

Americans with Disabilities Act (ADA)

Requirements for Businesses



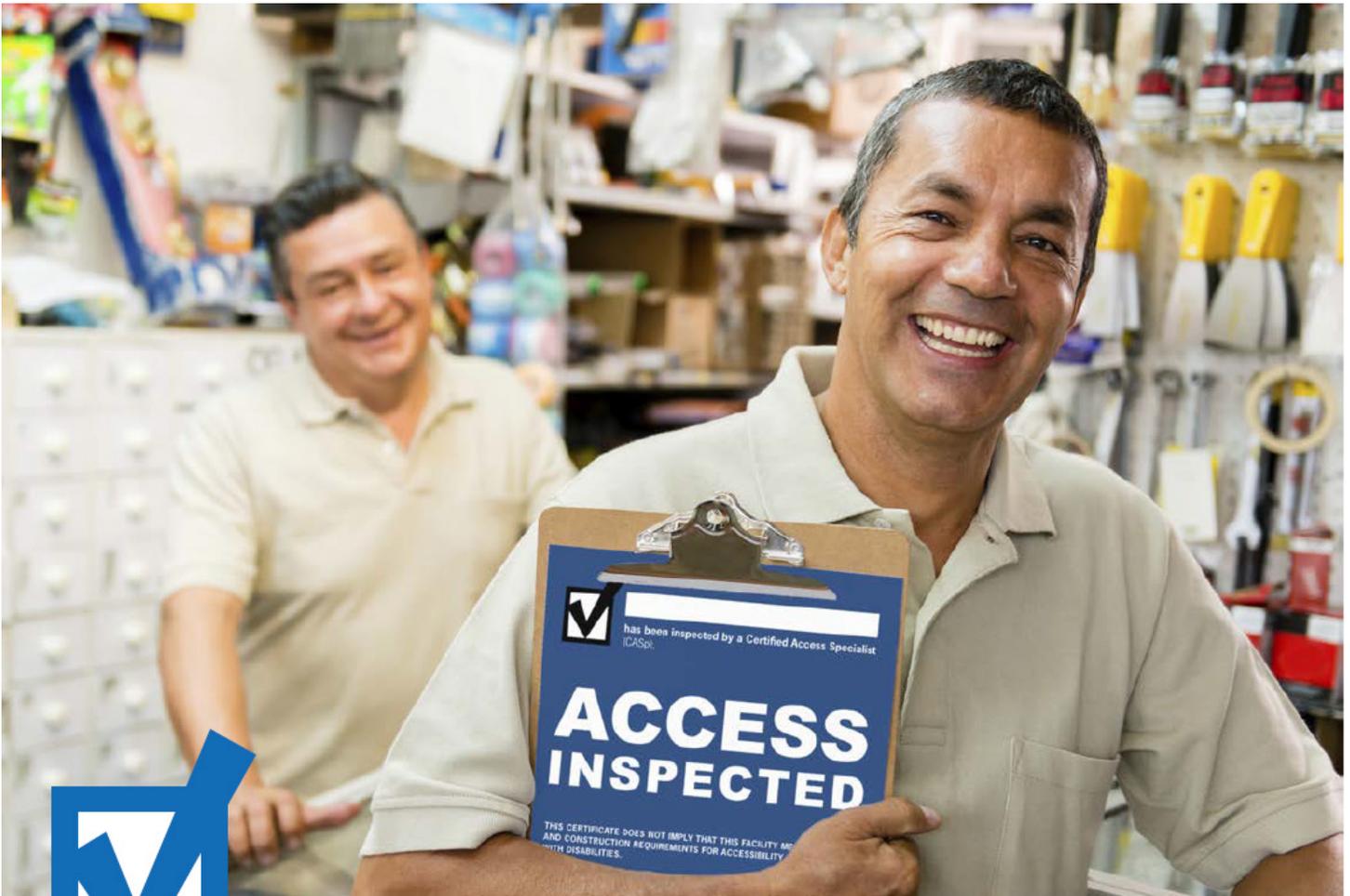
Did you know...?

In order to help you meet the ADA requirements for your business, you can hire a Certified Access Specialist (CASP). Visit the State Department of General Services website to find a CASP professional in your area: dgs.ca.gov/casp. You can also visit the California Commission on Disability Access website: ccda.ca.gov.

The City of Fremont also offers CASP certified plan check professionals. Ask a Permit Center staff member for more information or email bldinfo@fremont.gov.

Please keep in mind that approval of a building permit does not signify that the applicant has complied with the federal Americans with Disabilities Act (ADA) of 1990.

To view the federal ADA requirements for your business, please visit the following website: fremont.gov/ADAsmallbusiness.



My business is accessible. *Is yours?*

HIRE A CASp. GET LEGAL BENEFITS.

IS YOUR BUSINESS ACCESS COMPLIANT UNDER FEDERAL ADA STANDARDS & CALIFORNIA LAW?

A Certified Access Specialist (CASp) can help determine if your facility is access compliant.

WITH A CASp INSPECTION, YOU GET ...

A review by a professional who knows which accessibility standards apply to your facility.

An action plan for changes needed for your facility to become compliant.

Legal benefits that may reduce your financial liability in a lawsuit.

For more information and to find a CASp in your area, visit www.dgs.ca.gov/casp



West's Annotated California Codes

Government Code ([Refs & Annos](#))

Title 1. General

Division 5. Public Work and Public Purchases

Chapter 7.5. Disability Access and Education ([Refs & Annos](#))

West's Ann.Cal.Gov.Code § 4469.5

§ 4469.5. Business licenses and building permits for commercial property; informational notice providing additional resources relating to compliance with federal and state disability laws; contents; translation into languages other than English; model notice

Effective: January 1, 2019

[Currentness](#)

(a) In addition to the information required by [Section 4469](#), each city, county, or city and county that issues business licenses, building permits for additions, alterations, and structural repairs to commercial property, or building permits for new construction of commercial property, shall make readily available, and, upon submission to the city, county, or city and county of an application for a business license or building permit, shall provide to the applicant, an informational notice to the applicant containing all of the following:

(1) General information about the compliance requirements pursuant to the federal Americans with Disabilities Act of 1990 ([42 U.S.C. Sec. 12101 et seq.](#)) and the state's disability access laws.

(2) An advisory to the applicant for a building permit that strongly encourages the applicant to do both of the following:

(A) Obtain a consultation by a Certified Access Specialist (CASp) before alteration or construction in order for the property to be in compliance with disability access laws after the work is completed, so that the applicant can benefit from the advantages of compliance.

(B) Obtain an inspection by a Certified Access Specialist (CASp) after alteration or construction in order to benefit from the legal protections afforded business and property owners under the Construction-Related Accessibility Compliance Act (Part 2.52 (commencing with [Section 55.51](#)) of Division 1 of the Civil Code).

(3) An advisory to the applicant for a business license that strongly encourages the applicant to do both of the following:

(A) Obtain a consultation by a Certified Access Specialist (CASp) before engaging in business on the premises in order for the property to be in compliance with disability access laws, so that the applicant can benefit from the advantages of compliance.

(B) Obtain an inspection by a Certified Access Specialist (CASp) after beginning to engage in business on the premises in order to benefit from the legal protections afforded business and property owners under the Construction-Related Accessibility Compliance Act (Part 2.52 (commencing with [Section 55.51](#)) of Division 1 of the Civil Code).

(4) Information about how to locate CASp inspectors, including a link to the Internet Web site of the State Architect where CASp inspectors are listed, pursuant to [Section 4459.8](#), by geographic area in which they provide or intend to provide services and information about how to obtain CASp services.

(5) A notice of the federal and state programs that are available to assist small businesses with disability compliance and access expenditures, including, but not limited to, [Section 44 of the Internal Revenue Code](#) (disabled access credit for eligible small businesses); [Section 190 of the Internal Revenue Code](#) (deduction for expenditures to remove architectural and transportation barriers); the California Capital Access Program Americans with Disabilities Act Financing Program (CalCAP/ADA); and the Disabled Access Credit for Eligible Small Businesses specified in [Sections 17053.42](#) and [23642](#) of

[the Revenue and Taxation Code.](#)

(6) A link to the homepage and the resource page of the California Commission on Disability Access.

(b) The informational notice specified in subdivision (a) shall be translated and made available in all of the languages specified in [paragraph \(3\) of subdivision \(a\) of Section 1632 of the Civil Code](#) and shall be provided to the applicant in whichever format the building permit or business license application is required to be submitted.

(c) For purposes of this section, the term “commercial property” means property that is operating, or is intended to be operated, as a “place of public accommodation” as defined in Section 202 of Title 24 of the California Code of Regulations, or as a facility to which the general public is invited at those premises.

(d)(1) The Division of the State Architect shall develop a model notice that local agencies can use to comply with the requirements of this section.

(2) The Division of the State Architect shall post the model notice on the publicly available portion of the division’s Internet Web site.

Credits

(Added by [Stats.2018, c. 680 \(A.B.3002\), § 2, eff. Jan. 1, 2019.](#))

West’s Ann. Cal. Gov. Code § 4469.5, CA GOVT § 4469.5

Current with all laws through Ch. 1016 of 2018 Reg.Sess., and all propositions on 2018 ballot.

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