



**2010 ADA UPDATE
December 7, 2011**

**2010 Oregon Structural Specialty Code
Chapter 11, Accessibility
*Effective Date: March 1, 2012***

BACKGROUND:

On Friday, July 23, 2010, U.S. Attorney General Eric Holder signed final regulations revising the Department's Americans with Disabilities Act (ADA) regulations, including its "2010 ADA Standards for Accessible Design" (*2010 Standards*). The *2010 Standards* are closely based on the U.S. Access Board's ADA and ABA Accessibility Guidelines (2004). DOJ's revised title II and title III regulations include additional design requirements that supplement certain provisions in the standards.

With regard to building codes, the 1991 ADAAGs have served as the "minimum guidelines" to ensure that buildings and facilities are accessible in terms of architecture and design to individuals with disabilities. Historically, these guidelines were the genesis for Oregon's "Chapter 11" regulating accessibility in the state.

To minimize compliance burdens on municipalities and entities adopting model building codes, the *2010 Standards* have been "harmonized" with Chapter 11 of the 2009 International Building Code (IBC).

The Federal rule includes a general "safe harbor" under which elements covered in facilities that were built or altered in compliance with the 1991 ADAAG Standard (current Oregon Chapter 11) would not be required to be brought into compliance with the *2010 Standards* until the elements were subject to planned alteration. A similar safe harbor applies to elements associated with the "path of travel" to an altered area.

In anticipation of this announcement, Oregon Building Codes Division (BCD) has worked closely with stakeholders in the preparation of an amended version of various 2009 IBC sections as follows:

1. Section 907.5.2.3.3 addressing alarms Groups I-1, R-1 and R-4 occupancies
2. Section 1007 addressing accessible means of egress
3. Various correlation references in Chapter 10
4. Chapter 11 in its entirety and
5. Section 3411 addressing accessibility in existing buildings

Oregon amendments are necessary in keeping with statutorily driven accessibility requirements which provide for greater accessibility than the Federal standards. Consistent with the U.S. Attorney General's implementation timelines, the Oregon amended 2009 IBC accessibility provisions become effective as of March 1, 2012.

PLEASE NOTE: Unlike Oregon's existing chapter 11, the 2009 IBC chapter 11 is essentially a scoping document with nearly all of the "technical" requirements driven through the adoption of ICC/ANSI A117.1-2003 Edition. ICC/ANSI A117.1-2003 may be purchased through the normal code/standards outlets or viewed in a read only format at the following URL: <http://publicecodes.citation.com/icc/ansi/2003/IC-P-2003-000016.htm>.

The revised Chapter 11 is attached and has been prepared as insert pages for the 2010 OSSC. These pages replace the existing Chapter 11 in its entirety.

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