ADMINISTRATIVE BULLETIN

NO. AB-017 :

DATE : September 16, 1998 (Updated 01/01/11 for code references

SUBJECT : Disabled Access

TITLE : **Exception to Requirements for Disabled Access to Vacant Spaces**

PURPOSE : The purpose of this bulletin is to establish guidelines for provision of accessibility to vacant and to subsequently occupied or re-occupied spaces or buildings.

REFERENCES : 2010 San Francisco Building Code
- Section 1.9, Application of Access Compliance Regulations
- Section 103A, Occupancy Violations

DISCUSSION : The Department of Building Inspection through this bulletin intends to assure the compliance with requirements for accessibility to spaces used and occupied by persons with disabilities and other persons, while affirming that buildings or portions of buildings which are not occupied for any use or purpose do not require access. This bulletin further addresses issues of accessibility upon re-occupancy of buildings where existing violations have been cited by DBI, and confirms that access requirements must be met before either temporary or permanent occupancy.

In order to avoid the costly provision of disabled access features for spaces where tenant improvements have not yet been fully incorporated for future use, or where the temporary solution to disabled access complaints may be to vacate a non-complying space, the Department of Building Inspection acknowledges that there are no requirements to provide disabled access to such vacant space. When vacant spaces become occupied or re-occupied, all disabled access features must be provided as required under the San Francisco Building Code. New buildings, particularly those core-and-shell buildings where tenant spaces have not yet been occupied, may be granted exceptions from some specific interior access requirements but must meet all basic site access requirements so that construction does not preclude subsequent access compliance. Buildings actively under construction or renovation which are not occupied for other purposes also need not be provided with disabled access features.

Where a vacant building or space is subject to a complaint or abatement action for failure to provide required disabled access features, such access features need not be provided until such space is reoccupied. Prior to such reoccupancy a permit will be required to correct accessibility violations, even if no other tenant improvement or other construction work is contemplated. It is the responsibility of the owner to provide no less than quarterly updates to the Department of Building Inspection regarding the status of vacant buildings upon which complaints are outstanding. Such reports shall be provided to the Disabled Access Division of the Department of Building Inspection and signed by the owner or their representative.

Note that the San Francisco Building Code specifically requires access to temporary and emergency buildings and facilities. Any use of otherwise vacant spaces, such as temporary office space or other special use, requires compliance with disabled access regulations per San Francisco Building Code Section 1.9. Temporary uses may be provided with temporary disabled access features with the approval the Department of Building Inspection (i.e., temporary accessible toilet facilities).

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Vivian L. Day, C.B.O. Date
Director
Department of Building Inspection

Approved by the Building Inspection Commission on September 16, 1998