



# Accessibility Requirements for Existing Commercial Buildings

This document provides general guidance on how accessibility requirements apply to existing commercial buildings, clarifies the difference between ADA obligations and building code enforcement, and explains when upgrades may be required under the International Building Code (IBC).

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## ADA, IBC, and ANSI A117.1 – Roles and Requirements

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### ADA vs. IBC/ANSI – What is enforced

For existing commercial buildings, the Building Division does not directly enforce the Americans with Disabilities Act (ADA). ADA is a federal civil rights law and is enforced outside of the building permit process.

The Building Division is responsible for enforcing the International Building Code (IBC). The IBC is the adopted construction code and is what provides enforcement authority at the local level. Accessibility requirements are triggered under the IBC when there is new construction, an alteration, an addition, or a change of occupancy.

Although ADA and building code accessibility requirements often align, it is important to understand that IBC compliance—not direct ADA enforcement—is the role of the Building Division.

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### IBC and ANSI A117.1 (Building Code Accessibility)

Accessibility under the building code is governed by the IBC and ANSI A117.1

### **Applies to:**

- New construction
- Alterations
- Additions
- Change of occupancy

The IBC references ANSI A117.1 as the technical accessibility standard:

- **IBC Chapter 11** establishes *what* elements must be accessible (scoping)
- **ANSI A117.1** establishes *how* those elements must be designed and constructed (technical criteria)

👉 What we're enforcing is IBC compliance—not ADA directly—even though they often align.

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### **Existing Buildings: When do they have to upgrade?**

#### **When there is NO work being done:**

The IBC does not require existing buildings to be retrofitted to current accessibility or ANSI standards solely because the code has changed. If a building was legally constructed and no alterations or changes are proposed, there is no automatic upgrade requirement under the IBC.

ADA may still require readily achievable barrier removal in existing buildings. This refers to removing architectural barriers when it is easily accomplishable and can be carried out without much difficulty or expense.

- This determination is made on a case-by-case basis
- It is not permit-driven
- It is not determined or enforced by the Building Official

#### **✅ Bottom line:**

If a building is legally existing and no alterations are proposed → **there is no automatic upgrade requirement under the IBC**

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### **When there IS work being done**

Once work is proposed, accessibility requirements may be triggered under the building code.

Existing buildings are regulated by IBC Chapter 34 or the International Existing Building Code (IEBC). These provisions explain how current code requirements apply to older buildings.

### **Alterations**

When alterations are proposed:

- Altered elements must comply with current IBC and ANSI A117.1 requirements
- Alterations may also trigger path-of-travel upgrades serving the altered area, which may include:
  - Accessible routes
  - Entrances
  - Restrooms
  - Drinking fountains
  - Other supporting elements

The code recognizes practical limits through the disproportionality rule, which typically caps required accessibility upgrades at 20 percent of the total project cost.

### **Additions**

For building additions:

- The new addition must fully comply with current accessibility standards
- The existing portion of the building generally does not need to be brought into full compliance unless:
  - The addition affects the path of travel, or
  - The addition creates new accessibility obligations that did not previously exist

## **Change of Occupancy**

A change of occupancy is often the most significant trigger for accessibility upgrades.

Because the way the building is used is changing, the code may require substantial accessibility improvements to meet current standards, even if the physical construction work is limited.

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## **How ANSI A117.1 applies**

ANSI A117.1 is not a stand-alone law. It becomes enforceable because it is referenced by the IBC, which has been adopted by both Winter Park and Fraser.

IBC Chapter 11:

- Defines what must be accessible
- References ANSI A117.1 for how accessibility is achieved

So, if:

- An element is required to be accessible under IBC Chapter 11, **and**
- The element is part of new work or a triggered alteration

**ANSI A117.1 applies.**

If neither condition is met, ANSI does not automatically apply to existing, unaltered elements.

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## Practical “Yes / No” test

When reviewing a project, the following questions are used:

1. Is the building legally existing?
2. Is there new construction, an alteration, an addition, or a change of occupancy?
  - No → no mandatory ANSI upgrade under the IBC
  - Yes → continue
3. Does the work affect an element covered by IBC Chapter 11?
  - No → ANSI may not apply
  - Yes → ANSI A117.1 applies to the altered elements
4. Does the path of travel requirement apply?
  - If yes → apply proportionality limits

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### Important Note

This guidance document is intended for general informational purposes only. Property owners and design professionals may have additional obligations under federal law, including the Americans with Disabilities Act (ADA), which are enforced outside of the building permit process.