

Cities Must Provide Public Notice Regarding Disability Access Laws to Applicants for Commercial Construction Building Permits and Business Licenses

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ATTORNEYS

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General law and charter cities must provide a notice regarding disability access laws to applicants for commercial construction building permits and business licenses beginning January 1, 2019 under a new state law.

The purpose of **AB 3002** is to increase compliance by owners and tenants of commercial property with the Americans with Disabilities Act (ADA) and the California Unruh Civil Rights Act. Under new Government Code Section 4469.5, cities that issue building permits for new construction or for additions, alterations and structural repairs to commercial property, or business licenses, must have a disability access law notice readily available for applicants, and must provide a copy of the notice upon submission of an application. Cities will be able to use a model notice to be developed by the Division of the State Architect. The notice must be translated into Spanish, Chinese, Tagalog, Vietnamese, and Korean.

The disability access law notice must contain specific information including compliance requirements of the ADA and Unruh Act; advisories encouraging applicants to obtain consultations and inspections by a Certified Access Specialist ("CASp") to ensure that their property or business will be in compliance with disability access laws and will benefit from legal protections afforded to business and property owners under the Construction-Related Accessibility Standards Compliance Act (Civil Code Section 55.51 et seq.), such as the potential for reduced statutory damages; and how to locate CASp inspectors on the Internet. The notice must also include information about federal and state programs available to assist small businesses with disability compliance and access expenditures under federal and state laws; and a link to the homepage and the resource page of the California Commission on Disability Access.

If you have questions regarding AB 3002, or other disability access laws, please contact **Amy Greyson**.