



STATE OF WASHINGTON

STATE BUILDING CODE COUNCIL

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STATE BUILDING CODE INTERPRETATION NO. 02-01

- CODE:** 1997 Uniform Building Code (UBC) (as revised 2000)
State Regulations for Barrier-Free Facilities
- SECTIONS:** Chapter 11 - Part III Accessibility for Existing Buildings,
Section 1111—Additions and Section 1112—Alterations
- QUESTIONS:**
1. When a new roof deck is added to an existing commercial building is it an addition or alteration? Is an accessible route, such as an elevator, required to the deck? If so, does the building official have authority to waive accessibility requirements if the cost of providing the accessible route exceeds 20 percent of the project?
 2. When a mezzanine is added to an existing commercial building is it an addition or alteration? Where the exceptions to Section 1103.2.2 do not apply, is an accessible route required to the mezzanine? Does the building official have authority to waive accessibility requirements if the cost exceeds 20 percent of the project?
 3. Where the mezzanine in Question 2 is proposed by a tenant, who does not have control over the remainder of the building, can the accessible route be limited to the tenant space only?
- BACKGROUND:** Applying the UBC definitions for “addition” and “alteration” to Chapter 11 - Part III can in some cases make it difficult to decide if a project should comply with Section 1111—Additions or Section 1112—Alterations. For applying Chapter 11 Accessibility requirements to an existing building how can it be determined whether a project is an “addition” or an “alteration”? UBC Section 1101—Scope states that Chapter 11 is intended to comply with the Americans With Disabilities Act Accessibility Guidelines (ADAAG). The ADAAG defines “addition” and “alteration” somewhat differently than the UBC. To determine the intent of the state code it is helpful to consider the following ADAAG definitions along with the UBC definitions:

Addition (ADAAG): *An expansion, extension, or increase in the gross floor area of a building or facility.*

Addition (UBC): *An extension or increase in floor area or height of a building or structure.*

Floor Area (UBC): *The area included within surrounding exterior walls or the useable area under a roof.*

Alteration (ADAAG): *A change to a building or facility made by, on behalf of, or for the use of a public accommodation or commercial facility, that affects or could affect the usability of the building or facility or part thereof.*

Alteration (UBC): *Any change, addition, or modification in construction or occupancy. (Note: While the UBC defines an alteration as an “addition” in construction, the ADAAG does not.)*

ANSWERS:

1. Assuming that the new roof deck has open sides and no roof cover, it does not increase the floor area or height of the building and the new deck should be considered an *alteration*. Section 1112—Alterations would apply to the new roof deck and Section 1112.1.2—Existing Elements requires the new roof deck to be accessible.

Section 1112.1.2, Exception 1, provides that an *accessible route of travel* need not be provided to the new roof deck if it is not an area of primary function.

If the new roof deck is an area of primary function, Section 1112.1.2 requires the *path of travel* to the deck be made accessible to the extent feasible. Section 1112.1.2, Exception 3, would allow the building official to apply the 20 percent of project cost exception.

2. Taking into consideration the ADAAG definitions, the new mezzanine should be considered an *addition* because it increases the gross floor area within the building. Section 1111—Additions would apply to the new mezzanine and it is required to be accessible.

An *accessible route of travel* to the new mezzanine is required by Section 1111, Item 2. There is no specific provision to allow an exception to providing an *accessible route of travel* to the new mezzanine. However, it is the intent of the code to place a reasonable limit on added costs for providing barrier-free improvements in existing buildings. Therefore, the intent is, subject to the approval of the building official, the route of travel need not be made accessible if the cost of compliance would exceed 20 percent of the total cost of construction, inclusive of the cost of eliminating barriers, within a 36-month period.

3. Yes. Section 1111, Item 2 states that “at least one accessible route of travel

shall be provided through the existing building or **facility** to all rooms, elements and spaces in the new addition”. The definition of *facility* is “something that is built, constructed, installed, or established to perform some particular function or to serve or facilitate some particular end” (*Webster’s Third New International Dictionary of the English Language, Unabridged*, copyright 1986). A tenant space in a commercial building constitutes a *facility* in that the space “is established to serve the particular end” or need of the tenant. Therefore, in a commercial building where a mezzanine is added within a tenant space, an accessible route is required to the mezzanine through the tenant space, but not through the entire building.

Note: The intent of the above 20 percent of cost exceptions is to require that up to 20 percent of a project costs be spent on barrier removal in alterations or additions. See Interpretation No. 93-49.

SUPERSEDES: None

REQUESTED BY: City of Seattle