

CHAPTER 7 ALTERATIONS – LEVEL 1

SECTION 705.1.10 2012 Edition IEBC Interpretation 126-16 Issues 2-21-2017 EB_12_126_16

705.1.10 Toilet rooms. Where it is technically infeasible to alter existing toilet and bathing rooms to be accessible, an accessible family or assisted-use toilet or bathing room constructed in accordance with Section 1109.2.1 of the *International Building Code* is permitted. The 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.

REFERENCEND SECTION:

SECTION 202 GENERAL DEFINITIONS

PRIMARY FUNCTION. A *primary function* is a major activity for which the facility is intended. Areas that contain a *primary function* include, but are not limited to, the customer services lobby of a bank, the dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas in which the activities of the public accommodation or other private entity using the facility are carried out. Mechanical rooms, boiler rooms, supply storage rooms, employee lounges or locker rooms, janitorial closets, entrances, corridors and restrooms are not areas containing a *primary function*.

SECTION 705 ACCESSIBILITY

705.1 General. A *facility* that is altered shall comply with the applicable provisions in Sections 705.1.1 through 705.1.14, and Chapter 11 of the *International Building Code* unless it is *technically infeasible*. Where compliance with this section is *technically infeasible*, the alteration shall provide access to the maximum extent that is technically feasible. A *facility* that is constructed or altered to be accessible shall be maintained accessible during occupancy.

Exceptions:

1. The altered element or space is not required to be on an accessible route unless required by Section 705.2.
2. Accessible means of egress required by Chapter 10 of the *International Building Code* are not required to be provided in existing *facilities*.
3. Type B dwelling or sleeping units required by Section 1107 of the *International Building Code* are not required to be provided in existing *facilities* undergoing less than a Level 3 *alteration*.
4. The alteration to Type A individually owned dwelling units within a Group R-2 occupancy shall meet the provisions for Type B dwelling units.

705.2 Alterations affecting an area containing a primary function. Where an *alteration* affects the accessibility to a, or contains an area of, *primary function*, the route to the *primary function* area shall be accessible. The accessible route to the *primary function* area shall include toilet facilities or drinking fountains 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.

SECTION 1012 CHANGE OF OCCUPANCY CLASSIFICATION

1012.8.1 Partial change in occupancy. Where a portion of the building is changed to a new occupancy classification, any alteration shall comply with Sections 705, 806 and 906, as applicable.

1012.8.2 Complete change of occupancy. Where an entire building undergoes a *change of occupancy*, it shall comply with Section 1012.8.1 and shall have all of the following accessible features:

1. At least one accessible building entrance.
2. At least one accessible route from an accessible building entrance to *primary function* areas.
3. Signage complying with Section 1110 of the *International Building Code*.
4. Accessible parking, where parking is provided.
5. At least one accessible passenger loading zone, where loading zones are provided.
6. At least one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.

Where it is *technically infeasible* to comply with the new construction standards for any of these requirements for a change of group or occupancy, the above items shall conform to the requirements to the maximum extent technically feasible.

Exception: The accessible features listed in Items 1 through 6 are not required for an accessible route to Type B units.



Q: Is an accessible toilet room per Section 705.1.10 always required when an existing building is undergoing an Alteration Level 1, 2, 3, or Change of Occupancy?

A: No.

An accessible toilet room is not automatically required. The intent is that over time, the building will become as accessible as technically feasible when applying Section 705. In an existing building, a fully accessible toilet room is required when a new toilet room is constructed.

Whether you are altering a toilet room because you want to or comply with Section 705.2, Section 705.1.10 offers an alternative in existing buildings where it is technically infeasible to make the men's and women's bathrooms accessible. An option is to build a unisex single-occupant accessible toilet room – which is also called a family or assisted-use toilet room. This toilet room must be in the same area as the non-accessible men's and women's toilet rooms.

Based on Section 705.2 when an altered area contains a primary function space, the accessible route to that area must be evaluated for accessibility requirements. The accessible route includes any bathrooms and drinking fountains serving the area being altered. If they are not accessible, improvement must be made. Section 705.2 Exception 1 provides that the costs of those improvements are not required to exceed 20 per cent of the costs of the alterations. Therefore, improvements must be made until either the accessible route is accessible, or until the 20% cost limit is reached. Section 705.2 Exceptions 2 and 3 states improvements to the accessible routes do not have to be made if the only alteration is something that does not change the physical configuration of the space (e.g. windows, hazardous abatement). Section 705.2 Exception 4 states improvements to the accessible route do not have to be made if the only alteration is to improve accessibility (e.g. lowering a service window to improve access). Section 705.1 Exception 1 also states that if the alteration is not to a primary function space (e.g. boiler rooms, corridors (see the definition of 'primary function')), improvements to the accessible route are not required. When a building undergoes a change of occupancy in conjunction with alterations (Section 1012.8.1 and 1012.8.2), by the reference to Section 705, the requirements for improvements to a toilet room would be the same as an alteration without a change of occupancy.