



## Accessibility Requirements Under California Building Code

- Under accessibility provisions of the California Building Code (Code), when alterations or additions are made to existing buildings or facilities, an accessible path of travel to the **specific area of alteration or addition** must be provided.

The entire building is not required to be upgraded, just the area of work and designated elements serving the area being altered.

- If required path of travel elements comply with current code provisions, no further upgrades are required.
- If required path of travel elements **do not comply** with current code provisions, upgrades are required as follows:
  - If the project cost is below \$139,934 – the cost of compliance is limited to 20 percent of the adjusted construction cost.
  - If the project cost is \$139,934 or higher – there is no limit on the cost of compliance **unless** the enforcing agency determines the cost of compliance is an unreasonable hardship (“unreasonable hardship” defined on second page).
  - If unreasonable hardship is determined – there must be compliance by equivalent facilitation or to the greatest extent possible. However, the cost of compliance shall not be less than 20 percent of the adjusted construction cost.
- Projects must be evaluated individually. The same project at two different facilities could have widely disparate accessibility requirements and costs.
- Exemptions - projects that do not affect the usability (accessibility) of the building or facility consisting of only:
  - Heating, ventilation, and air conditioning work;
  - Mechanical system changes
  - Reroofing;
  - Electrical work not involving placement of switches and receptacles;
  - Cosmetic work not affecting items regulated by this code, such as painting;
  - Equipment not part of the area or building’s architecture, such as computer terminals and office equipment.

- Maintenance and Repair Projects are not considered alteration projects. Accessibility upgrades are not required under Code. Examples include:
  - Renewal of finishes such as painting, new carpet, and new wall coverings.
  - Replacement of broken windows or doors.
  - Elevator system service and repairs.
  - Replacement of failed, worn-out or obsolete components, such as a unit air conditioner, cooling system chiller, or fire alarm panel.
  - Reroofing.

**Definition of the Term “Alteration”<sup>1</sup>**

*A change, addition or modification in construction, change in occupancy or use, or structural repair to an existing building or facility. Alterations include, but are not limited to, remodeling, renovation, rehabilitation, reconstruction, historic restoration, resurfacing of circulation paths or vehicular ways, changes or rearrangement of the structural parts or elements, and changes or rearrangement in the plan configuration of walls and full-height partitions. Normal maintenance, reroofing, painting or wallpapering, or changes to mechanical and electrical systems are not alterations unless they affect the usability of the building or facility.*

**Definition of the term “Unreasonable Hardship”<sup>2</sup>**

*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.*

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<sup>1</sup> Definition from 2013 California Building Code Chapter 2, Section 202 Definitions as adopted by the California Building Standards Commission on 24 January 2013.

<sup>2</sup> Ibid.