**Section 400.510 Public Facilities, Alterations** – **Minimum Requirements**

a) General

1) Alterations (as defined in Section 400.210(b)(11)) to existing public facilities to which the Environmental Barriers Act and this Code apply shall be accessible as provided in this Section.

2) *No alteration shall be undertaken that decreases or has the effect of decreasing accessibility or usability of a building or facility below the requirements for new construction at the time of alteration.* (Section 5, EBA) (ADAAG 4.1.6(1)(a))

b) Scope

1) All Public Facilities – Alteration Costs 15% or Less. *If the alteration costs 15% or less of the reproduction cost of the public facility, the element or space being altered shall comply with the applicable requirements for new construction* (Section 5, EBA) (see Sections 400.310 and 400.320). (See also subsection (b)(6) of this Section for treatment of alterations to specific categories of public facilities.)

2) State Owned Public Facilities – Alteration Costs 15%-50%. *If the alteration is to a public facility owned by the State and the alteration costs more than 15% but less than 50% of the reproduction cost of the public facility, the following shall comply with the applicable requirements for new construction* (Section 5, EBA) (see Sections 400.310 and 400.320):

A) *the element or space being altered;*

B) *an entrance and a means of egress intended for use by the general public;*

C) *all spaces and elements necessary to provide horizontal and vertical accessible routes between an accessible entrance and means of egress and the element or space being altered;*

D) *at least one accessible toilet room for each sex or a unisex toilet when permitted, if toilets are provided or required* (see subsection (e)(1) of this Section);

E) *accessible parking spaces, where parking is provided; and*

F) *an accessible route from public sidewalks or from accessible parking spaces, if provided, to an accessible entrance.* (Section 5, EBA)

3) All Public Facilities Other Than State-Owned-Alteration Costs 15% to 50% and Less than $100,000. *If the alteration costs more than 15% but less than 50% of the reproduction cost of the public facility, and less than $100,000, the following shall comply with the applicable requirements for new construction* (see Sections 400.310 and 400.320):

A) *the element or space being altered; and*

B) *an entrance and a means of egress intended for use by the general public.* (Section 5, EBA)

4) All Public Facilities Other Than State-Owned – Alteration Costs 15% to 50% and More than $100,000. *If the alteration costs more than 15% but less than 50% of the reproduction cost of the public facility, and more than $100,000, the following shall comply with the applicable requirements for new construction* (see Sections 400.310 and 400.320):

A) *the element or space being altered;*

B) *an entrance and a means of egress intended for use by the general public;*

C) *all spaces and elements necessary to provide horizontal and vertical accessible routes between an accessible entrance and means of egress and the element or space being altered. VERTICAL ACCESS EXCEPTION: However, privately owned public facilities are not required to provide vertical access in a building with two levels of occupiable space where the cost of providing such vertical access is more than 20% of the reproduction cost of the public facility;*

D) *at least one accessible toilet room for each sex or a unisex toilet, when permitted, if toilets are provided or required* (see subsection (e)(1) of this Section);

E) *accessible parking spaces, where parking is provided; and*

F) *an accessible route from public sidewalks or from the accessible parking spaces, if provided, to an accessible entrance.* (Section 5, EBA)

5) All Public Facilities – *Alteration Costs 50% or More. If the alteration costs 50% or more of the reproduction cost of the public facility, the entire public facility shall comply with the applicable requirements for new construction* (Section 5, EBA) (see Sections 400.310 and 400.320).

6) Alterations to Specific Categories of Public Facilities. *For religious entities, private clubs, and owner-occupied transient lodging facilities of five units, compliance with the standards adopted by the Capital Development Board is not mandatory if the alteration costs 15% or less of the reproduction cost of the public facility. However, if the cost of the alteration exceeds $100,000, the element or space being altered must comply with the applicable requirements for new construction* (Section 5, EBA) (see Sections 400.310 and 400.320). If the alteration costs more than 15% of the reproduction cost, subsections (b)(3), (4) and (5) above, as applicable, govern.

c) Calculation of Reproduction Cost

 *For the purpose of calculating percentages of reproduction cost, the cost of alteration shall be construed as the total actual combined cost of all alterations made within any period of 30 months.* (Section 5, EBA)

d) Housing

1) Scope. Alterations to housing that is owned, financed or guaranteed by a governmental unit is subject to the applicable requirements of subsection (b) of this Section. Privately financed alterations to housing are not covered by the Environmental Barriers Act or this Code. NOTE: All housing, including new construction and some alterations may be subject to federal law. See Fair Housing Amendments Act, 42 U.S.C. 3601 et seq.

2) Specific Requirements

A) Toilet Rooms. With respect to the requirements for toilet rooms at subsections (b)(2)(iv) and (b)(4)(iv) of this Section, for housing units this requirement is applicable only to toilet rooms provided in public or common use areas.

B) Application of New Construction Requirements. With respect to housing alterations subject to subsection (b)(5) of this Section, the public and common use areas shall comply with the applicable requirements for new construction and the percentage of dwelling units required to be accessible or adaptable in Section 400.350 shall be provided.

e) Specific Modifications of New Construction Requirements Permitted in Alterations

1) Toilet Rooms

A) Unisex Toilet Rooms. Use of a unisex toilet room is permitted where construction of a single sex toilet room is technically infeasible or where otherwise permitted by the Illinois Plumbing Code, such as where such facilities are provided in addition to the required number of separate sex toilet rooms. Where unisex toilet rooms are provided, the following requirements shall be met:

i) At least one unisex toilet room per floor shall be installed in the same area as existing toilet facilities;

ii) At least one water closet complying with Section 400.310(n)(5)(B);

iii) At least one lavatory complying with Section 400.310(n)(7);

iv) A door complying with Section 400.310(n)(3) with a privacy latch; and

v) The room itself shall have no stalls and a clear floor space of 60 in. (1525 mm).

B) Toilet Stalls. In instances of alteration work where provision of a standard stall (Illustration B, Fig. 30(a)) is technically infeasible or where plumbing code requirements prevent combining existing stalls to provide space, either alternate stall (Illustration B, Fig. 30(b)) may be provided in lieu of the standard stall (ADAAG 4.17.3). See Section 400.310(n)(5)(A)(ii).

C) Toilet Rooms. When existing toilet or bathing facilities are being altered and are not made accessible, signage complying with Section 400.310(u)(1) through (6) shall be provided indicating the location of the nearest accessible toilet or bathing facility within the facility. (ADAAG 4.1.6(3)(e)(iii))

2) Handrails. Full extension of stair handrails shall not be required in alterations where such extensions would be hazardous, such as interfering with the operation of an exit door.

3) Ramps. Curb ramps and interior or exterior ramps to be constructed on existing sites or in existing buildings or facilities where space limitations prohibit the use of a 1:12 slope or less may have slopes and rises as follows:

A) A slope between 1:10 and 1:12 is allowed for a maximum rise of 6 in.

B) A slope between 1:8 and 1:10 is allowed for a maximum rise of 3 in. A slope steeper than 1:8 is not allowed. (ADAAG 4.1.6(3)(a))

4) Platform Lifts. (See Section 400.310(h)(l)(D) and (h)(2).)

5) Patient Rooms in Medical Care Facilities. Alterations to patient bedrooms:

A) When patient bedrooms are being added or altered as part of a planned renovation of an entire wing, a department, or other discreet area of an existing medical facility, a percentage of the patient bedrooms that are being added or altered shall comply with Section 400.320(d)(3). The percentage of accessible rooms provided shall be consistent with the percentage of rooms required to be accessible by the applicable requirements of Section 400.320(d)(1)(A) through (C) and (E) until the number of accessible patient bedrooms in the facility equals the overall number that would be required if the facility were newly constructed. (For example, if 20 patient bedrooms are being altered in the obstetrics department of a hospital, 2 of the altered rooms must be made accessible. If, within the same hospital, 20 patient bedrooms are being altered in a unit that specializes in treating mobility impairments, all of the altered rooms must be made accessible.) Where toilet/bathrooms are part of patient bedrooms which are added or altered and required to be accessible, each such patient toilet/bathroom shall comply with Section 400.320(d)(4).

B) When patient bedrooms are being added or altered individually, and not as part of an alteration of the entire area, the altered patient bedrooms shall comply with Section 400.320(d)(3), unless either:

i) the number of accessible rooms provided in the department or area containing the altered patient bedroom equals the number of accessible patient bedrooms that would be required if the percentage requirements of Section 400.320(d)(1)(A) through (C) and (E) were applied to that department or area; or

ii) the number of accessible patient bedrooms in the facility equals the overall number that would be constructed. Where toilet/bathrooms are part of patient bedrooms which are added or altered and required to be accessible, each such toilet/bathroom shall comply with Section 400.320(d)(4). (ADAAG 6.1)

6) Service Counters. In alterations where it is technically infeasible to provide an accessible counter, an auxiliary counter meeting the requirements of Section 400.320(h)(1)(A) may be provided. (ADAAG 7.2(1))

7) Check-Out Aisles. In alterations, at least one check-out aisle shall be accessible in facilities under 5000 square feet of selling space. In facilities of 5000 or more square feet of selling space, at least one of each design of check-out aisle shall be made accessible when altered until the number of accessible check-out aisles of each design equals the number required in new construction. (ADAAG 7.3(1)) (See Section 400.320(h)(2).)

8) Restaurants and Cafeterias. In alterations, where practicable, accessible fixed tables (or counters) shall be distributed throughout the space or facility. (ADAAG 5.1)

9) Tenant Work. Tenant finishing work (including, but not limited to partitions, doors, and officescapes) which is constructed subsequent to the first tenant remodeling of a building shall be considered alterations within this Code and shall comply with the requirements of this Section.

10) Site Improvements and Exterior Facilities

A) All existing curbs which are part of any reconstruction or alteration shall be provided with accessible curb ramps along the path of travel between all public facilities and/or multi-story housing units.

B) All walks and sidewalks installed as part of a municipal improvement, or replacement walks or sidewalks within site facilities shall meet the requirements of this Code at Section 400.310(a) and (d).

C) All changes, improvements, or maintenance of existing parking lots including sealcoating, resurfacing, remarking, fencing, curbs, walks, and/or landscaping shall provide accessible parking spaces in accordance with Section 400.310(c). In addition, there shall be provided curb ramps as necessary to provide an accessible route to an accessible entrance.

D) If inaccessible elements (such as steps, curbs, ramps) occur along a site access route within the boundary of the site connecting public transportation stops, accessible parking spaces, passenger loading zones, public streets and sidewalks and an accessible entrance to a public facility or multi-story housing unit, and such elements are to be improved or replaced, the improvement or replacement shall meet requirements of this Code at Section 400.310(a) and (d) and result in an accessible site access route.

11) Accessible Transient Lodging. Alterations to accessible units, sleeping rooms, and suites:

A) When sleeping rooms are being altered in an existing facility, or portion thereof, subject to the requirements of Section 400.320(b), at least one sleeping room or suite that complies with the requirements of Section 400.320(g)(5) shall be provided for each 25 sleeping rooms, or fraction thereof, of rooms being altered until the number of such rooms provided equals the number required to be accessible pursuant to Section 400.320(g)(2).

B) At least one sleeping room or suite that complies with the requirements of Section 400.320(g)(6) shall be provided for each 25 sleeping rooms, or fraction thereof, of rooms being altered until the number of such rooms equals the number required to be accessible by Section 400.320(g)(3). (ADAAG 9.1.5)

12) Doors

A) In alterations, where it is technically infeasible to provide a 32 in. (815 mm) clear opening as required in Section 400.310(j)(4), the latch side stop may project up to a maximum 5/8 in. (16 mm) into the opening width. (Adapted from ADAAG 4.1.6(3)(d)(i))

B) Existing thresholds 3/4 in. (19 mm) high or less may remain if such thresholds have or are modified to have a beveled edge on each side. (Adapted from ADAAG 4.1.6(3)(d)(ii))

13) Dressing and Fitting Rooms. In alterations where technical infeasibility can be demonstrated, one dressing room for each sex on each level shall be made accessible. Where only unisex dressing rooms are provided, accessible unisex dressing rooms may be used to fulfill this requirement. (ADAAG 4.1.6(3)(h))

14) Elevators

A) In alterations where technical infeasibility prohibits strict compliance with Section 400.310(g)(9) the minimum car plan dimensions may be reduced by the minimum amount necessary, but in no case shall the inside car area be smaller than 48 in. by 48 in. (1220 mm by 1220 mm). (ADAAG 4.1.6(3)(c)(ii))

B) Equivalent facilitation may be provided with an elevator car of different dimensions when usability can be demonstrated and when all other elements required to be accessible comply with the applicable provisions of Section 400.310(g). For example, an elevator of 47 in. by 69 in. (1195 mm by 1755 mm), with a door opening on the narrow dimension, could accommodate the standard wheelchair clearances shown in Illustration B, Fig. 4. (ADAAG 4.1.6(3)(c)(iii))