## 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.

No renovation, structural repair, alteration or addition shall be undertaken which decreases or has the effect of decreasing accessibility or usability of a building or facility below the requirements for new construction at the time of renovation, structural repair, alteration or addition.

1134B.2 General. When alterations, structural repairs or additions are made to existing buildings or facilities, they 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. (For example, the January 2010 amount is \$128,410.86.) 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
- 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 (279 m²) per floor.
  - 2.2. Offices of physicians and surgeons.
  - 2.3. Shopping centers.
  - 2.4. Other buildings and facilities three stories or more and 3,000 or more square feet (279 m²) per floor if a reasonable portion of services sought and used by the public is available on the accessible level.

For the general privately funded multistory building exception applicable to new construction and alterations, see Section 1103B.1, Exception 2.

The elevator exception set forth in this section does not obviate or limit in any way the obligation to comply with the other accessibility requirements in this code. For example, floors above or below

- 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 barrier removal undertaken pursuant to the requirements of the Americans with Disabilities Act (Public Law 101-336, 28 C.F.R., Section 36.304) 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. Rearrranging 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 unless they affect the usability of the building or facility. For the purposes of this section, the term "construction cost" does not include building permit fees or discretionary permit fees.

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 toilet facilities code compliant and to install separate toilet facilities for each sex, then the installation of at least one unisex toilet/facility 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.

1134B.2.3 If alterations of single elements, when considered together, amount to an alteration of a room or space in a building or facility, the entire room or space shall be made accessible.

## SECTION 1135B HISTORIC PRESERVATION—SPECIAL STANDARDS OF ACCESSIBILITY FOR BUILDINGS WITH HISTORICAL SIGNIFICANCE

1135B.1 General. Qualified historical buildings shall comply with the State Historical Building Code, Part 8, Title 24, of the California Code of Regulations.