

LEGISLATIVE DIGEST

[Building Code - Mandatory Disability Access Improvements for Places of Public Accommodation - Extension of Time Deadlines for an Additional Six Months]

Ordinance amending the Building Code to extend for an additional six months the times for existing buildings with a place of public accommodation to have all primary entries and paths of travel into the building accessible to persons with disabilities or to receive a City determination of equivalent facilitation, technical infeasibility, or unreasonable hardship, and to extend the period for granting extensions from those deadlines.

Existing Law

Chapter 11D of the Building Code requires the owner of an existing building with a place of public accommodation to have the building inspected for compliance with accessible entry and path of travel requirements. If the building is not in compliance, the owner must either bring the building into compliance or obtain a finding from the City of equivalent facilitation, technical infeasibility, or unreasonable hardship. Table 1107D sets forth deadlines for the four compliance categories to submit specified information to DBI, file an application for any required building permits, and obtain the required building permits. All mandated work must be completed within the time periods specified in the Building Code for building permits unless an extension of time is granted pursuant to Section 1108D.

Amendments to Current Law

This ordinance will extend for an additional six months all compliance deadlines.

Background Information

Under the Building Code, property owners are responsible for compliance with Code requirements notwithstanding any leases that may shift some of the burden of compliance onto the tenants. Many, if not all, of the buildings subject to the Chapter 11D requirements have multiple leased spaces many of which are operated by small businesses without a lot of financial resources. Extension of the compliance deadlines will resolve compliance issues for those owners who missed past deadlines and to give building owners and tenants more time to resolve any compliance issues going forward

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