



CITY of CLOVIS

BUILDING DEPARTMENT

1033 FIFTH STREET • CLOVIS, CA 93612

Application for Unreasonable Hardship Exception to Accessibility Requirements

A	Project Information:			
	Facility ID#:		Name of Project:	
	Address - Street:			
	City:		Zip:	
	Project Representative/Administrator Information:			
	Print Name:			
	Address:			
	City:		State:	Zip:
	Phone:		Fax:	Email:
	Architect Information:			
Address:				
City:		State:	Zip:	
Phone:		Fax:	Email:	
Estimated Construction Cost (Includes fixed equipment, excludes design and inspection fees): \$ _____				
B	Submittal of this form constitutes a request for determination of Unreasonable Hardship and exception to the accessibility requirements of chapter 11B of the California Building Code (CBC), as specifically noted below. This request for determination of Unreasonable Hardship is for (check one):			
	<input type="checkbox"/> a project under the 'Valuation Threshold' specified in Section 1134B.2, CBC (Section C of this form), or <input type="checkbox"/> other projects, pursuant to the definition of Unreasonable Hardship in Section 202, CBC (Section E of this form).			
C	Exception for projects under the valuation threshold in Section 1134B.2, CBC			
	Applicable to projects in existing buildings where the construction cost for all projects in the same area of the building over the last three years does not exceed the valuation threshold amount			
	Building element required to be accessible	Does this element meet current access requirements of Chapter 11B, CBC?	If not, will this element be made accessible as part of this project?	Cost of making element accessible. (Attach documentation)
	1. Entrance	_____	_____	_____
	2. Path of travel to area of alteration	_____	_____	_____
	3. Sanitary facilities (Separate for each sex)	_____	_____	_____
	4. Public telephone	_____	_____	_____
	5. Drinking fountain	_____	_____	_____
	6. Additional elements	_____	_____	_____
	Total cost of accessible elements			\$ _____ (A)
Total cost of construction for this project and all other projects performed over the last 3 years. (Complete Section D)			\$ _____ (B)	
NOTE: if this amount exceeds the 'Valuation Threshold', Exception 1 of Section 1134B.2, CBC does not apply. (Complete Section E for Unreasonable Hardship Exception)				
Cost of accessible elements as a percentage of total project cost. (A) / (B) x 100			_____ %	
NOTE: If this amount is less than 20%, all elements must be accessible. (Complete Section E for Unreasonable Hardship Exception)				
Description of accessible elements proposed to be provided in lieu of full code compliance (attach pages as needed) _____				

City Manager 559.324.2060 • Community Services 559.324.2095 • Engineering 559.324.2350
 Finance 559.324.2130 • Fire 559.324.2200 • General Services 559.324.2060 • Personnel/Risk Management 559.324.2725
 Planning & Development Services 559.324.2340 • Police 559.324.2400 • Public Utilities 559.324.2600 • TTY-711

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Name of Project (from Section A): _____	Permit #: _____
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D Alteration projects completed in the past three years are included in the total construction cost for determining unreasonable hardship for projects under the Valuation Threshold. List all projects completed in the last three years on the same path of travel that have been completed without providing accessibility to items 1 thru 6 of Section C.

Clovis Permit #	Permit Date	Description	Valuation
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____

E Exception for projects meeting the definition of 'Unreasonable Hardship' from Section 202, CBC

Exception requested for Code Section:	Description of element required to be accessible	Is Equivalent Facilitation Required?		Cost of Making Element Accessible <i>(Attach Documentation)</i>
		Yes	No	
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
_____	_____	_____	_____	\$ _____
Total cost of Accessible Elements for which exemption is requested				\$ _____

Describe equivalent facilitation proposed: _____

Provide or describe:

1. The cost of all construction contemplated: _____
2. The impact of providing access on the financial feasibility of the project: _____

3. The nature of accessibility that would be gained or lost: _____

F This Application for Unreasonable Hardship Exception made by (check one):

Legal Owner/ Administrator
 Architect
 Facility Representative

Print Name: _____

Signature: _____ Date: _____

G Office Use Only

Request Granted

Exception based on Section 1134B.2, _____ (applicable code year) CBC. Provide accessible elements listed in Section C of this form, up to 20% of the total construction cost of the project.

Exception to Section(s) _____ of the _____ (applicable code year) CBC is granted. All other accessible elements, as well as equivalent facilitation described in Section E of this form must be provided.

Request Denied

If you disagree with this determination, you may seek an appeal with the Clovis Building Safety Board.

Remarks: _____

Reviewed by Clovis Building Department:

Print Name: _____

Signature: _____ Date: _____

INSTRUCTIONS FOR Application for Unreasonable Hardship Exception to Accessibility Requirements

Do not write in shaded Office Use Only areas on this application.

A. Enter the Project name and address

Enter the Clovis permit number

Provide contact information for the Project Representative/Administrator and Architect of Record for the project.
Enter the estimated construction cost of the project or contract amount

B. Check the appropriate box to indicate under which exemption this application is made. New and existing facilities where alterations are performed must comply with the accessibility requirements of Chapter 11B of the California Building Code (CBC). Exceptions are provided for 'Unreasonable Hardship' in two circumstances:

1. Remodel projects where the cumulative construction cost of all projects in the remodel area for the past three years does not exceed a 'Valuation Threshold' specified in Section 1134B.2.1, Exception 1 of the CBC.

Note: The threshold is adjusted annually based on the year the final construction documents were submitted. The threshold amount can be found at:

<http://www.dgs.ca.gov/dsa/Programs/progAccess/threshold.aspx>

2. Unreasonable Hardship may also be granted for projects based on the five criteria listed in the definition of 'Unreasonable Hardship' section 202 of the CBC.

C. For projects under the Valuation Threshold, the CBC allows a determination of Unreasonable Hardship to be made when the cost of providing the specific accessible elements listed in Section 1134B.2.1 (primary entrance, path of travel, sanitary facilities, accessible telephones, and accessible drinking fountains) is considered disproportionate to the cost of the project. As defined in Section 1134B.2.1, the cost of providing those accessible features is considered disproportionate' when it exceeds 20% of the cost of the project without providing those accessible elements.

Indicate whether or not the specified elements already meet current accessibility requirements, if they will be made to comply with current accessibility requirements as a part of this project, and the cost of making the element accessible, if applicable. Provide the total cost of the specified accessible elements and the total cost of all alteration projects on the same path of travel during the past three years (from Section D). Compute the percentage of the cost expended on accessible elements. **If the number is less than 20%**, Unreasonable Hardship may **not** be determined based on this section. If the applicant believes that Unreasonable Hardship still exists, please fill out Section E.

Indicate which elements will be made accessible as a part of this project. The accessible elements must be provided in the order listed in the Section 1134B.2.1 exception until the facility reaches the 20% threshold. If this number exceeds 20%, Unreasonable Hardship may be determined based on this section. Provide additional documentation as required to demonstrate the costs of specific accessible elements.

D. Provide a listing of all projects completed in the last three years for which a minimum of 20% of construction costs were not spent on providing accessible elements. Provide the Clovis permit number, permit date, project description, and project valuation. Provide additional documentation to show construction costs and the amount expended on specific accessible elements.

- E. Unreasonable Hardship may also be based on the definition of 'Unreasonable Hardship' from Section 202 of the CBC. The code allows a determination of Unreasonable Hardship to be made after evaluating several factors. To perform this evaluation, provide the following: a description of specific accessibility provisions for which an exception is desired, the code section where this requirement is found, whether or not the code required equivalent facilitation, and the cost of making the features accessible. Also, provide the cost of all construction contemplated, the impact of providing access on the project's financial feasibility, and the nature of the accessibility that would be gained or lost. Provide additional documentation as required to demonstrate the costs of specific accessible elements.
- F. The person submitting the Application for Unreasonable Hardship must print the application's name, sign, and date.
- G. "Office Use Only," after reviewing the information on the form, a Clovis Plans Examiner will decide whether to approve or deny the request. In the case of a denial of an Application for Unreasonable Hardship, the applicant may seek an appeal with the Clovis Building Safety Board.