



Building Division

6617 Third Street
Riverbank, CA 95367

Tel: (209) 863-7138
Fax: (209) 863-7126

Accessibility - Unreasonable Hardship Request Forms

Background

Pursuant to the provisions of the California Building Code (CBC) Chapter 11B, the local building official may find an unreasonable hardship exists under certain conditions. The details of any such finding shall be recorded and entered into the files of the local enforcing agency. An unreasonable hardship exists when compliance with the building standard would make the specific work of the project affected by the building standard unfeasible, 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 of persons with disabilities.

Applicants making a case for an unreasonable hardship are required to complete one of the attached forms, as applicable, and submit it to their building plans examiner for consideration.

Applicability of forms

Form A is applicable to projects in existing buildings that do not exceed the valuation threshold amount per CBC 11B.202.4 Exception 8. (Refer to <http://www.dgs.ca.gov/dsa/Programs/progAccess/threshold.aspx>) for current threshold amount.

Form B is applicable to projects in existing buildings that exceed the valuation threshold per CBC Section 11B.202.4, Exception 8 or some portions of new construction where specifically allowed in CBC Chapter 11B.



Table with 3 columns: Building Division, 6617 Third Street Riverbank, CA 95367, Tel: (209) 863-7138 Fax: (209) 863-7126

Unreasonable Hardship Request – Form A

Applicable to projects in existing buildings that do not exceed the valuation threshold amount per CBC 1134B.2.1 Exception 1. Refer to http://www.dgs.ca.gov/dsa/Programs/progAccess/threshold.aspx for current threshold amount.

Building Permit #: _____ Project Name: _____

Project Address: _____

General Exception, CBC Section 11B.202.4: Applicable to existing buildings. The specific accessibility features that create a hardship may be exempted. A description of access features to be provided shall be listed in the appropriate section below, and a detailed cost estimate for all elements shall be attached to this form.

1. Cost of proposed project (excluding accessible upgrades not located within the actual area of work) \$ _____

2. 20% Cost of project (0.20 x Line 1) \$ _____

Table with 4 columns: Accessibility Elements, Is this feature accessible?, Proposed under this project?, Cost to make this feature accessible? Rows include Primary Entrance, Path of travel, Parking, Sanitary facilities, Drinking fountains, Elevator(s), Other (Specify).

Total cost of proposed accessible upgrades. (Attach detailed cost estimate) \$ _____

4. Total cost of alterations to the areas on the path of travel during the preceding three-year period. (Compare with current threshold amount at http://www.dgs.ca.gov/dsa/Programs/progAccess/threshold.aspx) \$ _____

Signatures: I hereby acknowledge that the above is true to the best of my knowledge. As the owner of the property or tenant space, or an authorized agent representing the owner, by signing below I am acknowledging that I understand that although the project is in compliance with the California Building Code requirements, the limited disabled access upgrades shown on this form will not limit or absolve my liability under the American's with Disability Act.

Designer: _____ Print Signature Date

Owner: _____ Print Signature Date



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Unreasonable Hardship Request – Form B

This form is applicable to projects in existing buildings that exceed the valuation threshold per CBC Section 11B.202.4, or some portions of new construction where specifically allowed. California Title 24 access regulations allow the Authority Having Jurisdiction (AHJ) to approve certain exceptions and/or to approve equivalent facilitation in certain circumstances when a finding of unreasonable hardship is made. The following information is needed to assist the AHJ with your request.

Building Permit #: _____ Project Name: _____

Project Address: _____

1. Please indicate the specific applicable code section and exception from CBC Chapter 11B for this unreasonable hardship request: (Use a separate form for each separate code section.)

2. Description of how the proposed features will meet the exception provision(s) of the referenced code section:

3. Describe the nature of the use of the subject facility and the extent it is available to the public:

Cost of making the feature(s) accessible (attach documentation) \$ _____
(excluding accessible upgrades not located within the actual area of work)

Total cost of proposed work under this permit _____

Total cost of improvements at the subject site for the last three years _____

Total costs (add lines 2 and 3) \$ _____

The access features increase the cost of construction by (percentage of construction cost on line 2) _____%

Signatures: I hereby acknowledge that the above is true to the best of my knowledge. As the owner of the property or tenant space, or an authorized agent representing the owner, by signing below I am acknowledging that I understand that although the project is in compliance with the California Building Code requirements, the limited disabled access upgrades shown on this form will not limit or absolve my liability under the American's with Disability Act.

Designer: _____
Print Signature Date

Owner: _____
Print Signature Date