



IMPORTANT NOTICE

City of Oceanside
Financial Services Department

Oceanside City Code requires that any business have an approved business license prior to opening for business. Submitting an application for a business license and paying the fee does not constitute a business license approval.

The approval process takes approximately fifteen (15) days after submittal of a completed application. If your business requires Fire Department inspection, special City approval such as a Conditional Use Permit or Development Plan, or if your business is proposed for public property and is subject to lease consideration, this process could be longer.

You may want to defer signing a lease agreement, or purchasing a business site until you have checked with the Planning Department about the proper zoning of your proposed property.

Applicant Signature

Date

AB 783, Single-User Restrooms, effective January 1, 2024

Under Business and Professions Code section 16000.2, you are hereby notified that Section 118600 of the Health and Safety Code requires you to identify all single-user toilet facilities in your business as all-gender toilet facilities on compliant signage.

SB 748, Disability Access and Information, effective January 1, 2024

This bill requires a city, county, or city and county, in a separate document formatted as specified, to provide to that applicant a statement that the business may be subject to liability for failure to meet the legal obligation to comply with state and federal disability access laws, and information on how to obtain a CASp inspection, as specified.

AB 2164, Disability Access CASp Funding, effective January 1, 2023

This bill requires a city or county issuing a business license to collect a \$4.00 CASp fee for funding of certification and awareness for accessibility requirements and resources. This law removed the sunset provision of AB-1379 and the collected amount to become permanent.

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

- The Division of the State Architect at www.dgs.ca.gov/DSA
- The Department of Rehabilitation at www.dor.ca.gov/
- The California Commission on Disability Access at www.cdda.ca.gov



URBAN RUNOFF INFORMATION

City of Oceanside
Water Utilities Department
Watershed Protection Program

The City of Oceanside is required under State laws and regulations to identify the potential effect that each business may have on water quality. All businesses are also required to comply with the City of Oceanside Urban Runoff Management and Discharge Control Regulations (City Code Chapter 40), which prohibit the discharge of pollutants and non-storm water to City streets and storm drains. Water that flows on streets and into storm drains is discharged to the nearest water body, without treatment. Typical urban runoff pollutants include oils, chemicals, building materials, dirt, vegetative waste, and trash. All businesses must complete and submit this form with their business license application, as well as implement the appropriate Best Management Practices to prevent such discharges. This form must be completed to receive your business license. Contact the Water Utilities Department at (760) 435-5800 or log on to our website at www.oceansidecleanwaterprogram.org for further information.

Reason for Submittal

New Business Business License Renewal Change of Information

Site and General Information

Date: _____ Standard Industrial Classification (SIC) Code: _____

Business Name: _____ Phone: _____

Business Address: _____

Contact Person: _____ Title: _____

Phone: _____ Email: _____

Size of Facility (sq. ft.): _____ Type of Business: _____

Materials used in Industrial Process (Industrial Businesses Only): _____

Potential Urban runoff pollutants generated: _____

Expected non-rain water discharges (i.e. air conditioners condensation, excess irrigation, filter backwash, etc.): _____

Is this facility regulated under the Industrial NPDES Permit (circle one)? Yes No Not Sure

Industrial Permit Waste Discharger Identification Number (WDID#): _____

Brief Description of Business Activity

What type of activities is your business conducting? Check any that apply...

Manufacturing Distribution Office Work Showroom Retail

Declaration

I declare under penalty of perjury under the laws of California that the above information is true and correct to the best of my knowledge.

Signature _____ Title _____ Date _____

For City Use Only

Business Lic #: _____ S.I.C.: _____ Business Type: _____ Industrial Type: _____

Recorded By: _____



Business Self-Inspection Guide

The following guide was created by the Oceanside Fire Department Community Risk Reduction Division to assist in creating a safe business environment for customers, employees, and the business community. It is not intended to be 100% encompassing of what is required by Fire and Building Codes. Your business license inspection fee is included with the application fee. Call **760-435-4101** one week after submitting your application to schedule the inspection.

EXTERIOR OF FACILITY

- Building address is posted and visible from the street (12-inch minimum for buildings, 4 inch minimum for units or suite numbers).
- A Knox Box is installed for all buildings that have a fire sprinkler or fire alarm system. Keys shall be made available at time of inspection. Common keys required to be placed in Knox Box: Main fire alarm room and fire sprinkler riser room, main electrical room, master key. Knox boxes shall be installed between 5-6 above grade. Knox boxes shall be 3200 series.
- Gates across fire department access roads and pedestrian gates must have a Knox electric key switch, lock, or box for Fire Department access.
- If a dumpster is present, it is at least five feet away from combustible construction or has a sprinkler head above it.

FIRE PROTECTION SYSTEMS

Fire Extinguishers:

- A minimum of a 2A-10B:C class fire extinguisher is available and serviced within the last year or have a receipt for a new purchase. Fire extinguishers shall be installed 3-5 from the floor with a travel distance not exceeding 75 feet.

Fire Sprinkler System:

- A current, compliant [Annual](#) and [Five Year](#) Sprinkler Inspection Report must be properly uploaded to the Fire Department database: [The Compliance Engine](#).
- A sprinkler system spare head box with spare fire sprinklers and the appropriate wrench is installed.
- The Fire Department Connection can easily swivel and caps are installed on the inlets.
- Fire protection equipment has direct access and at least a three-foot clearance around it (vegetation, obstructions, etc.).

Fire Alarm System:

- A current, passing [Annual](#) Alarm Inspection Report must be properly uploaded to the Fire Department database: [The Compliance Engine](#).

Kitchen Hood Suppression System:

- A current, passing [Semi-Annual](#) Hood Inspection report must be properly uploaded to the Fire Department database: [The Compliance Engine](#).
- A Class "K" fire extinguisher is required within 30 feet of deep-fat fryer cooking appliances.
- Hoods, grease removal devices, fans and ducts shall be cleaned at 6-month intervals.

ELECTRICAL

- Electrical and mechanical rooms are marked with a visible and legible sign.
- Open junction boxes and open wiring splices are prohibited.
- Extension cords shall not be a substitute for permanent wiring. Extension cords cannot be affixed to structures, extended through walls, ceiling or floors.
- Blanks are installed for missing circuit breakers. All circuit breakers shall be labeled.
- Working space of 30 inches in width, 36 inches in depth and 78 inches in height shall be provided around all electrical service equipment including circuit breaker panels.



EXITING

- Exit doors and aisles are clear and unobstructed.
- If required, exit signs are illuminated and maintained. Rear and side exit doors usually require an illuminated exit sign.
- Emergency exit lighting is functional and the back-up battery is in working order (push button to test it).
- No extra locking devices or chains are on required exits. Exits must be able to open from the inside without a key or special knowledge. Door knobs are not allowed, lever style hardware can be utilized if the lever automatically unlocks the door.
- The main front door or doors may have a key lock. If so, a sign stating: "This Door To Remain Unlocked When the Space Is Occupied" must be posted above the main entrance door or doors.

FIRE SAFETY AND HOUSEKEEPING

- High Piled Storage (12 ft or greater) requires a Fire and Building Department Permit. Provide permit number at time of inspection.
- Storage is in a neat and orderly manner.
- Storage is at least 18" below sprinkler heads, or 24" below the ceiling, if not sprinklered.
- Walls & ceilings have no holes in them; if so, they must be patched with an equivalent rated material. Missing ceiling panels must be replaced.
- The gas meter is labeled with the corresponding unit number or address for the individual business or multi-family residence.

GENERAL, IF APPLICABLE

- Multi-family Residential: Smoke alarms are required on every level, outside separate sleeping areas, and in all sleeping areas. Carbon monoxide alarms are required on all levels and outside sleeping rooms.
- Fire lanes are maintained and painted red with approved 4" white lettering stating: NO PARKING FIRE LANE. Loading zones are not allowed in fire lanes.
- Required hydrants have a blue-reflective marker placed in the middle of the fire department access (street or road).
- Oily rags are stored in a listed self-closing metal container and cleaned out daily.
- Storage of compressed gases are not located near exits, exit paths, and stairwells. Compressed gas cylinders must always be secured. Full or empty containers shall be separated and a sign above the containers indicating empty and full.
- Storage of flammable/combustible liquids are not located near exits, exit paths, and stairwells. Flammable and combustible liquids shall be stored in approved manner and approved by the Fire Department.
- Safety Data Sheets (SDS) are available and accessible for employees and emergency personnel to review.

OPERATIONAL PERMIT

- Go to the Oceanside Fire Department website to review the list of operational permits to determine if your business requires one: <https://fire.ci.oceanside.ca.us/home/showpublisheddocument/12039/638149093047930000>



ENVIRONMENTAL SURVEY FORM

City of Oceanside
Financial Services Department

Complete all of the following information. Please Print:

Name of Business (DBA) _____

Date _____ / _____ / _____

City of Oceanside Business License Number _____

If you currently have permit with the San Diego County Department of Environmental Health, Hazardous Materials Division, you do not need to complete the remainder of this form. Please indicate your "UPFP" number:

Unified Program Facility Permit (UPFP) # _____

If you do not have a permit from the San Diego County Department of Environmental Health, Hazardous Materials Division, please answer the following questions:

1. Yes No Is your business type listed on the reverse side of this form?
2. Yes No Will your business dispose of Hazardous Substances* in any amount?
3. Yes No Will your business dispose of Medical Wastes in any amount?
4. Yes No Will your business store or handle Hazardous Substances in quantities equal to or greater than 55 gallons, 500 pounds, or 200 cubic feet of compressed gas?
5. Yes No Will your business use an existing, or install an underground storage tank?
6. Yes No Will your business use or install Hazardous Waste Tank System?
(Title 22, Article 10)
7. Yes No Will your business store petroleum in tanks or containers at our facility with storage capacity equal to or greater than 1,320 gallons?

* The definition of a hazardous substance and acutely hazardous material can be obtained by contacting the Duty Specialist for the San Diego Hazardous Materials Division. If you have any questions regarding hazardous materials, permits, etc., you may contact the Duty Specialist at (858) 505-6661.

If you answered "Yes" to any of the questions above, you will need a permit from the Hazardous Materials Division.

Please return this form along with your Business License Application.



ENVIRONMENTAL SURVEY FORM

City of Oceanside
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List of Businesses Which Require Review and Approval From the County Hazardous Materials Division

AEROSPACE

Aerospace Industry
Aircraft Maintenance
Aircraft Manufacturing

AUTOMOTIVE

Battery Manufacturing/Recycling
Boat Yard
Car Wash
Dealership Maintenance/Paint
Machine Shop
Painting
Radiator Shop
Rental Yard Equipment
Repair Preventive Maintenance
Repair, Major Overhaul
Transportation Services
Wrecking and Recycling

CHEMICAL HANDLING

Agricultural Supplier/Distributor
Chemical Manufacturer
Chemical Supplier/Distributor
Coating/Adhesives
Compresses Gas Supplier/Distributor
Dry Cleaning
Fiberglass/Resin Application
Gas Station
Industrial Laundry
Laboratory
Laboratory Supplier/Distributor
Oil and Fuel Bulk Supply
Pesticide Operator/Distributor
Photographic Processing
Pool Supplies/Maintenance
Printing/Blue Printing
Road Coatings
Swimming Pool
Toxic Gas Handlers
Toxic Gas Manufacturing

ELECTRONICS

Electronic Assembly and Sub-Assembly
Electronic Components Manufacturing
Printed Circuit Board Manufacturing

METAL WORKING

Anodizing
Chemical Milling/Etching
Finish Coating/Painting
Flame Spraying
Foundry
Lathes, Mills
Machine Shop-Drilling/Lathes/Mills
Metal Plating
Metal Prepping/Chemical Coating
Precious Metal Recovery
Sand Blasting/Grinding
Steel Fabricator
Wrought Iron Manufacturing

OTHERS AND MISCELLANEOUS

Asphalt Plant
Acupuncture Office
Biotechnology/Research
Chiropractic Office
Co-Generation Plant
Dental Clinic/Office
Dialysis Centers
Emergency Generator Tank System
Frozen Food Processing Facility
Government Agency using Hazardous Materials
Hazardous Waste Hauler
Hospital/Convalescent Home
Laboratory/Biological Lab
Medical Clinic/Office
Nitrous Oxide (NOx) Control System
Pharmaceuticals
Public Utility
Refrigeration System
Rock Quarry
Ship Repair/Construction
Telecommunication Cell Site
Veterinary Clinic/Hospital
Wood Furniture Manufacturing/Refinishing

The above list includes businesses which typically use, store, handle and dispose of hazardous substances. Any business not included on this list which stores, handles, uses, or disposes of hazardous substances may still require a permit from the Hazardous Materials Division. If you have any questions, contact the Duty Specialist at (858) 505-6661.



GREASE TRAP INTERCEPTOR APPLICATION

Pollution Prevention and Pretreatment Program

City of Oceanside
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All Questions must be Answered:

Section A

1. Enter the facility's official or legal name. Do not use a DBA, Doing Business As.
2. Provide the physical location of the facility that is applying for a kitchen wastewater discharge permit. Include all contact information such as the phone number and email.
3. Provide the mailing address where correspondence from the City may be sent if different from the address provide above. Any alternate address must be able to accept certified mail.
4. Provide the name, address, telephone number, and email of the property owner.
5. Provide all the names of the authorized signatories for this facility for the purposes of signing this application, and any City reports etc. The designated signatory is defined as:
 - a. Responsible corporate officer: if the food service facility submitting the application or report is a corporation. For the purpose of this paragraph, a responsible corporate officer means:
 - (i) a president, secretary, treasurer, or vice-president of the corporation, in charge of a principal business function or any other person who performs similar policy or decision-making functions for the corporation, or
 - (ii) the manager of one or more manufacturing, production, or operation facilities, if authority to sign documents has been assigned or delegated to the manager in accordance with corporate procedures.
 - b. A general partner or proprietor if the facility submitting the application or report is a partnership or sole proprietorship respectively.
 - c. The principal executive officer or director having responsibility for the overall operation of the discharging facility if the food service facility submitting the application or report is a Federal, State, or local governmental entity, or their agents.
 - d. A duly authorized representative of the individual designated in *paragraph a, b, or c*, or this section if:
 - (i) the authorization is made in writing by the individual described in *paragraph a, b, or c*;
 - (ii) the authorization specifies either an individual or a position having responsibility for the overall operation of the facility, such as the position of facility manager, or a position of equivalent responsibility, or having overall responsibility for environmental matters for the company; and
 - (iii) the written authorization is submitted to the City,



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- e. If an authorization under *paragraph d* of this section is no longer accurate because a different individual or position has responsibility for the overall operation of the facility or overall responsibility for environmental matters for the company, a new authorization satisfying the requirements of *paragraph d* of this section must be submitted to the City prior to or together with any application or report to be signed by an authorized representative.
6. Designated Facility Contact: Provide the name and number of a person who is thoroughly familiar with the operation of the facility and who can be contacted by the Control Authority (*i.e. the manager*). This person will receive correspondence from the Environmental Compliance Inspector or designee including the permit.

Section B

1. Choose a facility description that best describes the food service facility operations.
2. How many (*fill in a number*) items of equipment do you have in the food preparation, cooking, and clean up area? If none, denote with a zero.
3. Provide a copy of the indoor and outdoor plumbing floor diagrams, which should include the location of all water meters, facility sewer connections, grease interceptors, sinks, floor drains, dishwashers, restrooms, etc. A blueprint of the facility showing the items above may also be attached. If a plumbing floor diagram or blueprint is not available, an evacuation route map may be substituted, which includes the location of water meters, sewer connections, grease interceptors, sinks, floor drains, dishwashers, restrooms, etc.
4. Indicate what the maximum seating capacity is at your facility.
5. Indicate the typical days of the week, and hours of operation at your facility.

Section C

1. Check which wastewater discharge describes your food service facility, sanitary sewer or proposed (new) sanitary sewer.
2. Indicate whether there are any changes or expansions planned at the facility in the next three years which would alter the wastewater volume or characteristics.
3. If "yes" above, provide a brief description of the proposed or anticipated changes and their potential effects on the facility's wastewater volume, and characteristics.

Section D

1. Grease Interceptor – is a device located underground and outside a food service facility designed to collect, and contain grease, fats and oils, and residual food wastes from the waste stream while allowing the balance of the liquid waste to discharge to the wastewater collection system by gravity.

Grease Trap – is a device located in a food service facility such as under a sink designed to collect, and contain grease, fats and oils from the waste stream while allowing the balance of the liquid waste to discharge to the wastewater collection system by gravity.



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2. Provide the make and model of the current grease removal device. If the make and model is not known, then put unknown in the space provided. You must include the location and the capacity of the device. If the exact capacity is not known, then provide your best guess as to the size of the grease removal device in gallons.
3. Indicate how you dispose of the waste generated from cleaning the indoor grease trap.
4. Provide the name, address and telephone number of the company that cleans your grease removal device(s).
5. Indicate which type of exhaust cleaning system such as an exhaust hood that you use.
6. Indicate whether any additives are placed in the plumbing, grease trap or grease interceptor. This includes any chemicals, enzymes, emulsifiers, live bacteria or other grease cutters or additives that are used.
7. Name of any additive applied to your grease control device, as well as the location and frequency with which it is used. Attach an MSDS sheet of any product used.

Section E

1. Indicate whether this food service facility recycles or will recycle all grease produced.
2. Provide the name of the contracted company that removes, and recycles the grease.
3. Indicate whether grease recycling containers are stored on-site, and where.
4. Indicate on average how many grease recycling containers are or will be stored on-site.
5. Indicate if any pollution prevention measures, such as drain screens, collection, storage and disposal of food wastes, and oil waste, have or will be implemented at this food service facility. Indicate how a grease spill will be cleaned up.
6. Provide a brief explanation of the pollution prevention measures that have been implemented.

Note: Please read all attached instructions prior to completing this application.

Return this form with your completed Business License application to:

City of Oceanside
Business License Office

For questions regarding this Commercial Kitchen Facility Wastewater Discharge Permit Application Form please call: (760) 435-5889 or email cesparza@oceansideca.org

COMMERCIAL KITCHEN FACILITY WASTEWATER DISCHARGE PERMIT APPLICATION FORM



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SECTION A - GENERAL INFORMATION

1. **Facility Name:** _____
2. **Facility Street Address:** _____
City: _____ State: _____ Zip Code: _____
Telephone Number: _____ Web Site: _____
City of Oceanside Business License Number: _____
3. **Business Mailing Address: Do Not Use PO BOX**
-if different from #2 above
Street: _____
City: _____ State: _____ Zip Code: _____
4. **Owner of Premises**
-if different than facility
Name: _____
Owner's Address: _____
Owner's Telephone Number: _____
Owner's E-mail Address: _____
5. **Designated signatory authority for the facility**
See instructions for additional information.
Name: _____
Title: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Phone Number: _____ E-mail _____
6. **Designated facility contact**
Name: _____
Title: _____
Phone Number: _____ E-mail _____

SECTION B - FACILITY OPERATIONAL CHARACTERISTICS



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1. Please choose one description that best describes your facility.

- | | |
|---|--|
| <input type="checkbox"/> Fast food restaurant | <input type="checkbox"/> Nursing home |
| <input type="checkbox"/> Full service restaurant | <input type="checkbox"/> Hotel/Motel |
| <input type="checkbox"/> Drive thru (only) restaurant | <input type="checkbox"/> School |
| <input type="checkbox"/> Seasonal restaurant | <input type="checkbox"/> Club/Organization |
| <input type="checkbox"/> Coffee shop | <input type="checkbox"/> Bakery |
| <input type="checkbox"/> Company/Office building | <input type="checkbox"/> Supermarket |
| <input type="checkbox"/> Religious institution | <input type="checkbox"/> Hospital |
| <input type="checkbox"/> Ice Cream shop | <input type="checkbox"/> Other _____ |

2. Please indicate each item that you currently have in your facility and the quantity of each:

- | | |
|---|---|
| <input type="checkbox"/> Grill _____ | <input type="checkbox"/> Tilt kettle/Crockpot _____ |
| <input type="checkbox"/> Oven _____ | <input type="checkbox"/> Garbage disposal _____ |
| <input type="checkbox"/> Dishwasher _____ | <input type="checkbox"/> 3 Bay pot sink _____ |
| <input type="checkbox"/> Pre-rinse sink _____ | <input type="checkbox"/> 2 Bay pot sink _____ |
| <input type="checkbox"/> Mop sink _____ | <input type="checkbox"/> Single bay sink _____ |
| <input type="checkbox"/> Deep fryer _____ | <input type="checkbox"/> Hand sinks _____ |
| <input type="checkbox"/> Floor drains _____ | <input type="checkbox"/> Other equipment _____ |

3. Provide a copy of the indoor and outdoor plumbing floor diagrams, which should include the location of all water meters, facility sewer connections, grease interceptors, sinks, floor drains, dishwashers, restrooms, etc.
See Section B(3) above for additional instructions or information.

4. What is the maximum seating capacity at your facility? _____

5. What are the days, and hours of operation? ↴



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b. Make and Model: _____
Location (kitchen, parking lot, etc.): _____
Capacity of grease removal device (in gallons): _____

c. Make and Model: _____
Location (kitchen, parking lot, etc.): _____
Capacity of grease removal device (in gallons): _____

3. **If the INDOOR grease trap is being maintained on-site, how do you dispose of the waste after cleaning the trap?**

- Trash
- Contractor disposes of grease
- Recycle
- Other (*Explain*): _____

4. **If contractor(s) cleans the INDOOR or OUTDOOR grease removal device(s), please list the following:**

Contractor Name: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Telephone Number: _____
E-mail Address: _____

Contractor Name: _____
Address: _____
City: _____ State: _____ Zip Code: _____
Telephone Number: _____
E-mail Address: _____

5. **If your facility has grills/ovens, which type of exhaust cleaning system do you use?**



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Automatic Manual

6. **Are there any additives placed in the plumbing, grease interceptor or grease trap?**
(for example, enzymes, bacteria, etc.)

Yes No

7. **If yes to question #6 above, please complete the following table and attach an MSDS sheet for each product.**

LOCATION	ADDITIVE NAME	ADDITIVE FREQUENCY

SECTION E - RECYCLING

1. **Do you recycle the grease produced at your facility?**

Yes No

2. **If no, which company or companies recycle your grease?**

3. **Is there a recycling container on-site?**

Yes No

4. **If yes to question #3, how many recycling containers are on-site? _____**

5. **Have pollution prevention measures, such as drain screens, collection, storage and disposal of food and oil waste, been implemented?**

Yes No



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6. **If yes, briefly explain all pollution prevention measures that have been or will be implemented.** Briefly describe how a grease spill will be handled. *Attach additional sheets if necessary.*

Authorized Representative Statement:

I certify that I have received and read Chapter 29, Article IX Sections 29.115-29.128 et seq. of the Oceanside City Code and understand that all food service facilities must have a grease removal device before discharge of fats, oil and greases to the City of Oceanside sanitary sewer system.

I further certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gather and evaluate the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fines and imprisonment for knowing violations.

Printed Name: _____

Title: _____

Facility Name: _____

Facility Address: _____

Signature: _____ **Date:** _____

DISABILITY ACCESS REQUIREMENTS AND RESOURCES

NOTICE TO APPLICANTS FOR BUSINESS LICENSES AND COMMERCIAL BUILDING PERMITS:

Under federal and state law, compliance with disability access laws is a serious and significant responsibility that applies to all California building owners and tenants with buildings open to the public. You may obtain information about your legal obligations and how to comply with disability access laws at the following agencies:

DEPARTMENT OF
GENERALSERVICES,
Division of the State
Architect, CASp Program

www.dgs.ca.gov/dsa

www.dgs.ca.gov/casp

DEPARTMENT OF
REHABILITATION
Disability Access Services

www.dor.ca.gov

www.rehab.cahwnet.gov/

disabilityaccessinfo

DEPARTMENT OF
GENERALSERVICES,
California Commission on
Disability Access

www.cdda.ca.gov

www.cdda.ca.gov/resources-menu/

CERTIFIED ACCESS SPECIALIST INSPECTION SERVICES

Compliance with state and federal construction-related accessibility standards ensures that public places are accessible and available to individuals with disabilities. Whether your business is moving into a newly constructed facility or you are planning an alteration to your current facility, by engaging the services of a Certified Access Specialist (CASp) early in this process you will benefit from the advantages of compliance and under the Construction-Related Accessibility Standards Compliance Act (CRASCA, Civil Code 55.51-55.545), also benefit from legal protections.

Although your new facility may have already been permitted and approved by the building department, it is important to obtain CASp inspection services after your move-in because unintended access barriers and violations can be created, for example, placing your furniture and equipment in areas required to be maintained clear of obstructions. For planned alterations, a CASp can provide plan review of your improvement plans and an access compliance evaluation of the public accommodation areas of your facility that may not be part of the alteration.

A CASp is a professional who has been certified by the State of California to have specialized knowledge regarding the applicability of accessibility standards. CASp inspection reports prepared according to CRASCA entitle business and facility owners to specific legal benefits, in the event that a construction-related accessibility claim is filed against them.

To find a CASp, visit www.apps2.dgs.ca.gov/DSA/casp/casp_certified_list.aspx.

DISABILITY ACCESS REQUIREMENTS AND RESOURCES

GOVERNMENT TAX CREDITS, TAX DEDUCTIONS AND FINANCING

State and federal programs to assist businesses with access compliance and access expenditures are available:

Disabled Access Credit for Eligible Small Businesses

FEDERAL TAX CREDIT—Internal Revenue Code Section 44 provides a federal tax credit for small businesses that incur expenditures for the purpose of providing access to persons with disabilities. For more information, refer to Internal Revenue Service (IRS) Form 8826: Disabled Access Credit at www.irs.gov.

STATE TAX CREDIT—Revenue and Taxation Code Sections 17053.42 and 23642 provide a state tax credit similar to the federal Disabled Access Credit, with exceptions. For more information, refer to Franchise Tax Board (FTB) Form 3548: Disabled Access Credit for Eligible Small Businesses at www.ftb.ca.gov.

Architectural and Transportation Barrier Removal Deduction

FEDERAL TAX DEDUCTION—Internal Revenue Code Section 190 allows businesses of all sizes to claim an annual deduction for qualified expenses incurred to remove physical, structural and transportation barriers for persons with disabilities. For more information, refer to IRS Publication 535: Business Expenses at www.irs.gov.

California Capital Access Financing Program

STATE FINANCE OPTION—The California Capital Access Program (CalCAP) Americans with Disabilities Act (CalCAP/ADA) financing program assists small businesses with financing the costs to alter or retrofit existing small business facilities to comply with the requirements of the federal ADA. Learn more at www.treasurer.ca.gov/cpcfca/calcap/.

FEDERAL AND STATE LEGAL REQUIREMENTS ON ACCESSIBILITY FOR INDIVIDUALS WITH DISABILITIES

AMERICANS WITH DISABILITIES ACT OF 1990 (ADA) —The ADA is a federal civil rights law that prohibits discrimination against individuals with disabilities, and requires all public accommodations and commercial facilities to be accessible to individuals with disabilities. Learn more at www.ada.gov.

CALIFORNIA BUILDING CODE (CBC)—The CBC contains the construction-related accessibility provisions that are the standards for compliant construction. A facility's compliance is based on the version of the CBC in place at the time of construction or alteration. Learn more at www.bsc.ca.gov.

PREVENTION OF GENDER-BASED DISCRIMINATION: BUSINESS ESTABLISHMENTS' LEGAL OBLIGATIONS

The [Gender Tax Repeal Act of 1995](#) (Act) prohibits a business from discriminating based on a person's gender for prices of similar or like-kind goods and services. However, the Act does not prohibit price differences based on the amount of time, difficulty, or cost of providing the services.

In addition to prohibiting discrimination based on a person's gender, the Act **requires certain businesses** to clearly and conspicuously disclose to customers in writing the pricing for each standard service provided. The posting requirement applies to:

- Barbers and hair salons
- Tailors or businesses providing aftermarket clothing alterations
- Dry cleaners and laundries providing services to individuals

These businesses must follow **specific posting requirements**. The price list must:

- Clearly and completely display pricing for every standard service, which means the 15 most-frequently requested services.
- Use a font 14-point boldface or larger.
- Be posted in an area conspicuous to customers.

The business establishment must also provide a customer with a **complete written price list** upon request.

In addition, the business establishment **must display in a conspicuous place at least one sign**—printed in no less than 24-point boldface type—that states:

CALIFORNIA LAW PROHIBITS ANY BUSINESS ESTABLISHMENT FROM DISCRIMINATING, WITH RESPECT TO THE PRICE CHARGED FOR SERVICES OF SIMILAR OR LIKE KIND, AGAINST A PERSON BECAUSE OF THE PERSON'S GENDER. A COMPLETE PRICE LIST IS AVAILABLE UPON REQUEST.

Business establishments **may be fined \$1,000** for failing to correct within 30 days a violation of any of the requirements after receiving a written notice. The 30-day correction period only applies to posting violations and not to discriminatory pricing violations.

In addition, according to Civil Code section 52(a), a business may be liable for any amount determined by a jury, or a court sitting without a jury, up to three times the amount of actual damage but no less than \$4,000, plus any attorney's fees. However, an action under this section does not prohibit an aggrieved party from seeking any other available remedy or procedure.

OTHER PROVISIONS

This Act does not change or affect provisions of the Health and Safety Code, the Insurance Code, or other laws that govern a health care service plan, or insurer underwriting or rating practices.

To read the full text of the [Gender Tax Repeal Act of 1995](#) (Civil Code section 51.6), visit the California Legislative Information website at <https://leginfo.legislature.ca.gov>.

