



Edwin M. Lee, Mayor
Mohammed Nuru, Director

Jerry Sanguinetti, Bureau Manager

Public Works Order No: 185854

ACCESSIBLE STREET CROSSING STANDARD

ADOPTING THE ACCESSIBLE STREET CROSSING STANDARD PLANS NOS. 102,854 THROUGH 102,864 and ALLOWING THE CITY ENGINEER, PUBLIC WORKS DISABILITY ACCESS COORDINATOR (DAC), OR THEIR DESIGNEE TO GRANT EXCEPTIONS TO THE PUBLIC WORKS ACCESSIBLE STREET CROSSING STANDARD UNDER THE PROVISIONS OF THE CALIFORNIA BUILDING CODE AND THE AMERICANS WITH DISABILITIES ACT.

PROHIBITING THE INSTALLATION OF NEW UTILITY FACILITIES WITHIN THE CURB RETURN AREA WHERE TECHNICALLY FEASIBLE, and REQUIRING THE RELOCATION OF EXISTING UTILITY FACILITIES WHERE TECHNICALLY FEASIBLE WHEN CURB RETURN AREAS ARE TO BE IMPROVED IN ORDER TO CONSTRUCT PUBLIC WORKS STANDARD CURB RAMPS PER THE ACCESSIBLE STREET CROSSING STANDARD PLANS.

This Public Works Order supersedes Order No. 175,387: ADOPTING REVISED CITY CURB RAMP STANDARDS PLANS NOS. 55,017, Revision No. 3; 55,017.1; 55,018 Revision No. 3; 55,018.1; 55,018.2; 55,018.3; and ALLOWING THE CITY ENGINEER OR HIS/HER DESIGNEE TO GRANT EXCEPTIONS TO DPW CURB RAMP STANDARDS UNDER THE PROVISIONS OF THE TITLE 24 CALIFORNIA BUILDING CODE AND THE AMERICANS WITH DISABILITIES ACT.

I. PURPOSE

This Public Works Order adopts the following:

- A. Accessible Street Crossing Standard.
- B. Provides procedures for granting exceptions or accepting alternatives to said Standard under the provisions of the California Code of Regulations (CCR) Title 24, Part II; California Building Code.
- C. Provides procedures for granting exceptions or accepting alternatives to said Standard under the provisions of 28 CFR Part 35; Title II of the Americans with Disabilities Act of 1990 (ADA) as amended effective March 15, 2011, and the 2010 ADA Standards for Accessible Design, effective March 15, 2012.



- D. Provides requirements prohibiting the installation of new utility facilities within the curb return area and the relocation of existing utility facilities in order to construct a Public Works Standard Curb Ramp(s) per the Accessible Street Crossing Standard.

II. NEW ACCESSIBLE STREET CROSSING STANDARD

- A. This Order hereby adopts the Accessible Street Crossing Standard as shown on the accessible street crossing standard plans numbered:

File No.
102,854
102,855
102,856
102,857
102,858
102,859
102,860
102,861
102,862
102,863
102,864

- B. The Accessible Street Crossing Standard plans supersedes the Curb Ramp Standard plans numbered:

<u>File No.</u>	<u>Revision No.</u>
55,017	3
55,017.1	
55,018	3
55,018.1	
55,018.2	
55,018.3	

- C. Permits issued after the effective date of April 3, 2017, for this Public Works Order shall be constructed per the Accessible Street Crossing Standard.
- D. Curb ramps constructed under City construction contracts advertised after the adoption date of this Public Works Order shall be constructed per the Accessible Street Crossing Standard.

III. PROCEDURE FOR REQUESTING EXCEPTIONS TO ACCESSIBLE STREET CROSSING STANDARD



- A. The City Engineer, Public Works Disability Access Coordinator (DAC), or their designee may grant exceptions to the Accessible Street Crossing Standard.
- B. A Curb Ramp Exception Request shall be a written submission to the City Engineer, Public Works Disability Access Coordinator (DAC), or their designee and shall include the following:
1. An explanation why an exception is requested. Specifically explain how the installation of a standard curb ramp is technically infeasible, or structurally impracticable, or how it would create an unreasonable hardship;
 2. An explanation of which standard features are proposed to be altered, how they will be altered, and propose an alternate method of accessibility or equivalent facilitation;
 3. The name of the person and/or organization requesting the exception;
 4. The contact person's name, phone number and address;
 5. The location of the request for an exception to the installation of a standard curb ramp;
 6. A detailed dimensioned plan documenting existing physical and legal constraints; e.g. sidewalk widths, facility entrances and exits, stairs, ramps, driveways, catch basin inlets, sub-sidewalk basements, utility poles, fire hydrants, traffic signals, overhead contact system (OCS) poles, curbs, property lines, traffic lanes, traffic direction, running and cross slopes of roads and sidewalks, etc., also including the location of the proposed alternate or exception type curb ramp; and
 7. Pictures documenting existing physical constraints at the location of the request for an exception.
- C. For purposes of this Public Works Order, "technically infeasible" shall be defined in accordance with the California Building Code, Section 202; "An alteration of a building or facility, that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing member that is an essential part of the structural frame; or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features that are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility."
- D. For purposes of this Public Works Order, "equivalent facilitation" shall be defined in accordance with the California Building Code, Section 202; "The



use of designs, products or technologies as alternatives to those prescribed, resulting in substantially equivalent or greater accessibility and usability. Note: In determining equivalent facilitation, consideration shall be given to means that provide for the maximum independence of persons with disabilities while presenting the least risk of harm, injury or other hazard to such persons or others.”

E. For purposes of this Public Works Order, “structural impracticability” shall be in accordance with 28 CFR Part 35.151; Title II of the Americans with Disabilities Act:

“(a) Design and construction.

(1) Each facility or part of a facility constructed by, on behalf of, or for the use of a public entity shall be designed and constructed in such manner that the facility or part of the facility is readily accessible to and usable by individuals with disabilities, if the construction was commenced after January 26, 1992.

(2) Exception for structural impracticability.

(i) Full compliance with the requirements of this section is not required where a public entity can demonstrate that it is structurally impracticable to meet the requirements. Full compliance will be considered structurally impracticable only in those rare circumstances when the unique characteristics of terrain prevent the incorporation of accessibility features.

(ii) If full compliance with this section would be structurally impracticable, compliance with this section is required to the extent that it is not structurally impracticable. In that case, any portion of the facility that can be made accessible shall be made accessible to the extent that it is not structurally impracticable.

(iii) If providing accessibility in conformance with this section to individuals with certain disabilities (e.g., those who use wheelchairs) would be structurally impracticable, accessibility shall nonetheless be ensured to persons with other types of disabilities, (e.g., those who use crutches or who have sight, hearing, or mental impairments) in accordance with this section.”

F. Public Works will consider such Request only in conjunction with a specific permit or project; including but not limited to a street improvement permit, a re-paving or excavation contract, a utility excavation permit, or any other applicable permits.



IV. GUIDELINES FOR APPROVING REQUEST FOR AN EXCEPTION TO THE ACCESSIBLE STREET CROSSING STANDARD

- A. The City Engineer, Public Works Disability Access Coordinator (DAC), or their designee may grant an exception to the Accessible Street Crossing Standard if he/she determines that compliance is technically infeasible, structurally impracticable, or would create an undue burden or administrative expense as defined in Title II of the American with Disabilities Act; provided, however that equivalent facilitation shall be provided through the use of other methods and materials to the extent that it is technically feasible. The City Engineer, Public Works Disability Access Coordinator (DAC), or their designee in his/her discretion, may impose additional conditions on the grant of an exception. Such conditions may include, but shall not be limited to, relocation of City utility facilities at no cost to the City, and other measures protective of public health, safety, welfare, or convenience.

V. PROHIBITING NEW FACILITIES IN THE CURB RETURN AREA

- A. New utility boxes, vaults, poles, such as but not limited to telephone, electrical, and cable television conduit, pull boxes, splice boxes, valves, traffic poles, street light poles, MUNI poles, fire alarm call boxes, fire hydrants, etc. shall not be installed within the curb return area. New construction or permits issued after the adoption date of this Public Works Order shall adhere to this requirement.

VI. PROCEDURE FOR REQUESTING EXCEPTIONS TO THE PROHIBITION OF INSTALLING NEW UTILITY FACILITIES IN THE CURB RETURN AREA

- A. The City Engineer, Public Works Disability Access Coordinator (DAC), or their designee may grant exceptions to the prohibition of installing utility facilities in the curb return area.
- B. A request for an exception shall be a written submission to the City Engineer, Public Works Disability Access Coordinator (DAC), or their designee and shall include the following:
1. An explanation on why an exception is requested. Specifically explain the type of facility requested to be installed in the curb return area, why it must be installed in the curb return area and why there are no other alternatives;
 2. The name of the person and / or organization requesting the exception;
 3. The contact person's name, phone number and address;
 4. The location of the request for an exception;



5. A detailed dimensioned plan documenting existing physical and legal constraints; e.g. sidewalk widths, facility entrances and exits, stairs, ramps, driveways, catch basin inlets, sub-sidewalk basements, utility poles, fire hydrants, traffic signals, overhead contact system (OCS) poles, curbs, property lines, traffic lanes, traffic direction, running and cross slopes of roads and sidewalks, etc., also including the location and size of the proposed new utility facility and curb ramp(s); and
6. Pictures documenting existing physical constraints at the location of the request for an exception.

C. The above request may only be made and shall only be accepted in conjunction with a specific permit or project; including but not limited to a street improvement permit, a re-paving or excavation contract, a utility excavation permit, or any other applicable permits.

VII. GUIDELINES FOR APPROVING REQUESTS FOR AN EXCEPTION TO THE PROHIBITION OF INSTALLING NEW UTILITIES IN THE CURB RETURN AREA

A. The City Engineer, Public Works Disability Access Coordinator (DAC), or their designee may grant exceptions to the prohibition of installing utility facilities in the curb return area. The granting of such exceptions shall not interfere with the construction of a Public Works Standard Curb Ramp per the Accessible Street Crossing Standard and shall require the applicant to install a Public Works Standard Curb Ramp and may require the performance of other work. If the City Engineer, Public Works Disability Access Coordinator (DAC), or their designee determines that a request for an exception to install new utility facilities in the curb return area cannot be granted, the applicant may be required to coordinate relocation of existing facilities, at no cost to the City in order to comply with and construct the curb ramp(s) per Public Works Standards. The cost to relocate existing non-municipal facilities will be borne by the owner of the facility. The applicant will bear the cost of relocating municipal facilities which include but are not limited to street light poles, traffic signal poles, pedestrian signal poles, MUNI overhead poles, and electrical power poles, traffic control cabinets, catch basins, and manholes.



4/11/2017

4/14/2017

X 

Sanguinetti, Jerry
Bureau Manager
Signed by: Sanguinetti, Jerry

4/15/2017

X 

Thomas, John
Acting Deputy Director and City Engineer
Signed by: Thomas, John

X Edgar Lopez

Nuru, Mohammed
Director, Public Works
Signed by: Lopez, Edgar

