

Site Accessibility Evaluation

Americans with Disabilities Act
And
Title 24 And Part 2 - California Building Code



ABC Demo Store

**125 Santa Monica Blvd
Santa Monica, CA 90401**

CASp Evaluation

Inspection Date: 03/10/2016

Inspector: Sam Jones

Prepared By



(916) 473 - 9444

www.bluedag.com

Jims Taco Shop
4848 W Century Blvd
Inglewood, CA, 48489

Dear Antonio Brown,

Thank you for the opportunity to be of service to you by performing an accessibility evaluation for the ABC Demo Store located at 125 Santa Monica Blvd, Santa Monica, CA, 90401. The facility was inspected on 03/10/2016.

We recommended that all barriers that are identified in this evaluation that are readily achievable, be removed as soon as possible with other barriers being removed as they become readily achievable. A barrier removal plan should be developed to assist in planning the removal of all barriers that are not currently "readily achievable" to remove. To help with this, we have identified all barriers on a finding by finding basis with a priority identifier as follows:

Priority 1 – High: Should be completed immediately. (Includes; Findings that have little or no cost, were in violation of the codes at the time of construction, or pose an imminent safety threat)

Priority 2 – Important: Should be completed as soon as possible. (Includes; Findings that would remove barriers to the greatest number of people to your goods and services)

Priority 3 – Moderate: Should be completed as soon as possible, but there may be other items that will provide greater access to persons with disabilities. (Includes; Findings that have a high financial impact on the entity in relationship to the degree of access provided)

Priority 4 – Low: Should be completed as soon as possible due to being a technical violation, but may not result in providing greater access to persons with disabilities. (Includes; Findings that are technically violations but provide a moderate to low increase in accessibility compared to the financial impact on the entity)

Periodic maintenance to ensure continued accessibility is essential in providing a safe and usable environment. Parking lot markings, signage, door opening pressures, and maintaining clear floor space at doors and other elements and fixtures, available to the public, must be part of an ongoing maintenance schedule.

Sincerely,

A handwritten signature in black ink, appearing to read "Sam Jones". The signature is fluid and cursive, with a trademark symbol (TM) at the end.

Sam Jones, 753

Parking Lot North

Finding: 1

The parking stall is not outlined or painted blue.

The parking space shall be outlined or painted blue and shall be marked with an International Symbol of Accessibility a minimum 36 inches wide by 36 inches high in white or a suitable contrasting color. The centerline of the International Symbol of Accessibility shall be a maximum of 6 inches from the centerline of the parking space, its sides parallel to the length of the parking space and its lower corner at, or lower side aligned with, the end of the parking space.

2016 CBC 11B Section 11B-502.6.4.2

The parking space shall be outlined in blue or painted blue and shall be marked with an International Symbol of Accessibility complying with Section 11B-703.7.2.1 a minimum 36 inches wide by 36 inches high (914 mm by 914 mm) in white or a suitable contrasting color. The centerline of the International Symbol of Accessibility shall be a maximum of 6 inches (152 mm) from the centerline of the parking space, its sides parallel to the length of the parking space and its lower corner at, or lower side aligned with, the end of the parking space.

Citation:

2016 CBC 11B Section: 11B-502.6.4.2

As Built:

2 Non Compliant Stalls

Budgeting Range:

\$1500.00 - \$2500.00

Recommendation:

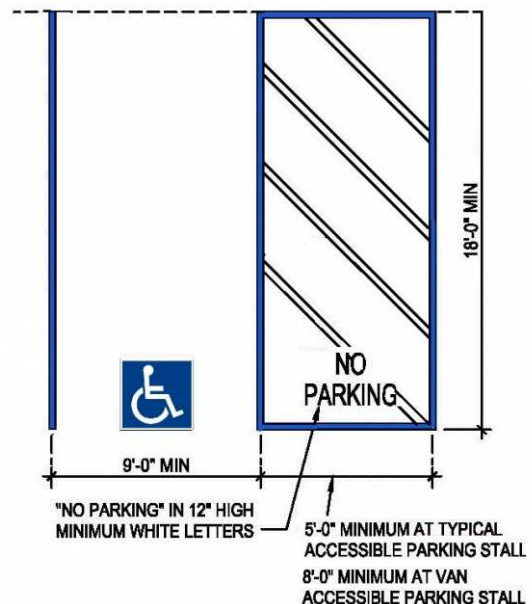
N/A

Barrier Rating:

2 (Important): Should be completed as soon as possible. (Includes; Findings that would remove barriers to the greatest number of people to your goods and services)

Notes:

N/A



Finding #1 Additional Finding Photos



Parking Lot North

Finding: 2

The cross slope of the parking stall (narrow dimension) exceeds 2%.

The running and cross slope in an accessible parking stall and the access aisle must not exceed 2%.

2016 CBC 11B Section 11B-502.4

Parking spaces and access aisles serving them shall comply with Section 11 B- 302. Access aisles shall be at the same level as the parking spaces they serve. Changes in level are not permitted.

2010 ADAS Section 502.4

Parking spaces and access aisles serving them shall comply with 302. Access aisles shall be at the same level as the parking spaces they serve. Changes in level are not permitted.

Citation:

2016 CBC 11B Section: 11B-502.4

2010 ADAS Section: 502.4

As Built:

2.5% - 3.5%

Budgeting Range:

\$1500.00 - \$9500.00

Recommendation:

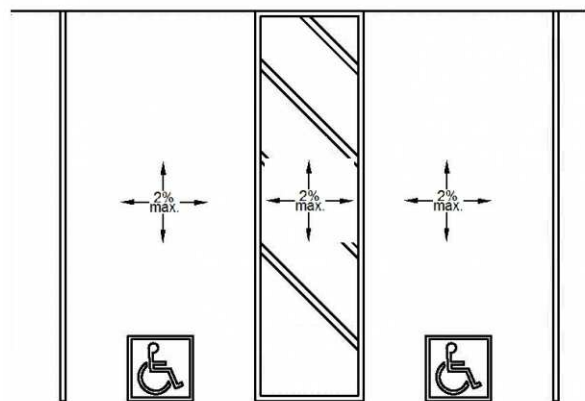
Alter parking lot to minimize slope to standard's maximum requirement or less.

Barrier Rating:

3 (Moderate): Should be completed as soon as possible, but there may be other items that will provide greater access to persons with disabilities. (Includes; Findings that have a high financial impact on the entity in relationship to the degree of access provided)

Notes:

Work completed. Reinspection confirm correction.



Parking Lot North

Finding: 3

The currently identified accessible parking space contains several non compliant features.

Signage is missing and/or incorrect, striping is dilapidated and in need of repair and/or replacement, size and lengths are incorrect, running and cross slopes exceed 2 percent, the stalls and access aisle contain abrupt edges and surface irregularities over a 1/2 inch, etc. Based on the number of public parking stalls provided at the site, at the site at least one van accessible parking stall is required. The accessible parking stall access aisle must be a minimum of 8 feet wide, measured from centerline to centerline of the stripe (blue painted borderline around the perimeter) and a minimum 18 feet long. Alternatively, the stall can be 12 feet wide and the access aisle may be 5 feet wide. Access aisle's serving van accessible parking stalls must be located on the passenger side of the vehicle, The loading/unloading access aisle must contain the words "No Parking" with a minimum of 12 inch letters with hatched lines a maximum of 36 inches on center in a color contrasting with that of the aisle surface, preferably blue or white. The running slope and the cross slope in an accessible parking stall and the access aisle must not exceed 2 percent in any direction. The "Van Accessible" and "Minimum Fine \$250.00" signage is missing, signage must be located 80 inches to the bottom of the signs.

2016 CBC 11B Section 11B-502.1

Car and van parking spaces shall comply with Section 11 B-502. Where parking spaces are marked with lines, width measurements of parking spaces and access aisles shall be made from the centerline of the markings.

Citation:

2016 CBC 11B Section: 11B-502.1

As Built:

Multiple Barriers

Budgeting Range:

\$1500.00 - \$15000.00

Recommendation:

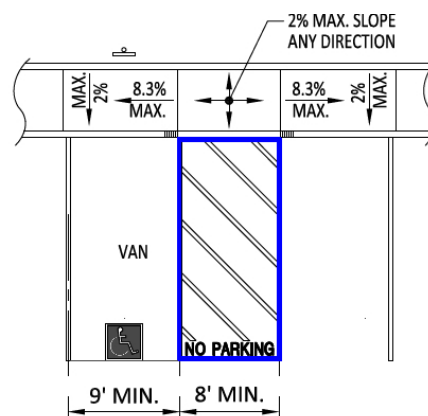
N/A

Barrier Rating:

1 (High): Should be completed immediately. (Includes; Findings that have little or no cost, were in violation of the codes at the time of construction, or pose an imminent safety threat)

Notes:

N/A



Parking Lot North

Finding: 4

The tow away sign on the left side of driveway entrance.

There must be a tow-away sign posted in a conspicuous place at each entrance, or immediately adjacent to each space. The sign shall not be less than 17 inches by 22 inches in size with 1 inch high minimum lettering which clearly and conspicuously states the following:

"Unauthorized vehicles parked in designated accessible spaces not displaying distinguishing placards or special license plates issued for persons with disabilities will be towed away at owner's expense.

Towed vehicles may be reclaimed at _____ or by telephoning _____."

Blank spaces are to be filled in with appropriate information as a permanent part of the sign.

2016 CBC 11B Section 11B-502.8.2

The additional sign shall clearly state in letters with a minimum height of 1 inch (25 mm) the following: "Unauthorized" vehicles parked in designated accessible spaces not displaying distinguishing placards or special license plates issued for persons with disabilities will be towed away at the owner's expense. Towed vehicles may be reclaimed at: or by telephoning-----Blank spaces shall be filled in with appropriate information as a permanent part of the sign.

Citation:

2016 CBC 11B Section: 11B-502.8.2

As Built:

Incorrect sign

Budgeting Range:

\$25.00 - \$150.00

Recommendation:

Remove & Replace

Barrier Rating:

1 (High): Should be completed immediately. (Includes; Findings that have little or no cost, were in violation of the codes at the time of construction, or pose an imminent safety threat)

Notes:

N/A



Parking Lot North

Finding: 5

The cross slope (short dimension) of the access aisle exceeds 2%.

The cross slope in an accessible parking stall and the access aisle must not exceed 2%.

2016 CBC 11B Section 11B-502.4

Parking spaces and access aisles serving them shall comply with Section 11 B- 302. Access aisles shall be at the same level as the parking spaces they serve. Changes in level are not permitted.

2010 ADAS Section 502.4

Parking spaces and access aisles serving them shall comply with 302. Access aisles shall be at the same level as the parking spaces they serve. Changes in level are not permitted.

Citation:

2016 CBC 11B Section: 11B-502.4

2010 ADAS Section: 502.4

As Built:

2.5% - 3.5%

Budgeting Range:

\$2500.00 - \$6500.00

Recommendation:

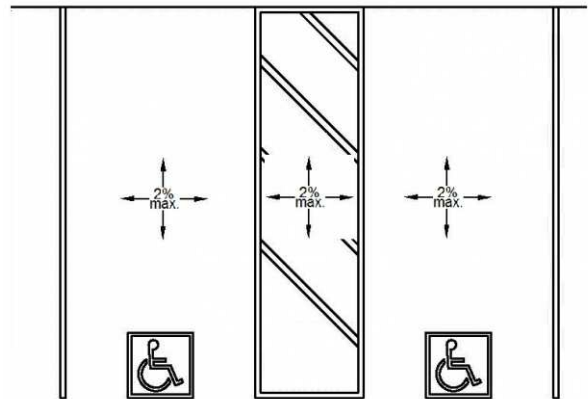
N/A

Barrier Rating:

N/A

Notes:

N/A



Front Entrance Door

Finding: 6

The door exceeds the maximum pressure to open the door.

Doors shall have a maximum opening force of 5 pounds.

These forces do not apply to the force required to retract latch bolts or disengage other devices that hold the door or gate in a closed position. Door closers and gate closers shall be adjusted so that from an open position of 90 degrees, the time required to move the door to a position of 12 degrees from the latch is 5 seconds minimum.

2016 CBC 11B Section 11B-404.2.9

These forces do not apply to the force required to retract latch bolts or disengage other devices that hold the door or gate in a closed position.

Citation:

2016 CBC 11B Section: 11B-404.2.9

As Built:

15 Pounds/3 seconds

Budgeting Range:

\$25.00 - \$250.00

Recommendation:

Add power assist opener to door.

Barrier Rating:

1 (High): Should be completed immediately. (Includes; Findings that have little or no cost, were in violation of the codes at the time of construction, or pose an imminent safety threat)

Notes:

N/A



Mens Restroom Level 1

Finding: 7

The rear grab bar is too high.

Grab bars shall be installed in a horizontal position, 33 inches minimum and 36 inches maximum above the finish floor measured to the top of the gripping surface and the space between the grab bar and the top of the tank shall be 1-1/2 inches minimum.

2016 CBC 11B Section 11B-609.4

Grab bars shall be installed in a horizontal position, 33 inches (838 mm) minimum and 36 inches (914 mm) maximum above the finish floor measured to the top of the gripping surface, except that at water closets for children's use complying with Section 11 B-604.9, grab bars shall be installed in a horizontal position 18 inches (457 mm) minimum and 27 inches (686 mm) maximum above the finish floor measured to the top of the gripping surface. The height of the lower grab bar on the back wall of a bathtub shall comply with Section 11 B-601 .4.1.1 or 11B-607.4.2.1.

2010 ADAS Section 609.4

Grab bars shall be installed in a horizontal position, 33 inches (840 mm) minimum and 36 inches (915 mm) maximum above the finish floor measured to the top of the gripping surface, except that at water closets for children's use complying with 604.9, grab bars shall be installed in a horizontal position 18 inches (455 mm) minimum and 27 inches (685 mm) maximum above the finish floor measured to the top of the gripping surface. The height of the lower grab bar on the back wall of a bathtub shall comply with 607.4.1.1 or 607.4.2.1.

Citation:

2016 CBC 11B Section: 11B-609.4

As Built:

37"

Budgeting Range:

\$150.00 - \$450.00

2010 ADAS Section: 609.4

Recommendation:

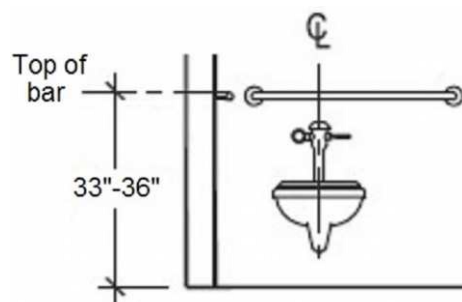
Lower grab bar to meet standards.

Barrier Rating:

3 (Moderate): Should be completed as soon as possible, but there may be other items that will provide greater access to persons with disabilities. (Includes; Findings that have a high financial impact on the entity in relationship to the degree of access provided)

Notes:

N/A



Mens Restroom Level 1

Finding: 8

The water and drain pipes under the lavatory are not adequately insulated.

Water supply and drain pipes under lavatories and sinks shall be insulated or otherwise configured to protect against contact. There shall be no sharp or abrasive surfaces under lavatories and sinks.

2016 CBC 11B Section 11B-606.5

Water supply and drain pipes under lavatories and sinks shall be insulated or otherwise configured to protect against contact. There shall be no sharp or abrasive surfaces under lavatories and sinks.

2016 CBC 11B Section 11B-606.5

Water supply and drain pipes under lavatories and sinks shall be insulated or otherwise configured to protect against contact. There shall be no sharp or abrasive surfaces under lavatories and sinks.

2010 ADAS Section 606.5

Water supply and drain pipes under lavatories and sinks shall be insulated or otherwise configured to protect against contact. There shall be no sharp or abrasive surfaces under lavatories and sinks.

Citation:

2016 CBC 11B Section: 11B-606.5, 11B-606.5

As Built:

Bare

Budgeting Range:

\$25.00 - \$150.00

2010 ADAS Section: 606.5

Recommendation:

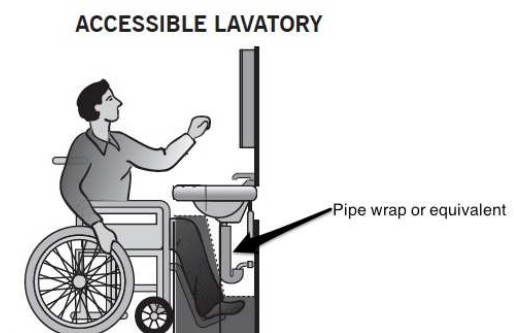
Insulate pipes

Barrier Rating:

3 (Moderate): Should be completed as soon as possible, but there may be other items that will provide greater access to persons with disabilities. (Includes; Findings that have a high financial impact on the entity in relationship to the degree of access provided)

Notes:

N/A



South Lobby

Finding: 9

The landing at the entrance doors exceeds 2% slope.

Exterior doors with a front approach must have a landing on the pull side that is a minimum of 60 inches in depth perpendicular to the doors in a close position. The entire landing must be free of obstructions and must be flat (2% max. slope is considered flat in any direction).

2010 ADAS Section 404.2.4.4

Floor or ground surface within required maneuvering clearances shall comply with 302. Changes in level are not permitted.

Citation:

2010 ADAS Section: 404.2.4.4

As Built:

3.5% - 4.5%

Budgeting Range:

\$3500.00 - \$9500.00

Recommendation:

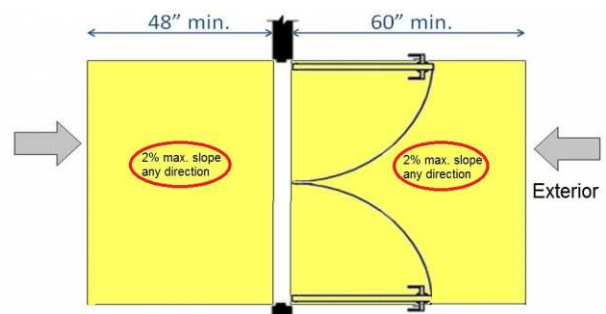
Remove and Replace

Barrier Rating:

2 (Important): Should be completed as soon as possible. (Includes; Findings that would remove barriers to the greatest number of people to your goods and services)

Notes:

N/A



South Lobby

Finding: 10

There are not enough accessible tables. Based on the (42) seats provided, there must be a minimum of (3) wheel chair seating spaces.

At least 5% of the seating in each functional area must be accessible. An accessible table must be on an accessible route (36 inches minimum) and have knee spaces at least 27 inches high, 30 inches wide and 19 inches deep. The tops of tables and counters must be 28 inches to 34 inches from the floor or ground.

2016 CBC 11B Section 11B-226.1

Where dining surfaces are provided for the consumption of food or drink, at least 5 percent of the seating spaces and standing spaces at the dining surfaces shall comply with Section 11 B-902. In addition, where work surfaces are provided for use by other than employees, at least 5 percent shall comply with Section 11B-902.

2010 ADAS Section 226.1

Where dining surfaces are provided for the consumption of food or drink, at least 5 percent of the seating spaces and standing spaces at the dining surfaces shall comply with 902. In addition, where work surfaces are provided for use by other than employees, at least 5 percent shall comply with 902.

Citation:

2016 CBC 11B Section: 11B-226.1

2010 ADAS Section: 226.1

As Built:

1 seating space provided.

Budgeting Range:

\$1500.00 - \$4500.00

Recommendation:

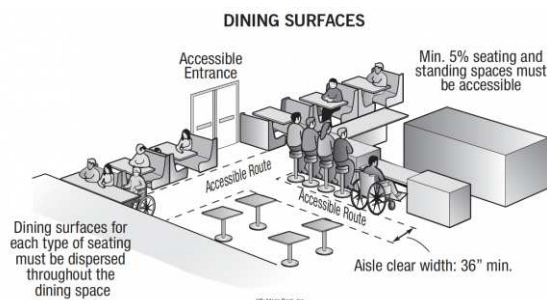
Add additional accessible seating areas or remove and replace seating areas with accessible seating.

Barrier Rating:

2 (Important): Should be completed as soon as possible. (Includes; Findings that would remove barriers to the greatest number of people to your goods and services)

Notes:

N/A



Mens Restroom Level 2

Finding: 11

The landing perpendicular to the door is not wide enough.

Landings at doors on the push side that are approached from the latch side and equipped with a closer must be 48 inches perpendicular to the door and the area adjacent to the latch side and in the same plane as the door must be unobstructed for a distance of 24 inches.

2016 CBC 11B Section 11B-404.2.4.1

Swinging doors and gates shall have maneuvering clearances complying with Table 11 B-404.2.4.1.

2010 ADAS Section 404.2.4.1

Swinging doors and gates shall have maneuvering clearances complying with Table 404.2.4.1.

Citation:

2016 CBC 11B Section: 11B-404.2.4.1

2010 ADAS Section: 404.2.4.1

As Built:

47"

Budgeting Range:

\$3500.00 - \$9500.00

Recommendation:

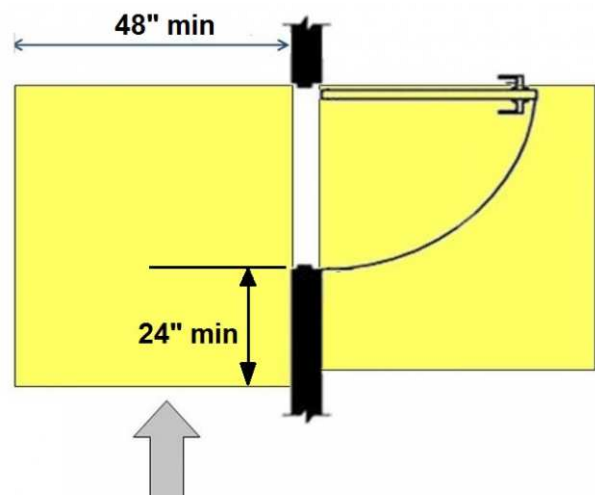
Widen landing.

Barrier Rating:

2 (Important): Should be completed as soon as possible. (Includes; Findings that would remove barriers to the greatest number of people to your goods and services)

Notes:

N/A



Finding #11 Additional Finding Photos



Mens Restroom Level 2

Finding: 12

The toilet is not on the left located within the range allowed from the side wall or partition.

The centerline of the toilet must be 17 to 18 inches from the side wall.

2016 CBC 11B Section 11B-604.2

The water closet shall be positioned with a wall or partition to the rear and to one side. The centerline of the water closet shall be 17 inches (432 mm) minimum to 18 inches (457 mm) maximum from the side wall or partition, except that the water closet shall be 17 inches (432 mm) minimum and 19 inches (483 mm) maximum from the side wall or partition in the ambulatory accessible toilet compartment specified in Section 11 B-604.8.2. Water closets shall be arranged for a left-hand or right-hand approach.

Citation:

2016 CBC 11B Section: 11B-604.2

As Built:

19.5 Inches

Budgeting Range:

\$200.00 - \$1000.00

Recommendation:

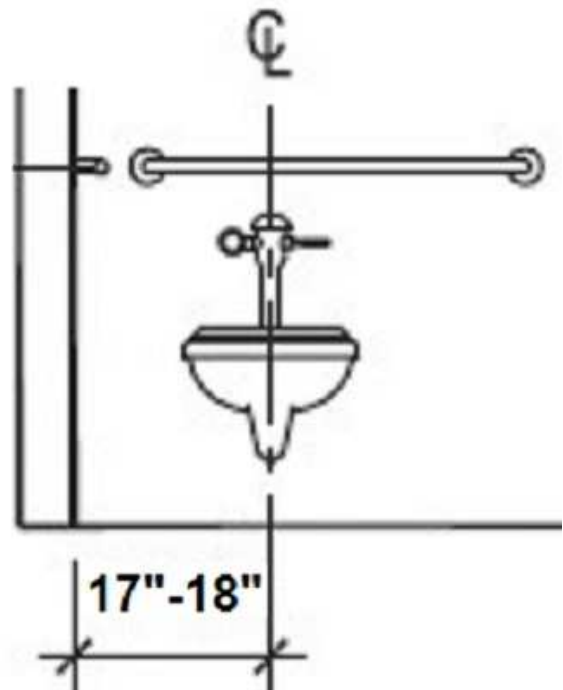
Reposition toilet.

Barrier Rating:

1 (High): Should be completed immediately. (Includes; Findings that have little or no cost, were in violation of the codes at the time of construction, or pose an imminent safety threat)

Notes:

N/A



Mens Restroom Level 2

Finding: 13

The water and drain pipes under the lavatory are not adequately insulated.

Water supply and drain pipes under lavatories and sinks shall be insulated or otherwise configured to protect against contact. There shall be no sharp or abrasive surfaces under lavatories and sinks.

2016 CBC 11B Section 11B-606.5

Water supply and drain pipes under lavatories and sinks shall be insulated or otherwise configured to protect against contact. There shall be no sharp or abrasive surfaces under lavatories and sinks.

2016 CBC 11B Section 11B-606.5

Water supply and drain pipes under lavatories and sinks shall be insulated or otherwise configured to protect against contact. There shall be no sharp or abrasive surfaces under lavatories and sinks.

2010 ADAS Section 606.5

Water supply and drain pipes under lavatories and sinks shall be insulated or otherwise configured to protect against contact. There shall be no sharp or abrasive surfaces under lavatories and sinks.

Citation:

2016 CBC 11B Section: 11B-606.5, 11B-606.5

As Built:

Not insulated

Budgeting Range:

\$25.00 - \$150.00

2010 ADAS Section: 606.5

Recommendation:

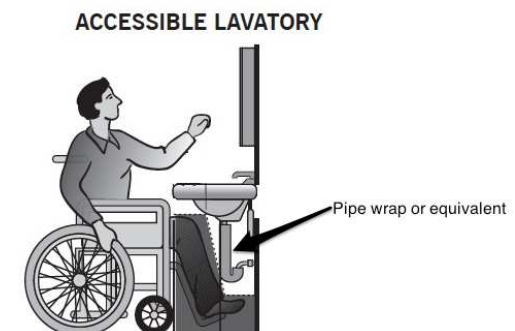
Insulate pipes

Barrier Rating:

1 (High): Should be completed immediately. (Includes; Findings that have little or no cost, were in violation of the codes at the time of construction, or pose an imminent safety threat)

Notes:

N/A



Mens Restroom Level 2

Finding: 14

A compliant room identification sign is missing on the strike side of the door.

Wall signs identifying permanent rooms and spaces of a building shall be in horizontal format and the characters raised 1/32 inch minimum and shall be sans serif uppercase characters a minimum of 5/8 inch and a maximum of 2 inches high. Contracted Grade 2 Braille shall be in a horizontal format and shall be placed a minimum of 3/8 inch and a maximum of 1/2 inch directly below the tactile characters; flush left or centered. Signs with raised characters or Braille shall be located a minimum of 48 inches above the finish floor or ground surface, measured from the baseline of the lowest line of Braille and 60 inches maximum above the finish floor or ground surface, measured from the baseline of the highest line of raised characters.

2016 CBC 11B Section 11B-216.2

Interior and exterior signs identifying permanent rooms and spaces shall comply with Sections 11B-103.1, 11B-703.2, 11B-703.3 and 11B-703.5. Where pictograms are provided as designations of permanent rooms and spaces, the pictograms shall comply with Section 11 B- 103.6 and shall have text descriptors complying with Sections 11 B-703.2 and 11 B-703.5.

Citation:

2016 CBC 11B Section: 11B-216.2

As Built:

None

Budgeting Range:

\$25.00 - \$150.00

Recommendation:

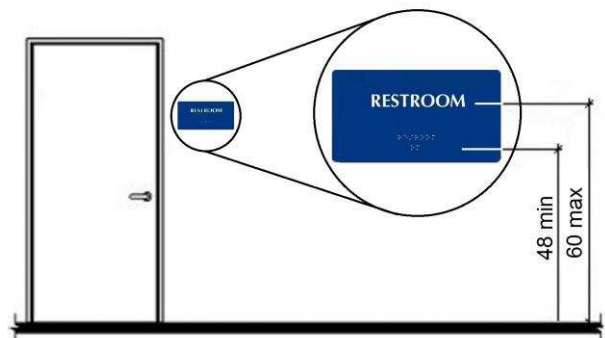
Add sign.

Barrier Rating:

N/A

Notes:

Made compliant upon reinspection.



Mens Restroom Level 2

Finding: 15

The bottom of the lavatory bowl is too low and does not provide compliant knee clearance.

The knee clearance, measured from the bottom of the apron or the outside bottom edge of the lavatory, must be 29 inches reducing to 27 inches at a point located 8 inches back from the front edge and continuing to 11 inches minimum in depth at 9 inches above the floor. The top of the lavatory rim may be no higher than 34 inches.

2016 CBC 11B Section 11B-306.3.3 Exceptions: 1

At lavatories required to be accessible by Section 11 B-213.3.4, the knee clearance shall be 27 inches (686 mm) high minimum above the finish floor or ground at a depth of 8 inches (203 mm) minimum increasing to 29 inches (737 mm) high minimum above the finish floor or ground at the front edge of a counter with a built-in lavatory or at the front edge of a wall-mounted lavatory fixture.

Citation:

2016 CBC 11B Section: 11B-306.3.3
Exceptions: 1

As Built:

25"

Budgeting Range:

\$250.00 - \$1500.00

Recommendation:

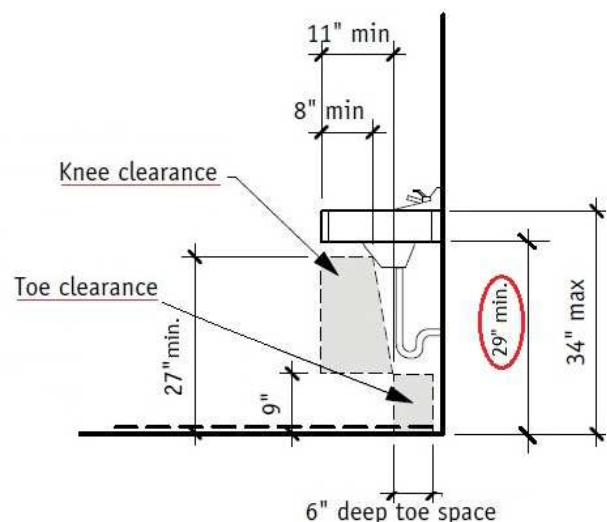
Replace lavatory fixture and install at compliant height.

Barrier Rating:

2 (Important): Should be completed as soon as possible. (Includes; Findings that would remove barriers to the greatest number of people to your goods and services)

Notes:

N/A



Mens Restroom Level 2

Finding: 16

The maneuvering space on the pull side of the door does not adequately extend beyond the latch side of the door.

Maneuvering space for interior doors on the pull side with a front approach must be flat (2% max. slope in any direction) for a minimum distance of 60 inches in the direction of travel. The width of the maneuvering space must be as wide as the door plus an additional 18 inches on the latch side. This latch side clearance must also be flat (2% max. slope in any direction) and clear of obstructions.

2016 CBC 11B Section 11B-404.2.4.1

Swinging doors and gates shall have maneuvering clearances complying with Table 11 B-404.2.4.1.

2010 ADAS Section 404.2.4.1

Swinging doors and gates shall have maneuvering clearances complying with Table 404.2.4.1.

Citation:

2016 CBC 11B Section: 11B-404.2.4.1

As Built:

14"

Budgeting Range:

\$2500.00 - \$6500.00

2010 ADAS Section: 404.2.4.1

Recommendation:

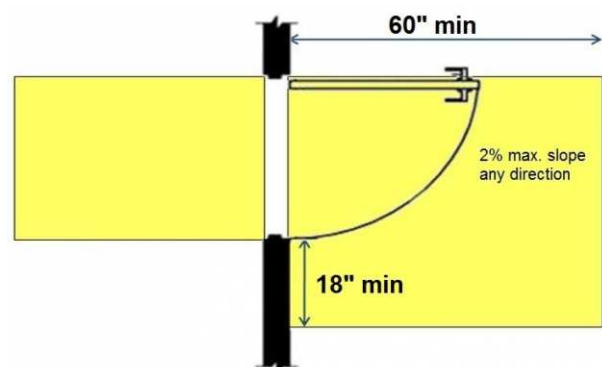
Clear and construct increased moveable space.

Barrier Rating:

2 (Important): Should be completed as soon as possible. (Includes; Findings that would remove barriers to the greatest number of people to your goods and services)

Notes:

N/A



Mens Restroom Level 2

Finding: 17

The ambulatory compartment is not wide enough.

Ambulatory accessible compartments shall have a depth of 60 inches minimum and a width of 35 inches minimum and 37 inches maximum.

2016 CBC 11B Section 11B-604.8.2.1

Ambulatory accessible compartments shall have a depth of 60 inches (1524 mm) minimum and a width of 35 inches (889 mm) minimum and 37 inches (940 mm) maximum.

2010 ADAS Section 604.8.2.1

Ambulatory accessible compartments shall have a depth of 60 inches (1525 mm) minimum and a width of 35 inches (890 mm) minimum and 37 inches (940 mm) maximum.

Citation:

2016 CBC 11B Section: 11B-604.8.2.1

2010 ADAS Section: 604.8.2.1

As Built:

Width is 48 inches

Budgeting Range:

\$0.00 - \$0.00

Recommendation:

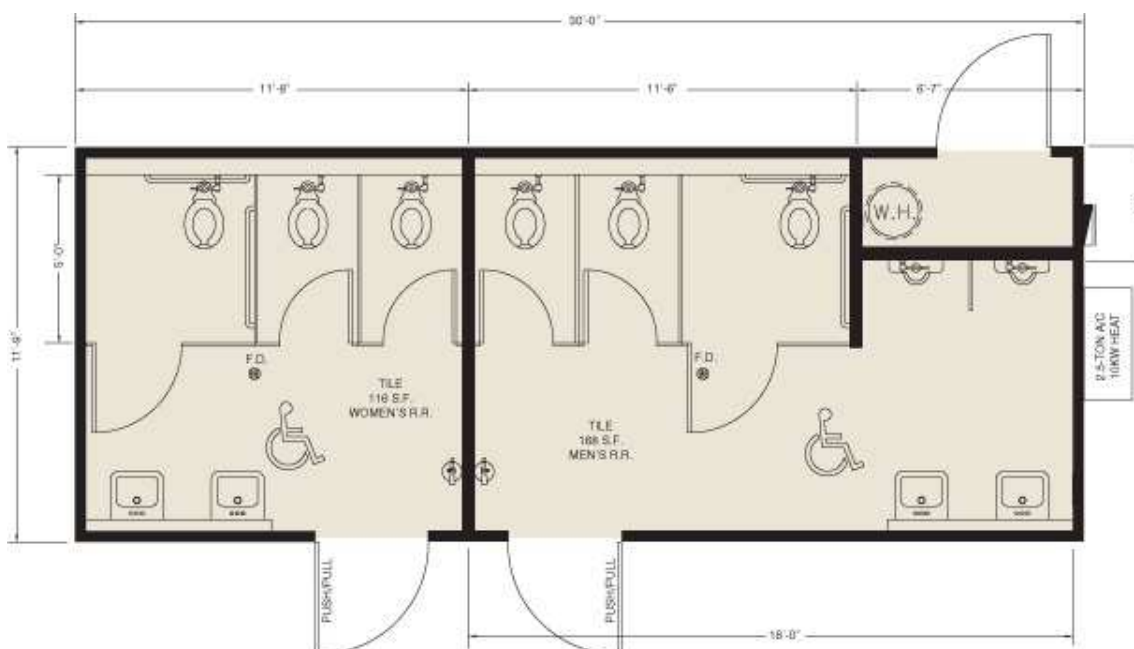
Shrink width to 35 - 37 inches.

Barrier Rating:

1 (High): Should be completed immediately. (Includes; Findings that have little or no cost, were in violation of the codes at the time of construction, or pose an imminent safety threat)

Notes:

N/A



NOTICE TO PRIVATE PROPERTY OWNER/TENANT:

YOU ARE ADVISED TO KEEP IN YOUR RECORDS ANY WRITTEN INSPECTION REPORT AND ANY OTHER DOCUMENTATION CONCERNING YOUR PROPERTY SITE THAT IS GIVEN TO YOU BY A CERTIFIED ACCESS SPECIALIST. IF YOU BECOME A DEFENDANT IN A LAWSUIT THAT INCLUDES A CLAIM CONCERNING A SITE INSPECTED BY A CERTIFIED ACCESS SPECIALIST, YOU MAY BE ENTITLED TO A STAY (TEMPORARY STOPPAGE) OF THE CLAIM AND AN EARLY EVACUATION CONFERENCE. IN ORDER TO REQUEST THE STAY AND EARLY EVACUATION CONFERENCE, YOU WILL NEED TO VERIFY THAT A CERTIFIED ACCESS SPECIALIST HAS INSPECTED THE SITE THAT IS THE SUBJECT OF THE CLAIM. YOU WILL ALSO BE REQUIRED TO PROVIDE THE COURT AND THE PLAINTIFF WITH THE COPY OF A WRITTEN INSPECTION REPORT BY THE CERTIFIED ACCESS SPECIALIST, AS SET FORTH IN CIVIL CODE SECTION 55.54. THE APPLICATION FORM AND INFORMATION ON HOW TO REQUEST A STAY AND EARLY EVALUATION CONFERENCE MAY BE OBTAINED AT <http://www.courtinfo.ca.gov/selfhelp>. YOU ARE ENTITLED TO REQUEST, FROM A CERTIFIED ACCESS SPECIALIST WHO HAS CONDUCTED AN INSPECTION OF YOUR PROPERTY, A WRITTEN INSPECTION REPORT AND OTHER DOCUMENTATION AS SET FORTH IN CIVIL CODE SECTION 55.53. YOU ARE ALSO ENTITLED TO REQUEST THE ISSUANCE OF A DISABILITY ACCESS INSPECTION CERTIFICATE, WHICH YOU MAY POST ON YOUR PROPERTY.

This report has been issued in compliance with California Civil Code Section 55.53 and does NOT comply with all applicable construction related accessibility standards. A "Inspected by a CASp" classification has been determined as defined in California Civil Code Section 55.52 (a) 5. A reasonable time frame for completing items noted in this report will be determined by the property owner, tenant, or both and provided to BlueDAG (Demo) to be incorporated into an updated document.

Prepared by: Sam Jones, 753

Inspection Certificate #: 2586

This document is valid only if wet signed by the preparer



Sam Jones, BlueDAG (Demo)

Date: 03/10/2016



Expanding Your Market



More than fifty million Americans with disabilities make up a huge, nearly untapped market for businesses of all types and sizes. To help businesses welcome customers with disabilities, the IRS offers two tax incentives to remove access barriers.

For more information about these tax incentives and the ADA, call the Department of Justice ADA Information Line at:
800-514-0301 (voice)
800-514-0383 (TTY)
or visit the ADA Business Connection at:
www.ada.gov.

Tax Incentives for Businesses

Businesses can take advantage of two Federal tax incentives available to help cover costs of making access improvements for customers with disabilities:

- **A tax credit for small businesses** who remove access barriers from their facilities, provide accessible services, or take other steps to improve accessibility for customers with disabilities
- **A tax deduction for businesses of all sizes** that remove access barriers in their facilities or vehicles

A business that annually incurs eligible expenses to bring itself into compliance with the ADA may use these tax incentives every year. The incentives may be applied to a variety of expenditures; however, they may not be applied to the costs of new construction. All barrier removal must comply with applicable Federal accessibility standards.

Tax Credit

Small businesses with 30 or fewer employees or total revenues of \$1 million or less can use the Disabled Access Credit (Internal Revenue Code, Section 44). Eligible small businesses may take a credit of up to \$5,000 (half of eligible expenses up to \$10,250, with no credit for the first \$250) to offset their costs for access, including barrier removal from their facilities (e.g., widening a doorway, installing a ramp), provision of accessibility services (e.g., sign language interpreters), provision of printed material in alternate formats (e.g., large-print, audio, Braille), and provision or modification of equipment.

Tax Deduction

Businesses of all sizes may take advantage of this tax deduction. Under Internal Revenue Code, Section 190, businesses can take a business expense deduction of up to \$15,000 per year for costs of removing barriers in facilities or vehicles.

Tax Incentives in Combination

These two incentives can be used together by eligible businesses if the expenditures qualify under both Sections 44 and 190. If a small business' expenses exceed \$10,250 for the maximum \$5,000 tax credit, then the deduction equals the difference between the total spent and the amount of the credit claimed.

Tax Incentives Forms and Publications

Visit the Internal Revenue Service website at www.irs.gov or call 800-829-3676 (voice); 800-829-4059 (TTY) to order the necessary business forms and publications:
Form 8826 (Disabled Access Credit)
and **Publication 535 "Business Expenses"** (tax deduction).

November 2005

Common Questions: Readily Achievable Barrier Removal

The ADA requires companies providing goods and services to the public to take certain limited steps to improve access to existing places of business. This mandate includes the obligation to remove barriers from existing buildings when it is readily achievable to do so. Readily achievable means easily accomplishable and able to be carried out without much difficulty or expense.

Many building features that are common in older facilities such as narrow doors, a step or a round door knob at an entrance door, or a crowded check-out or store aisle are barriers to access by people with disabilities. Removing barriers by ramping a curb, widening an entrance door, installing visual alarms, or designating an accessible parking space is often essential to ensure equal opportunity for people with disabilities. Because removing these and other common barriers can be simple and inexpensive in some cases and difficult and costly in others, the regulations for the ADA provide a flexible approach to compliance. This practical approach requires that barriers be removed in existing facilities only when it is readily achievable to do so. The ADA does not require existing buildings to meet the ADA's standards for newly constructed facilities.

The ADA states that individuals with disabilities may not be denied the full and equal enjoyment of the "goods, services, facilities, privileges, advantages, or accommodations" that the business provides -- in other words, whatever type of good or service a business provides to its customers or clients. A business or other private entity that serves the public must ensure equal opportunity for people with disabilities. In the following section, the US Department of Justice answers some of the most commonly asked questions about the barrier removal requirement and how it differs from those requirements that apply to new construction and alteration of buildings.

I own three buildings, two of which were designed and constructed prior to the enactment of the ADA. I have been told I have to make them all accessible. Is this true? Does the ADA require me to make them all accessible?

The ADA establishes different requirements for existing facilities and new construction. In existing facilities where retrofitting may be expensive, the requirement to provide access through barrier removal is less than it is in new construction where accessibility can be incorporated in the initial stages of design and construction without a significant increase in cost. The requirement to remove barriers in existing buildings applies only to a private entity that owns, leases, leases to or operates a "place of public accommodation." Further, barriers must be removed only where it is "readily achievable" to do so. Readily achievable means easily accomplishable and able to be carried out without much difficulty or expense.

Common Questions: Readily Achievable Barrier Removal

Is my business required to remove barriers?

If your business provides goods and services to the public, you are required to remove barriers if doing so is readily achievable. Such a business is called a public accommodation because it serves the public. If your business is not open to the public but is only a place of employment like a warehouse, manufacturing facility or office building, then there is no requirement to remove barriers. Such a facility is called a commercial facility. While the operator of a commercial facility is not required to remove barriers, you must comply with the ADA Standards for Accessible Design when you alter, renovate or expand your facility.

What is a "place of public accommodation"?

A place of public accommodation is a facility whose operations affect commerce and fall within at least one of the following 12 categories set out in the ADA:

- 1. Places of lodging (e.g., inns, hotels, motels) (except for owner occupied establishments renting fewer than six rooms);*
- 2. Establishments serving food or drink (e.g., restaurants and bars);*
- 3. Places of exhibition or entertainment (e.g., motion picture houses, theaters, concert halls, stadiums);*
- 4. Places of public gathering (e.g., auditoriums, convention centers, lecture halls);*
- 5. Sales or rental establishments (e.g., bakeries, grocery stores, hardware stores, shopping centers);*
- 6. Service establishments (e.g., Laundromats, dry-cleaners, banks, barber shops, beauty shops, travel services, shoe repair services, funeral parlors, gas stations, offices of accountants or lawyers, pharmacies, insurance offices, professional offices of health care providers, hospitals);*
- 7. Public transportation terminals, depots, or stations (not including facilities relating to air transportation);*
- 8. Places of public display or collection (e.g., museums, libraries, galleries);*
- 9. Places of recreation (e.g., parks, zoos, amusement parks);*
- 10. Places of education (e.g., nursery schools, elementary, secondary, undergraduate, or postgraduate private schools);*
- 11. Social service center establishments (e.g., day care centers, senior citizen centers, homeless shelters, food banks, adoption agencies); and*
- 12. Places of exercise or recreation (e.g., gymnasiums, health spas, bowling alleys, golf courses).*

Common Questions: Readily Achievable Barrier Removal

I operate a restaurant that opened in 1991. The city required that the restaurant comply with the local accessibility code. Is the restaurant "grandfathered" and not required to remove barriers as required by the ADA?

No. A restaurant is a public accommodation and a place of public accommodation must remove barriers when it is readily achievable to do so. Although the facility may be "grandfathered" according to the local building code, the ADA does not have a provision to "grandfather" a facility. While a local building authority may not require any modifications to bring a building "up to code" until a renovation or major alteration is done, the ADA requires that a place of public accommodation remove barriers that are readily achievable even when no alterations or renovations are planned.

Do I, as the owner, have to pay for removing barriers?

Yes, but tenants and management companies also have an obligation. Any private entity who owns, leases, leases to, or operates a place of public accommodation shares in the obligation to remove barriers.

If I do remove barriers, is my business entitled to any tax benefit to help pay for the cost of compliance?

As amended in 1990, the Internal Revenue Code allows a deduction of up to \$15,000 per year for expenses associated with the removal of qualified architectural and transportation barriers (Section 190). The 1990 amendment also permits eligible small businesses to receive a tax credit (Section 44) for certain costs of compliance with the ADA. An eligible small business is one whose gross receipts do not exceed \$1,000,000 or whose workforce does not consist of more than 30 full-time workers. Qualifying businesses may claim a credit of up to 50 percent of eligible access expenditures that exceed \$250 but do not exceed \$10,250. Examples of eligible access expenditures include the necessary and reasonable costs of removing architectural, physical, communications, and transportation barriers; providing readers, interpreters, and other auxiliary aids; and acquiring or modifying equipment or devices.

Common Questions: Readily Achievable Barrier Removal

How do I determine what is readily achievable?

"Readily achievable" means easily accomplishable and able to be carried out without much difficulty or expense. Determining if barrier removal is readily achievable is, by necessity, a case-by-case judgment. Factors to consider include:

- 1. The nature and cost of the action;*
- 2. The overall financial resources of the site or sites involved; the number of persons employed at the site; the effect on expenses and resources; legitimate safety requirements necessary for safe operation, including crime prevention measures; or any other impact of the action on the operation of the site;*
- 3. The geographic separateness, and the administrative or fiscal relationship of the site or sites in question to any parent corporation or entity;*
 - 4) If applicable, the overall financial resources of any parent corporation or entity; the overall size of the parent corporation or entity with respect to the number of its employees; the number, type, and location of its facilities; and*
 - 5) If applicable, the type of operation or operations of any parent corporation or entity, including the composition, structure, and functions of the workforce of the parent corporation or entity. If the public accommodation is a facility that is owned or operated by a parent entity that conducts operations at many different sites, you must consider the resources of both the local facility and the parent entity to determine if removal of a particular barrier is "readily achievable." The administrative and fiscal relationship between the local facility and the parent entity must also be considered in evaluating what resources are available for any particular act of barrier removal.*

Can you tell me what barriers it will be "readily achievable" to remove?

The Department's regulation contains a list of 21 examples of modifications that may be readily achievable. These include installing ramps, making curb cuts in sidewalks and at entrances, repositioning telephones, adding raised markings on elevator control buttons, installing visual alarms, widening doors, installing offset hinges to widen doorways, insulating lavatory pipes under sinks, repositioning a paper towel dispenser, installing a full-length mirror, rearranging toilet partitions to increase maneuvering space or installing an accessible toilet stall. The list is not exhaustive and is only intended to be illustrative. Each of these modifications will be readily achievable in many instances, but not in all. Whether or not any of these measures is readily achievable will have to be determined on a case-by-case basis in light of the nature and cost of the barrier removal and the resources available.

Common Questions: Readily Achievable Barrier Removal

Does the ADA permit me to consider the effect of a modification on the operation on my business?

Yes. The ADA permits consideration of factors other than the initial cost of the physical removal of a barrier.

ILLUSTRATION: CDE convenience store determines that it would be inexpensive to remove shelves to provide access to wheelchair users throughout the store. However, this change would result in a significant loss of selling space that would have an adverse effect on its business. In this case, the removal of all the shelves is not readily achievable and, thus, is not required by the ADA. However, it may be readily achievable to remove some shelves.

If an area of my store is reachable only by a flight of steps, would I be required to add an elevator?

Usually no. A public accommodation generally would not be required to remove a barrier to physical access posed by a flight of steps, if removal would require extensive ramping or an elevator. The readily achievable standard does not require barrier removal that requires burdensome expense. Thus, where it is not readily achievable to do so, the ADA would not require a public accommodation to provide access to an area reachable only by a flight of stairs.

I have a portable ramp that we use for deliveries - can't I just use that?

Yes, you could, but only if the installation of a permanent ramp is not readily achievable. In order to promote safety, a portable ramp should have railings, a firm, stable, nonslip surface and the slope should not exceed one to twelve (one unit of rise for every twelve units horizontal distance). It should also be properly secured and staff should be trained in its safe use.

Common Questions: Readily Achievable Barrier Removal

Because one of my buildings is very inaccessible, I don't know what to fix first. Is guidance available?

Yes. The Department recommends priorities for removing barriers in existing facilities because you may not have sufficient resources to remove all existing barriers at one time. These priorities are not mandatory. You are free to exercise discretion in determining the most effective "mix" of barrier removal measures for your facilities. The **first priority** is enabling individuals with disabilities to enter the facility. This priority on "getting through the door" recognizes that providing physical access to a facility from public sidewalks, public transportation, or parking is generally preferable to any alternative arrangements in terms of both business efficiency and the dignity of individuals with disabilities. The **second priority** is providing access to those areas where goods and services are made available to the public. For example, in a hardware store these areas would include the front desk and the retail display areas of the store. The **third priority** is providing access to restrooms (if restrooms are provided for use by customers or clients). The **fourth priority** is removing any remaining barriers, for example, lowering telephones.

What about my employee areas? Must I remove barriers in areas used only by employees?

No. The "readily achievable" obligation to remove barriers in existing facilities does not extend to areas of a facility that are used exclusively by employees. Of course, it may be necessary to remove barriers in response to a request for "reasonable accommodation" by a qualified employee or applicant as required by Title I of the ADA. For more information, contact the Equal Employment Opportunity Commission (EEOC) which enforces Title I of the ADA.

How can a public accommodation decide what needs to be done?

One effective approach is to conduct a "self-evaluation" of the facility to identify existing barriers. While not required by the ADA, a serious effort at self-assessment and consultation can save resources by identifying the most efficient means of providing required access and can diminish the threat of litigation. It serves as evidence of a good faith effort to comply with the barrier removal requirements of the ADA. This process should include consultation with individuals with disabilities or with organizations representing them and procedures for annual reevaluations.

If a public accommodation determines that its facilities have barriers that should be removed, but it is not readily achievable to undertake all of the modifications now, what should it do?

The Department recommends that a public accommodation develop an implementation plan designed to achieve compliance with the ADA's barrier removal requirements. Such a plan, if appropriately designed and executed, could serve as evidence of a good faith effort to comply with the ADA's barrier removal requirements.

Common Questions: Readily Achievable Barrier Removal

What if I'm not able to remove barriers at this time due to my financial situation? Does that mean I'm relieved of current responsibilities?

No, when you can demonstrate that the removal of barriers is not readily achievable, you must make your goods and services available through alternative methods, if undertaking such methods is readily achievable. Examples of alternative methods include having clerks retrieve merchandise located on inaccessible shelves or delivering goods or services to the customers at curbside or in their homes. Of course, the obligation to remove barriers when readily achievable is a continuing one. Over time, barrier removal that initially was not readily achievable may later become so because of your changed circumstances.

If the obligation is continuing, do you mean there are no limits on what I must do to remove barriers?

No. There are limits. In removing barriers, a public accommodation does not have to exceed the level of access required under the alterations provisions contained in the Standards (or the new construction provision where the Standards do not provide specific provisions for alterations).

ILLUSTRATION 1: An office building that houses places of public accommodation is removing barriers in public areas. The alterations provisions of the Standards explicitly state that areas of rescue assistance are not required in buildings that are being altered. Because barrier removal is not required to exceed the alterations standard, the building owner need not establish areas of rescue assistance.

ILLUSTRATION 2: A grocery store has more than 5000 square feet of selling space and prior to the ADA had six inaccessible check-out aisles. Because the Standards do not contain specific provisions applicable to the alteration of check-out aisles one must look to the new construction provisions of the Standards for the upper limit of the barrier removal obligation. These provisions require only two of the six check-out aisles to be accessible. Because the store found it readily achievable in 1993 and 1994 to remove barriers and make two of check-out aisles accessible, the store has fulfilled its obligation and is not required to make more checkout aisles accessible.

Common Questions: Readily Achievable Barrier Removal

What is the difference between barrier removal and alterations? Aren't they both very similar?

Not really. Under the ADA, barrier removal is done by a place of public accommodation to remove specific barriers that limit or prevent people with disabilities from obtaining access to the goods and services offered to the public. This is an ongoing obligation for the business that has limits determined by resources, size of the company and other factors. An alteration is replacement, renovation or addition to an element or space of a facility. Generally alterations are done to improve the function of the business, to accommodate a change or growth in services, or as part of a general renovation. The requirements for alterations are greater than those for barrier removal because the alteration is part of a larger construction or replacement effort.

One of the buildings that I own is a small factory with offices. Do I have to make that accessible?

No, commercial facilities such as factories, warehouses, and office buildings that do not contain places of public accommodation are considered "commercial facilities" and are not required to remove barriers in existing facilities. They are, however, covered by the ADA's requirements for accessible design in new construction or alterations.

Estimated Time-Line for Barrier Removal (Please complete and return page/s to be inserted in report)

Parking Lot North

Estimated Completion Date

- Finding: 1 The parking stall is not outlined or painted blue. The parking _____/_____/_____
- Finding: 2 The cross slope of the parking stall (narrow dimension) exceeds _____/_____/_____
- Finding: 3 The currently identified accessible parking space contains _____/_____/_____
- Finding: 4 The tow away sign on the left side of driveway entrance. There _____/_____/_____
- Finding: 5 The cross slope (short dimension) of the access aisle exceeds _____/_____/_____

Front Entrance Door

Estimated Completion Date

- Finding: 6 The door exceeds the maximum pressure to open the door. Doors _____/_____/_____

Mens Restroom Level 1

Estimated Completion Date

- Finding: 7 The rear grab bar is too high. Grab bars shall be installed _____/_____/_____
- Finding: 8 The water and drain pipes under the lavatory are not adequately _____/_____/_____

South Lobby

Estimated Completion Date

- Finding: 9 The landing at the entrance doors exceeds 2% slope. Exterior _____/_____/_____
- Finding: 10 There are not enough accessible tables. Based on the (42) seats _____/_____/_____

Mens Restroom Level 2

Estimated Completion Date

- Finding: 11 The landing perpendicular to the door is not wide enough. _____/_____/_____
- Finding: 12 The toilet is not on the left located within the range allowed _____/_____/_____
- Finding: 13 The water and drain pipes under the lavatory are not adequately _____/_____/_____
- Finding: 14 A compliant room identification sign is missing on the strike _____/_____/_____
- Finding: 15 The bottom of the lavatory bowl is too low and does not provide _____/_____/_____
- Finding: 16 The maneuvering space on the pull side of the door does not _____/_____/_____

Estimated Time-Line for Barrier Removal
(Please complete and return page/s to be inserted in report)

Finding: 17 The ambulatory compartment is not wide enough. Ambulatory _____/_____/_____

Completed By:

Print Name: _____ *Title:* _____

Phone: _____ *Date:* _____

Please Mail to:
BlueDAG (Demo)
2999 Gold Canal Dr. A
Rancho Cordova, CA 95842