



Accessibility Requirements for Existing Buildings and Structures

Department of Planning & Development Review, Bureau of Permits and Inspections
900 East Broad Street, Room 108
Richmond, Virginia 23219
Office: (804) 646-4169

<https://www.rva.gov/planning-development-review/permits-and-inspections>

The purpose of this summary is to assist property owners, tenants, contractors, and architects in understanding accessibility requirements when existing buildings are rehabilitated. As part of the 2018 Virginia Uniform Statewide Building Code, a change of occupancy, an addition, and alterations shall comply with Chapter 4 in the 2018 Virginia Existing Building Code. Below are several Chapter 4 requirements. Refer to the code at the link below for additional information.

<https://codes.iccsafe.org/content/VEBC2018P2/chapter-4-accessibility>

Change of Occupancy (VEBC Section 402)

Per Section 402.1, existing buildings or structures that undergo a change of occupancy are not required to be provided with additional accessibility features. Any alterations undertaken in connection with a change of occupancy shall conform to the applicable requirements of Section 404.

Additions (VEBC Section 403)

Per Section 403.1, accessibility provisions for new construction shall apply to additions.

Per Section 403.2, where Group I-1, I-2, I-3, R-1, R-2, or R-4 dwelling or sleeping units are being added, the requirements of Section 1107 of the VCC for accessible units apply only to the quantity of spaces being added.

Per Section 403.3, where more than 20 Group R-2 dwelling or sleeping units are being added, the requirements of Section 1107 of the VCC for Type A units and Chapter 9 of the VCC for visible alarms apply only to the quantity of the spaces being added.

Per Section 403.4, where four or more Group I-1, I-2, R-1, R-2, R-3, or R-4 dwelling or sleeping units are being added, the requirements of Section 1107 of the VCC for Type B units and Chapter 9 of the VCC for visible alarms apply only to the quantity of spaces being added.

Alteration (VEBC Section 404)

Per Section 404.2, a facility that is altered shall comply with this section and Chapter 11 of the VCC, except as modified by Sections 404.3 and 404.4, unless technically infeasible. Where compliance with this section is technically infeasible, the alteration shall provide access to the maximum extent technically feasible.

Exceptions:

1. The altered element or space is not required to be on an accessible route, unless required by Section 404.3.
2. Accessible means of egress required by Chapter 10 of the VCC are not required to be provided in existing facilities.
3. The alteration to Type A individually owned dwelling units within a Group R-2 occupancy shall be permitted to meet the provision for a Type B dwelling unit.

Per Section 404.3, where an alteration affects an area containing a primary function, the route to the primary function area shall be accessible. The accessible route to the primary function area shall include toilet facilities and drinking fountains that shall also be accessible to and usable by individuals with disabilities, serving the area of primary function.

Exceptions:

1. The costs of providing the accessible route are not required to exceed 20 percent of the costs of the alterations affecting the area of primary function.
2. This provision does not apply to alterations limited solely to windows, hardware, operating controls, electrical outlets and signs.
3. This provision does not apply to alterations limited solely to mechanical systems, electrical systems, installation or alteration of fire protection systems and abatement of hazardous materials.
4. This provision does not apply to alterations undertaken for the primary purpose of increasing the accessibility of a facility.
5. This provision does not apply to altered areas limited to Type B dwelling and sleeping units.

The attached "Alteration Cost of Accessibility Certificate" form shall be completed and submitted with the permit application if Exception 1 is applicable.

Per Section 404.4 alterations shall comply with the requirements below.

Entrances: Where an alteration includes alterations to an entrance, and the facility has an accessible entrance on an accessible route, the altered entrance is not required to be accessible unless required by Section 404.3. Signs complying with Section 1111 of the VCC shall be provided.

Exception: Where an alteration includes alterations to an entrance, and the facility has an accessible entrance, the altered entrance is not required to be accessible, unless required by Section 404.3. Signs complying with Section 1111 of the VCC shall be provided.

Elevators: Altered elements of existing elevators shall comply with ASME A17.1/CSA B44 and ICC A117.1. Such elements shall also be altered in elevators programmed to respond to the same hall call control as the altered elevator.

Platform lifts: Platform (wheelchair) lifts complying with ICC A117.1 and installed in accordance with ASME A18.1 shall be permitted as a component of an accessible route.

Stairways and escalators: Where an escalator or stairway is added where none existed previously and major structural modifications are necessary for installation, an accessible route shall be provided between the levels served by the escalator or stairways in accordance with Section 1104.4 of the VCC.

Ramps: Where steeper slopes than allowed by Section 1012.2 of the VCC are necessitated by space limitations, the slope of ramps in or providing access to existing facilities shall comply with Table 404.4.5. (Refer to the Table using the link provided above)

Accessible dwelling or sleeping units: Where Group I-1, I-2, I-3, R-1, R-2 or R-4 dwelling or sleeping units are being altered, the requirements of Section 1107 of the VCC for Accessible units apply only to the quantity of the spaces being altered.

Type A dwelling or sleeping units: Where more than 20 Group R-2 dwelling or sleeping units are being altered, the requirements of Section 1107 of the VCC for Type A units and Chapter 9 of the VCC for visible alarms apply only to the quantity of the spaces being altered.

Type B dwelling or sleeping units: Where four or more Group I-1, I-2, R-1, R-2, R-3 or R-4 dwelling or sleeping units are being altered, the requirements of Section 1107 of the VCC for Type B units and Chapter 9 of the VCC for visible alarms apply only to the quantity of the spaces being altered.

Exceptions: Group I-1, I-2, R-2, R-3 and R-4 dwelling or sleeping units where the first certificate of occupancy was issued before March 15, 1991 are not required to provide Type B dwelling or sleeping units.

Jury boxes and witness stands: In alterations, accessible wheelchair spaces are not required to be located within the defined area of raised jury boxes or witness stands and shall be permitted to be located outside these spaces where ramp or lift access poses a hazard by restricting or projecting into a required means of egress.

Toilet and bathing rooms: Where it is technically infeasible to alter existing toilet and bathing rooms to be accessible, an accessible single-user or family or assisted-use toilet or bathing room constructed in accordance with Section 1109.2.1 of the VCC is permitted. The single-user or family or assisted-use toilet or bathing room shall be located on the same floor and in the same area as the existing toilet or bathing rooms. At the inaccessible toilet and bathing rooms, provide directional signs indicating the location of the nearest single-user or family or assisted-use toilet room or bathing room. These directional signs shall include the International Symbol of Accessibility and sign characters shall meet the visual character requirements in accordance with ICC A117.1.

In assembly and mercantile occupancies, where additional toilet fixtures are added, not fewer than one accessible family or assisted-use toilet room shall be provided where required by Section 1109.2.1 of the International Building Code. In recreational facilities, where additional bathing rooms are being added, not fewer than one family or assisted-use bathing room shall be provided where required by Section 1109.2.1 of the International Building Code.

Dressing, fitting or locker rooms: Where it is technically infeasible to provide accessible dressing, fitting or locker rooms at the same location as similar types of rooms, one accessible room on the same level shall be provided. Where separate-sex facilities are provided, accessible rooms for each sex shall be provided. Separate sex facilities are not required where only unisex rooms are provided.

Fuel Dispensers: Operable parts of replacement fuel dispensers shall be permitted to be 54 inches (1370 mm) maximum, measuring from the surface of the vehicular way where fuel dispensers are installed on existing curbs.

Thresholds: The maximum height of thresholds at doorways shall be 3/4 inch (19.1 mm). Such thresholds shall have beveled edges on each side.

Amusement rides: Where the structural or operational characteristics of an amusement ride are altered to the extent that the amusement ride's performance differs from that specified by the manufacturer or the original design, the amusement ride shall comply with requirements for new construction in Section 1110.4.8 of the VCC.

Dining areas: An accessible route to raised or sunken dining areas or to outdoor seating areas is not required provided that the same services and décor are provided in an accessible space usable by any occupant and not restricted to use by people with a disability.

Historic Buildings (VEBC Section 405)

Any building or structure that is one or more of the following is considered a Historic Building per the Virginia Existing Building Code.

1. Listed, or certified as eligible for listing, by the State Historic Preservation Officer or the Keeper of the National Register of Historic Places, in the National Register of Historic Places.
2. Designated as historic under an applicable state or local law.
3. Certified as a contributing resource within a National Register, state designated or locally designated historic district.

Section 405 applies to Historic Buildings unless technically infeasible. Where compliance with the requirements for accessible routes, entrances or toilet rooms would threaten or destroy the historic significance of the facility, the alternative requirements of Sections 405.1.1 through 405.1.5 for that element shall be permitted.

Per Section 405.1.1, at least one accessible route from a site arrival point to an accessible entrance shall be provided.

Per Section 405.1.2, an accessible route from an accessible entrance to public spaces on the level of the accessible entrance shall be provided.

Per Section 405.1.3, where an entrance cannot be made accessible in accordance with Section 404.4.1, an accessible entrance that is unlocked while the building is occupied shall be provided, or a locked accessible entrance with a notification system or remote monitoring shall be provided.

Signs complying with Section 1111 of the VCC shall be provided at the primary entrances and the accessible entrance.

Per Section 405.1.4, where toilet rooms are provided, at least one accessible single-user or family or assisted-use toilet or bathing room complying with Sections 1109.2.1 of the VCC and 403.2.1 of the International Plumbing Code shall be provided.

Per Section 405.1.5, Type B dwelling or sleeping units required by Section 1107 of the VCC are not required to be provided in historic buildings or structures.

Please note proposed exterior alterations in a City designated 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

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Permit Number: _____ Date: _____

Building Address: _____

Building Name (if applicable): _____

- 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

Notary Seal/Stamp