that path of travel during the preceding three-year period shall be considered in determining whether the cost of making that path of travel accessible is disproportionate. Only alterations

undertaken after January 26, 1992, shall be considered in determining if the cost of providing an accessible path of travel is disproportionate to the overall cost of the alterations.

2. Certain types of privately funded, multistory buildings and facilities were formerly exempt from accessibility requirements above and below the first floor under this code, but as of the effective date of this regulation are no longer exempt due to more restrictive provisions in the federal Americans with Disabilities Act. In alteration projects involving buildings and facilities previously approved and built without elevators, areas above and below the ground floor are subject to the 20 percent disproportionality provisions described in Exception 1, above, even if the value of the project exceeds the valuation threshold in Exception 1. The types of buildings and facilities are:

2.1 Office buildings and passenger vehicle service stations of three stories or more and 3,000 or more square feet (279m<sup>2</sup>) per floor.

2.2 Offices of physicians and surgeons.

2.3 Shopping centers.

2.4 Other buildings and facilities three stories or more and more than 3,000 square feet per floor if a reasonable portion of services sought and used by the public is available on the accessible level.

NOTE: For the general privately funded multistory building exception applicable to new construction and alterations, see Section 1103B.1, Exception 3.

3. Alterations, structural repairs or additions consisting of one or more of the following shall be limited to the actual work of the project:

3.1 Altering one building entrance to meet accessibility requirements.

3.2 Altering one existing toilet facility to meet accessibility requirements.

3.3 Altering existing elevators to meet accessibility requirements.

3.4 Altering existing steps to meet accessibility requirements.

3.5 Altering existing handrails to meet accessibility requirements.

3.6 Alteration solely for the purpose of removing barriers undertaken pursuant to the requirements of Sections 36.402 and 36.404 through 36.406 of Title III of the Department of Justice regulations promulgated pursuant to the Americans with Disabilities Act (Public Law 101-336, 28 C.F.R. Section 36.402, 28 C.F.R. Section 36.404, 28 C.F.R. Section 36.405, and 28 C.F.R. 36.406) or the accessibility requirements of this code as those requirements or regulations now exist or are hereafter amended, including the following:

3.6.1 Installing ramps

3.6.2 Making curb cuts in sidewalks and entrance

3.6.3 Repositioning shelves

3.6.4 Rearranging tables, chairs, vending machines, display racks, and other furniture

3.6.5 Repositioning telephones

3.6.6 Adding raised markings on elevator control buttons

3.6.7 Installing flashing alarm lights

3.6.8 Widening doors

3.6.9 Installing offset hinges to widen doorways

3.6.10 Eliminating a turnstile or providing an alternative accessible path

3.6.11 Installing accessible door hardware

3.6.12 Installing grab bars in toilet stalls

3.6.13 Rearranging toilet partitions to increase maneuvering space

3.6.14 Insulating lavatory pipes under sinks to prevent burns

- 3.6.15 Installing a raised toilet seat
- 3.6.16 Installing a full-length bathroom mirror
- 3.6.17 Repositioning the paper towel dispenser in a bathroom
- 3.6.18 Creating designated accessible parking spaces
- 3.6.19 Installing an accessible paper cup dispenser at an existing inaccessible water fountain
- 3.6.20 Removing high-pile, low-density carpeting
- 3.6.21 Installing vehicle hand controls.

3.7 Altering existing parking lots by resurfacing and/or restriping.

4. Projects which consist only of heating, ventilation, air conditioning, reroofing, electrical work not involving placement of switches and receptacles, cosmetic work that does not affect items regulated by this code, such as painting, equipment not considered to be a part of the architecture of the building or area, such as computer terminals, office equipment, etc., are not considered alteration projects for the purposes of accessibility for persons with disabilities and shall not be subject to this code. For the purposes of this section, the term “construction cost” does not include building permit fees or discretionary permit fees.

NOTE: The only purpose of this exception is to exclude projects from activating the provisions of this section. The exceptions are not intended to relieve projects from complying with other applicable provisions of this code (e.g., replacement of carpet does not activate the provisions of this section; however, it still must comply with Section 1124B.3).

1134B.2.2 Where it is technically infeasible in the area of an alteration to make existing restroom facilities code compliant and to install separate sanitary facilities for each sex, then the installation of at least one unisex toilet/bathroom per floor being altered, located in the same area as existing toilet facilities, will be permitted. Such a facility shall meet the requirements of Section 1115B.3.2.