



**2010 ADA UPDATE  
December 7, 2011**

**2010 Oregon Structural Specialty Code  
Section 3411, Accessibility of Existing Structures  
*Effective Date: March 1, 2012***

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**BACKGROUND:**

As part of 2010 ADA update to the 2010 Oregon Structural Specialty Code (OSSC), section 3411 has been amended to correlate with the 2009 International Building Code accessibility provisions.

This code change has been prepared as insert pages for the 2010 OSSC. Pages are formatted so that when inserted, the amendments will face the page containing the existing code language.

*Text formatting; Green text denotes an Oregon amendment.*

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**SECTION 3411**  
**ACCESSIBILITY FOR EXISTING BUILDINGS**

**3411.1 Scope.** The provisions of Sections 3411.1 through 3411.9 apply to maintenance, change of occupancy, additions and alterations to existing buildings, including those identified as *historic buildings*.

**Exception:** Type B *dwelling* or sleeping units required by Section 1107 of this code are not required to be provided in existing buildings and facilities being altered or undergoing a change of occupancy.

**3411.2 Reserved.**

**3411.3 Extent of application.** An *alteration* of an existing element, space or area of a building or facility shall not impose a requirement for greater accessibility than that which would be required for new construction.

Alterations shall not reduce or have the effect of reducing accessibility of a building, portion of a building or facility.

**3411.4 Change in occupancy.** Where a building or a portion thereof is changed to a new occupancy classification, any alterations shall comply with Sections 3411.6, 3411.7 and 3411.8.

**3411.5 Additions.** Provisions for new construction shall apply to additions. An *addition* that affects the accessibility to, or contains an area of, a primary function shall comply with the requirements in Section 3411.7.

**3411.6 Alterations.** A building, facility or element that is altered shall comply with the applicable provisions in Chapter 11 of this code and ICC A117.1, unless *technically infeasible*. Where compliance with this section is *technically infeasible*, the *alteration* shall provide access to the maximum extent technically feasible.

**Exceptions:**

1. The altered element or space is not required to be on an *accessible* route, unless required by Section 3411.7.
2. *Accessible means of egress* required by Chapter 10 are not required to be provided in existing buildings and facilities.
3. The *alteration* to Type A individually owned *dwelling* units within a Group R-2 occupancy shall meet the provision for a Type B *dwelling* unit and shall comply with the applicable provisions in Chapter 11 and ICC A117.1.

**3411.7 Alterations affecting an area containing a primary function.** Where an *alteration* affects the accessibility to, or contains an area of *primary function*, the route to the *primary function* area shall be *accessible*.

ORS 447.241 is not a part of this code but is reproduced here for the reader's convenience:

447.241 Standards for renovation, alteration or modification of certain buildings; barrier removal improvement plan.

(1) Every project for renovation, alteration or modification to affected buildings and related facilities that affects or could affect the usability of or access to an area containing a primary function shall be made to insure that, to the maximum extent feasible, the paths of travel to the altered area and the rest rooms, telephones and drinking fountains serving the altered area are readily accessible to and usable by individuals with disabilities, unless such alterations are disproportionate to the overall alterations in terms of cost and scope.

(2) Alterations made to the path of travel to an altered area may be deemed disproportionate to the overall alteration when the cost exceeds 25 percent of the alteration to the primary function area.

(3) If the cost of alterations to make the paths of travel to the altered area fully accessible is disproportionate to the cost of the overall alteration, the paths of travel shall be made accessible to the extent that it can be made accessible without incurring disproportionate costs.

(4) In choosing which accessible elements to provide under this section, priority shall be given to those elements that will provide the greatest access. Elements shall be provided in the following order:

- (a) Parking;
- (b) An accessible entrance;
- (c) An accessible route to the altered area;
- (d) At least one accessible restroom for each sex or a single unisex restroom;
- (e) Accessible telephones;
- (f) Accessible drinking fountains; and
- (g) When possible, additional accessible elements such as storage and alarms.

(5) A series of small alterations to an area served by a single path of travel does not satisfy the obligation to provide an accessible path of travel created under subsection (1) of this section.

(6) If an area containing a primary function has been altered without providing an accessible path of travel to the area and subsequent alterations affecting the same path of travel are undertaken within three years of the original alteration, the total cost of the alterations to the primary function area on the path of travel during the preceding three-year period shall be considered in determining whether the cost of making the path of travel accessible is disproportionate.

(7)(a) A barrier removal improvement plan may satisfy the requirements of subsection (1) of this section. The plan shall require an equivalent or greater level of barrier removal than required by subsection (1) of this section.

(b) The barrier removal improvement plan shall include:

- (A) A letter of participation from the building owner;
- (B) A building survey that identifies existing architectural barriers;
- (C) An improvement plan and time schedule for removal of architectural barriers; and
- (D) An implementation agreement.

(c) The barrier removal improvement plan may be reviewed and accepted through the waiver process under ORS 447.250. The plan shall be reviewed upon completion or every three years for compliance with the requirements of this section.

(8) For purposes of this section, "primary function" is a major activity for which the facility is intended.

**Exceptions:**

1. The costs of providing the *accessible* route are not required to exceed 25 percent of the costs of the *alterations* affecting the area of *primary function*. (See ORS 447.241)
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 an existing building, facility or element.

**3411.8 Scoping for alterations.** The provisions of Sections 3411.8.1 through 3411.8.14 shall apply to *alterations* to existing buildings and facilities.

**3411.8.1 Entrances.** *Accessible* entrances shall be provided in accordance with Section 1105.

**Exception:** Where an *alteration* includes alterations to an entrance, and the building or facility has an *accessible* entrance, the altered entrance is not required to be *accessible*, unless required by Section 3411.7. Signs complying with Section 1110 shall be provided.

**3411.8.2 Elevators.** Altered elements of existing elevators shall comply with **the Oregon Elevator Specialty Code** and ICC A117.1. Such elements shall also be altered in elevators programmed to respond to the same hall call control as the altered elevator.

**3411.8.3 Platform lifts.** Platform (wheelchair) lifts complying with ICC A117.1 and installed in accordance with **the Oregon Elevator Specialty Code** shall be permitted as a component of an *accessible* route.

**Exception: For existing churches and fraternal organizations, Limited Use/Limited Access (LULA) elevators may be used in lieu of a standard elevator when approved by the building official and the Oregon Building Codes Division Elevator Safety Section.**

**3411.8.4 Stairs and escalators in existing buildings.** In *alterations*, change of occupancy or *additions* where an escalator or *stair* is added where none existed previously and major structural modifications are necessary for installation, an *accessible* route shall be provided between the levels served by the escalator or *stairs* in accordance with Sections 1104.4 and 1104.5.

**3411.8.5 Ramps.** Where slopes steeper than allowed by Section 1010.2 are necessitated by space limitations, the slope of ramps in or providing access to existing buildings or facilities shall comply with Table 3411.8.5.

TABLE 3411.8.5  
RAMPS

SLOPE	MAXIMUM RISE
Steeper than 1:10 but not steeper than 1:8	3 inches
Steeper than 1:12 but not steeper than 1:10	6 inches

For SI: 1 inch = 25.4 mm.

**3411.8.6 Reserved.**

**3411.8.7 Accessible dwelling or sleeping units.** Where Group I-1, I-2, I-3, R-1, or R-4 *dwelling* or *sleeping units* are being altered or added, the requirements of Section 1107 for *Accessible* units apply only to the quantity of spaces being altered or added.

Where Group R-2 *dwelling* or *sleeping units* are being added, the requirements of Section 1107 for *Accessible* units apply only to the quantity of units being added.

**3411.8.8 Type A dwelling or sleeping units.** Where more than 20 Group R-2 *dwelling* or *sleeping units* are being added, the requirements of Section 1107 for *Type A* units apply only to the quantity of the spaces being added.

**3411.8.9 Type B dwelling or sleeping units.** Where four or more Group I-1, I-2, R-1, R-2, R-3 or R-4 *dwelling* or *sleeping units* are being added, the requirements of Section 1107 for *Type B* units apply only to the quantity of the spaces being added.

**3411.8.10 Jury boxes and witness stands.** In *alterations*, *accessible* wheelchair spaces are not required to be located within the defined area of raised jury boxes or witness stands and shall be permitted to be located outside these spaces where the ramp or lift access restricts or projects into the *means of egress*.

**3411.8.11 Toilet rooms.** Where it is *technically infeasible* to alter existing toilet and bathing facilities to be *accessible*, an *accessible* family or assisted-use toilet or bathing facility constructed in accordance with Section 1109.2.1 is permitted. The family or assisted-use facility shall be located on the same floor and in the same area as the existing facilities.

**3411.8.12 Dressing, fitting and locker rooms.** Where it is *technically infeasible* to provide *accessible* dressing, fitting or locker rooms at the same location as similar types of rooms, one *accessible* room on the same level shall be provided. Where separate-sex facilities are provided, *accessible* rooms for each sex shall be provided. Separate-sex facilities are not required where only unisex rooms are provided.

**3411.8.13 Reserved.**

**3411.8.14 Thresholds.** The maximum height of thresholds at doorways shall be 3/4 inch (19.1 mm). Such thresholds shall have beveled edges on each side.

**3411.9 Historic buildings.** These provisions shall apply to buildings and facilities designated as historic structures that undergo alterations or a change of occupancy, unless *technically infeasible*. Where compliance with the requirements for *accessible* routes, entrances or toilet facilities would threaten or destroy the historic significance of the building or facility, as determined by the building official after consultation with the appropriate historic preservation officer, the alternative requirements of Sections 3411.9.1 through 3411.9.4 for that element shall be permitted.

**3411.9.1 Site arrival points.** At least one *accessible* route from a site arrival point to an *accessible* entrance shall be provided.

**3411.9.2 Multilevel buildings and facilities.** An *accessible* route from an *accessible* entrance to public spaces on the level of the *accessible* entrance shall be provided. Where an *accessible* route is technically infeasible to all levels then displays, written information and documents shall be located where they can be seen by a seated person.

**3411.9.3 Entrances.** At least one main entrance shall be *accessible*.

**Exceptions:**

1. If a main entrance cannot be made *accessible*, an *accessible* nonpublic entrance that is unlocked while the building is occupied shall be provided; or
2. If a main entrance cannot be made *accessible*, a locked *accessible* entrance with a notification system or remote monitoring shall be provided.

The route of travel for the accessible entry shall not pass through hazardous areas, storage rooms, closets, kitchens or spaces used for similar purposes.

Signs complying with Section 1110 shall be provided at the primary entrance and the *accessible* entrance.

**3411.9.4 Toilet and bathing facilities.** Where toilet rooms are provided and the alteration of the same would adversely affect the historical significance of the building, at least one *accessible* family or assisted-use toilet room complying with Section 1109.2.1 shall be provided.