



BUILDING & CODE ENFORCEMENT DIVISION

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FOR COMMERCIAL BUSINESSES
IMPORTANT INFORMATION REGARDING ACCESSIBILITY

All existing places of public accommodation, commercial buildings, and other privately owned facilities which are open to the public, and/or serve as places of employment, are required to be accessible to persons with disabilities. The Americans with Disabilities Act (ADA) Title III and California's Accessibility Standards govern the accessibility requirements of both new and pre-existing structures.

As many existing buildings do not comply with current accessibility requirements, it is essential for business and property owners to know how these requirements are enforced.

The City of Dinuba serves as the enforcing authority for these requirements when permits are obtained, or a building undergoes a change in use. When building permits are issued by the City of Dinuba for alterations, additions, and or repairs, unless specifically exempted under section 11B-202.4.7 of the 2022 CBC, the city becomes the enforcement agency ensuring disabled access is provided to the area of work.¹ In addition, the city verifies that all new work is performed in compliance with California Accessibility Standards.

In instances where permits are not obtained, enforcement of noncompliant facilities occurs through civil litigation between private parties. Complaints are filed with the courts and subsequently settled through a legal process. It's worth noting that many business and property owners, as well as tenants, may be unaware of their potential exposure to civil litigation claims related to accessibility until they receive a complaint.

To proactively address accessibility concerns and mitigate the risk of litigation, the City strongly encourages all business and commercial property owners to prioritize accessibility by taking the necessary steps to ensure their facilities are fully accessible. This may involve engaging a licensed design professional² to prepare plans and specifications for submission to obtain an accessibility upgrade permit.

¹ Access to the area of work includes both pedestrian and vehicular access.

Pedestrian: If a city sidewalk is provided and adjacent to the site, the facility is required to provide an accessible pedestrian route between the city sidewalk (public way) and the facility entrance. The accessible route shall be a minimum of 48 inches in width, shall not exceed 2% cross slope, and 5% running slope in the direction of travel, except where a compliant ramp is incorporated into the accessible route not exceeding 8.33% running slope.

Vehicular: When on-site parking is provided, accessible parking is required to serve persons with disabilities. All on-site accessible parking spaces must be served by a compliant access aisle(s) (an unloading area). The access aisle is required to provide safe pedestrian access to the accessible pedestrian route leading to the facility entrance.

² A licensed design professional is defined as an Architect or registered Engineer, licensed to practice in the State of California per CA Business and Professionals Code, Ch. 3, Div. 3 § 5500 & § 6701.