



Accessibility Requirements for Existing Buildings and Structures

Permits and Inspections

Policy 10-01

for public distribution

October 2008

The purpose of this summary is to assist property owners, tenants, contractors and architects in understanding the requirements for providing handicapped accessibility for existing buildings pursuant to the Uniform State-wide Building Code. These requirements apply to any change of occupancy, additions, and alterations to existing buildings. (2006 IBC §3409.1)

Background

The 2006 Uniform Statewide Building Code (USBC) changed several scoping requirements related to accessibility for existing structures. The following summarizes the accessibility requirements for existing buildings in the City of Richmond using the International Building Code (IBC) and the 2006 ICC/ANSI A117.1 Standard.

Accessibility Requirements Pursuant to 2003 IBC, Chapter 34, Existing Structures

Additions, alterations and repairs to an existing building or structure shall conform to the requirements of new construction - including Chapter 11 of the IBC and the standards of ICC/ANSI A117.1, unless technically infeasible. This means that only the area being altered, not the entire building/tenant space, must comply with accessibility requirements. Alterations shall provide accessibility to the maximum extent technically possible while not imposing requirements that are greater than those required for new construction. Where the alteration affects the accessibility to, or contains an area of primary function, the route to the primary function area must be accessible (IBC §3409.6).

The costs of providing the accessible route are not required to exceed 20% of the alteration costs. An accessible route is not required to be provided when the alterations are solely limited to:

1. windows, hardware, operating controls, electrical outlets and signs;
2. mechanical systems, electrical systems, or the installation/alteration of fire protection systems;
3. the abatement of hazardous materials;
4. increasing the accessibility of an existing building, facility or element.

As part of the building permit submittal package, the "Alteration Cost of Accessibility Certificate" should be completed to document the 20% requirement is being met.

For existing multi-family buildings (Group R-2), or existing buildings undergoing a change of use to Group R-2, Type B dwelling units required by Section 1107 are not required to be provided (§3409.1, Exception). However, when the building contains or will contain more than 20 dwelling units, 2% but not less than one unit, are required to be converted to Type A dwelling units (§1107.6.2.1.1).

When Type A units are required, an accessible route must be provided and all common areas must be accessible.

The cost for providing Type A dwelling units and the accessible paths is not required to exceed 20% of the total alteration costs. In such cases, documentation of costs must be provided. (IBC 3409.7)

Accessible Route is defined as a continuous, unobstructed path that connects parking spaces and entrances with accessible features within a building, and connects all accessible structures on a site. The accessible route shall include toilet facilities and drinking fountains serving the primary function area. The accessible route must comply with the requirements of 2006 IBC Chapter 11 and ICC/ANSI A117.1-2003.

When it is technically infeasible to comply with the code standards for new construction, the provisions of Sections §3409.6 and §3409.8 shall apply. Technical infeasibility is not related to the cost of the work, but rather to the structural integrity of the structure. Technical infeasibility is defined as:

conditions that 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, space or features..." (2006 IBC §3402.1)

This does not mean, for example, that the need to alter a single structural beam relieves the owner of complying with accessibility requirements. Where a condition of infeasibility exists, compliance shall be done to the extent feasible as determined by the building official.

Note: Existing stairways in an existing structure shall not be required to comply with the requirements of a new stairway as outlined in Section 1009 where the existing space and construction will not allow a reduction in pitch or slope (§3406.3).

No building shall be occupied until it has been determined that the requirements for the new occupancy classification have been met and a certificate of occupancy issued (§3406.2).

Additional Requirements for Buildings Undergoing Change of Use or Occupancy (USBC/IBC §3406.1 and 3409.4)

Existing buildings that undergo alterations concurrently with a change in the use or occupancy shall have all of the following features:

1. At least one accessible entrance;
2. At least one accessible route from an accessible entrance to primary function areas;
3. Signage complying with 2006 IBC §1110 ;
4. Accessible parking where parking is provided;
5. At least one accessible passenger loading zone when loading zones are provided;
6. At least one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.

HISTORIC BUILDINGS (2006 USBC/IBC §3409.9)

Historic Buildings are defined as: "Buildings that are listed in, or eligible for listing in, the National Register of Historic Places, or designated as historic under an appropriate state or local law." (§202)

Alterations and additions to historic buildings shall be required to meet the criteria discussed above. as appropriate, unless technically infeasible. However, when compliance with the requirements for accessible routes, ramps, entrances or toilet facilities threaten or destroy the historic significance of the building or facility, the following may be required as an alternative:

1. provide an accessible route from a site arrival point to an accessible entrance (§3409.9.1);
2. public spaces on the accessible entrance level shall be on an accessible route (§3409.9.2);
3. a main entrance shall be accessible or as an alternative, an accessible unlocked non-public entrance or a locked secondary entrance if a notification system with remote monitoring is provided (§3409.9.3);
4. provide one accessible toilet (§3409.9.4);
5. ramps on an accessible route shall have a maximum slope of 1:8 (§3409.8.5).

Any proposed exterior alteration to a building or structure in a City Old and Historic District must be reviewed and approved by the Commission of Architectural Review. For questions about these requirements please call the Secretary of the Commission of Architectural Review at 804-646-6313.



Alteration Cost of Accessibility Certificate

Department of Community Development
Permits and Inspections
900 E. Broad Street, Room 110
Richmond, Virginia 23219

Phone: 804-646-6955
Fax: 804-646-6948

Building Address: _____

Date: _____

Building Name (if applicable): _____

Permit Number: _____

- This is to certify that the cost of providing an accessible route exceeds 20% of the cost of the alterations to the primary function area.
- This is also to certify the overall cost of the alteration to the primary function areas.
- For the purpose of this certification, the term "accessible route" also includes the restrooms and drinking fountains serving the primary function area.

Cost of the alteration to the primary function areas: \$ _____

Cost of providing an accessible route: \$ _____

20% of the alteration cost: \$ _____

The cost of the following work is equal to, or more than, 20% of the cost of the alteration to the primary function area:

(Alterations for accessibility route)

I hereby certify that I have the authority to make the foregoing statements and that this certification, to the best of my knowledge, is complete and correct.

Printed Name of Owner/Agent

Signature of Owner/Agent

City/County of _____ State of: _____

Subscribed and sworn to before me on this _____ day of _____ 20_____

My commission expires _____

Notary Public



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2008

Permits & Inspections

900 E. Broad Street, Room 110

Richmond, Virginia 23219

Phone: 804-646-6955

Fax: 804-646-6948

Email: DCDPermitsAndInspections@ci.richmond.va.us



"Committed to Building a Better Richmond Together"

Reference Documents for this Policy:

2006 International Building Code, Chapter 34, Existing Structures

2006 International Building Code, Chapter 11, Accessibility

Accessible and Usable Buildings and facilities, International Code Council American National Standards Institute, A117.1 2003

Important Phone Numbers:

Main Number: 646-6955

Single Family Plan Review:
646-6975

Structural Plans Review:
646-7483

Plumbing Plans Review:
646-6979

Electrical Plans

Review: 646-6963

Mechanical Plans

Review: 646-6982

Housing Code

Enforcement: 646-6419

Environmental Code

Enforcement: 646-7448

Permits for:

Sewer Connection, On-site
Storm Sewer , Driveways,
Work in Streets & Alleys,
Land Disturbing;

**Flood Plain Information;
Chesapeake Bay Preserva-
tion Program:**

646-6440

Zoning:

646-6340

Fax Number:

646-6948

*For Inspection Requests,
please use our automated
system, SPANLINK:*

646-0770