

ILLINOIS

ACCESSIBILITY

CODE



**EFFECTIVE
MAY 1, 1988**



State of Illinois

CAPITAL DEVELOPMENT BOARD

CAPITAL DEVELOPMENT BOARD

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The following, although not a part of the Code, contains related data which may be of assistance in interpreting Code Requirements. Subsection (a) is a part of the Illinois Motor Vehicle Act and is used by the Secretary of State in determining eligibility for a handicapped parking card or license plate.

- (a) 625 ILCS Act 5, Handicapped Person, 5/1 - 159.1
- (b) 410 ILCS Act 30, Elevator Tactile Identification Act, 30/0.01
- (c) 410 ILCS Act 35, Equitable Restrooms Act, 35/1
- | (d) Representative Single Person Toilet

¹Note: Vertical Bars (|) in the left margin indicate revisions since May 1, 1988.

FOREWORD

On September 25, 1985 Governor James R. Thompson signed into law the "Environmental Barriers Act" (EBA) (Ill. Rev. Stat. 1985, ch. 111 1/2, pars. 3711 et seq.). The EBA repealed the "Facilities for the Handicapped Act" (the basis for Accessibility Standards, Illustrated), mandated the Capital Development Board to adopt new standards in accordance with its requirements, and required that the EBA and the new standards constitute minimum accessibility requirements for all governmental units. The new standards are entitled the "Illinois Accessibility Code" (Code) and on its effective date of May 1, 1988, the Accessibility Standards, Illustrated is simultaneously repealed.

The Code is applicable to the construction, including additions, and alterations of Public Facilities, and to the construction of Multi-story Housing Units, as defined. Public Facilities may be publicly owned by a governmental unit, privately owned, or financed, in whole or in part, by a grant or a loan made or guaranteed by a governmental unit.

Construction documents for all Public Facilities and Multi-story Housing Units shall include a statement of compliance with the Act unless the cost of the work is less than \$50,000. Affixing of a professional seal by an architect or engineer in accordance with the Illinois Architecture Act, Illinois Professional Engineering Act, and/or the Illinois Structural Engineering Act may be provided in lieu of the statement of compliance. The statement of compliance shall be filed with the local building permit issuing authority or, in the absence of such an authority, with the County Clerk. For publicly-owned work, it shall be filed with the governmental unit contracting for the work.

Section 7 of the EBA provides penalties for non-compliance. Subsection (c) provides that "any person issuing a building permit or other official authorization for the construction or alteration of a Public Facility or the Multi-story Housing Unit in violation of this Act shall be guilty of a business offense punishable by a fine not to exceed \$1,000." A similar penalty may be brought against the owner. The architect or engineer may be subject to suspension, revocation or refusal of restoration of his/her license for failure to comply.

The Code should be used in conjunction with its reference document for technical details:

"The American National Standard for Buildings and Facilities - Providing Accessibility and Usability for Physically Handicapped People," ANSI A117.1 - 1986, American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018. The cost is \$10.00 prepaid.

For Historic Preservation projects, the Code must also be used with:

"Secretary of the Interior's Standards for Rehabilitation and Guidelines for rehabilitating Historic Buildings (Revised 1983)" Document No. 024-005-01003-3, U.S. Government Printing Office, Washington, D.C. 20402-9325. The cost is \$2.00 prepaid.

GUIDE TO USE OF THE CODE
(See Code for Complete Requirements)

1. Requirements for accessibility:
 - A. Apply to the built environment, including all spaces and elements of applicable buildings and facilities - Section 400.110.
 - B. Become effective with the construction of a new building or facility; an addition to, or alteration of, an existing building or facility; when a historic preservation project is opened to the public; or agreement by a governmental unit to lease, rent or use.
 - C. Are not retroactive for existing buildings - do not apply until the building or facility is added to or altered.
 - D. Are to be provided for the "public" which includes any group of people who are users of the building and employees of the building.
2. All buildings and facilities are divided into two general categories - "public facilities" and "multi-story housing units" - Section 400.130.
3. May be publicly or privately owned.
4. Effective date of the Code is May 1, 1988.
5. Complete requirements must be determined by use of the reference documents. See "Foreword" and Section 400.120.
6. Determine ownership of building or facility (includes historic preservation in any category):
 - Publicly owned by a governmental unit,
 - Privately owned
 - Agreement to lease, rent or use by a governmental unit.
7. Determine financing of construction:
 - By a governmental unit
 - By private funds

NOTE: A privately owned facility in which the construction or alteration is financed in whole or in part by a grant or loan made or guaranteed by a governmental unit is a "public facility."

8. Determine Category of Construction:

- | | |
|--|-------------|
| - New Public Facility | Section 310 |
| - New Multi-story Housing Unit | Section 350 |
| - Addition | Section 410 |
| - Alteration | Section 510 |
| - Historic Preservation | Section 610 |
| - Governmental Unit Lease, Rent or Use | Section 710 |

9. Determine classification of Occupancy - See Definitions of "Occupancy" and "Public Facility" (Section 400.210):

- | | |
|---------------|---------------|
| Residential | Industrial |
| Institutional | Storage |
| Assembly | Hazardous |
| Business | Mixed |
| Mercantile | Miscellaneous |

10. For Public Facilities, Review Occupancy and Element Exemptions - Section 400.330

A. For new building and additions, determine elements required for accessibility - Section 400.310

- | | |
|------------------|------------------------|
| Accessible Route | Entrances |
| Means of Egress | Drinking Fountains |
| Parking | Restrooms, Bathrooms |
| Curb Ramps | Storage |
| Ramps | Controls |
| Stairs | Alarms |
| Elevators | Detectable Warnings |
| Platform Lifts | Signage |
| Windows | Telephones |
| Doors | Seating, Work Surfaces |

B. Determine Additional requirements for special occupancies (Public Facilities) - Section 400.320

- | | |
|---------------------------|--------------------------|
| Assembly | Museums |
| Educational | Facilities for Children |
| Health Care | Recreational |
| Governmental Unit Housing | Restaurants |
| Libraries | Temporary Buildings |
| Lodging | Tenant Work |
| Mercantile/Business | Transportation Terminals |

11. For Multi-Story Housing Units (Four stories and 10 dwelling units):
- Requirements for new construction Section 400.350
 - Exemptions for special occupancies Section 400.330
12. For additions:
- Minimum requirements Section 400.410
 - Exemptions for special occupancies Section 400.420
13. For alterations:
- Minimum requirements Section 400.510
 - Exemptions for special occupancies Section 400.520
 - Establish cost of alterations, and its percentage of the cost of reproduction of the building Section 400.510 (f)
 - Administrative Authorities approval of cost of the work and percentage See Definitions (400.210)
14. For Historic Preservation:
- Minimum requirements Section 400.610
 - Technical Alternates Section 400.620
 - Exemptions Section 400.630
15. For Governmental Unit Lease, Rent or Use:
- Minimum Requirements Section 400.710
16. Indicate compliance with Code by providing Statement of Compliance or professional seal and filing of statement or documents with administrative authority, County Clerk, or contracting governmental unit.
- Section 400.180

SUBCHAPTER b

Title 71: PUBLIC BUILDINGS, FACILITIES, AND REAL PROPERTY
 CHAPTER I: CAPITAL DEVELOPMENT BOARD
 SUBCHAPTER b: ACCESSIBILITY STANDARDS

PART 400
 ILLINOIS ACCESSIBILITY CODE

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Section
 400.710 Standards for Government Leasing, Renting,
 or Use of Public Facilities 60

AUTHORITY: Implementing and authorized by the Environmental Barriers Act (Ill. Rev. Stat. 1985, ch. 111 1/2, pars. 3711 et seq.; 410 ILCS 25/1 et seq.)

SOURCE: Amended April 21, 1969; amended at 2 Ill. Reg. 52, p. 33, effective December 18, 1978; emergency amendment at 4 Ill. Reg. 9, p. 253, effective February 14, 1980, for a maximum of 150 days; amended at 4 Ill. Reg. 27, p. 208, effective June 24, 1980; emergency amendment at 4 Ill. Reg. 30, p. 1252, effective July 11, 1980, for a maximum of 150 days; amended at 5 Ill. Reg. 3797, effective March 31, 1981; codified at 8 Ill. Reg. 19922; Part repealed, new Part adopted at 12 Ill. Reg. 5243; effective 5/1/88.

- NOTE:
1. **Bold face type denotes paraphrases or quotes of the Statutes**
 2. This Second Printing, dated 01 February 1990, shows grammatical and typographical errors corrected thus: deletions - (including); additions - excluding - which are to be submitted for consideration as proposed amendments to the Joint Committee on Administrative Rules. These corrections are not shown on the official rules as printed in the Illinois Register, Volume 12, Issue 12, dated March 18, 1988.
 3. This Third Printing, dated 01 June 1993, updates "Credits", corrects "Table of Contents" to include "Miscellaneous Data", corrects "Index", Pages 1 and 2, to update "Authority" to reflect new 1992 Illinois Compiled Statutes (ILCS) and adds Note 3 for explanation. No changes have been made in the text of the Code, Pages 3 through 60. The replacement of Appendices "A" and "B" incorporate all revisions to the Environmental Barriers Act to the date of this Third Printing.

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4. This Fourth Printing, dated 01 May 1996, updates "credits," and adds "Note 4" for explanation. No changes have been made in the text of the Code, Pages 3 through 60, updating of Appendix "B" reflects increasing fine to \$100 with signs updated accordingly, provisions for updating existing signs listed and clarity of Sign R7-8 provided, notes to make single user toilet compatible with ADA indicated.

²Note: Vertical Bars (|) in the left margin indicate revisions since May 1, 1988.

SUBPART A: ADMINISTRATION

Section 400.110 Purpose

- a) The purpose of this Illinois Accessibility Code (Code) is to implement the Environmental Barriers Act (EBA) (Ill. Rev. Stat. 1985, ch. 111½, pars. 3711 et seq.) as amended to date, and to replace the Accessibility Standards Illustrated (71 Ill. Adm. Code 400). This Code is intended to ensure that the built environment, including all spaces and elements of all applicable buildings and facilities in the State of Illinois is so designed, constructed, and/or altered to assure the safety and welfare of all members of society and to be readily accessible to, and usable by, environmentally limited persons. Further, it is intended to ensure access by those environmentally limited persons who can reasonably be expected to perform the duties of a job in areas restricted to employees of businesses or concerns occupying such areas.
- b) This Code, together with the Environmental Barriers Act (EBA) and the Reference Standards (defined in Section 400.120), has the force of a building code and as such is law in the State of Illinois.

Section 400.120 Standards Incorporated by Reference

- a) The American National Standards Institute (ANSI) Publication, "American National Standard for Buildings and Facilities – Providing Accessibility and Usability for Physically Handicapped People" (ANSI A117.1-1986 herein referred to as the "ANSI Standard"), published by American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018, as approved February 5, 1986, is hereby incorporated by reference as part of this Code, unless requirements are specifically exempted or modified by this Code. All references within this Code which are preceded by the term "ANSI" (e.g., ANSI Section 4.4), refer to the corresponding sections of the ANSI A117.1-1986 standard. This incorporation by reference does not include any later amendments or editions of ANSI.
- b) For projects involving historic preservation work only, the "Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Revised 1983)."

AGENCY NOTE: The Standards for Rehabilitation are a part of the referenced document, published at 36 CFR 67.7, dated March 12, 1984. The complete reference document, the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Revised 1983), U.S. Department of the Interior, National Park Service, Preservation Assistance Division, Washington, D.C., is available from the U.S. Government Printing Office, Document No. 024-005-01003-3, Washington, D.C. 20402-9325. It is also available from the Illinois Historic Preservation Agency. The Standards and Guidelines do not include any later amendments or editions.

Section 400.130 Applicability

- a) **Buildings and facilities covered:** This Code applies to all "public facilities" and "multi-story housing units" as defined and governed by the EBA and located, in whole or in part, within the legal geographic boundaries of the State of Illinois, unless specifically exempted herein.
- b) The fact that a building or facility governed by the EBA is also a facility financed by federal funds is no bar to the application of this Code.
- c) This Code is applicable when work involving new construction, alterations, additions, historic preservation, restoration, or reconstruction in whole or in part begins after the effective date of this Code. The Code becomes enforceable with the signing of a construction contract, issuance of an official authorization or permit for construction, or the start of construction, whichever occurs first.
- d) Effective date of this Code: May 1, 1988.
- e) The requirements of this Code are not retroactive.

Section 400.140 Civil Enforcement

- a) **The Attorney General shall enforce the EBA and this Code in accordance with Section 6 of the EBA. The Attorney General shall investigate any complaint or reported violation and, where necessary to ensure compliance, may bring an action including, but not limited to, any or all of the following (Section 6, EBA):**
- 1) **mandamus;**
 - 2) **injunction to halt the construction, alteration, or use of any public facility which has been or is being constructed, altered, or leased in violation of the EBA and this Code;**
 - 3) **injunction to halt the construction or use of any multi-story housing unit which has been or is being constructed in violation of the EBA and this Code (Section 6, EBA);**
 - 4) **actions to require compliance with the EBA and this Code by private persons, state and local authorities, and other entities;**
 - 5) **actions to impose civil penalties in accordance with Section 7 of the EBA;**
 - 6) **other appropriate relief.**
- b) **Upon receipt of a complaint, the Executive Director of the Capital Development Board will forward it to the Attorney General. Any other person may request the State's Attorney of the county in which the public facility or multi-story housing unit is located to initiate prosecution under Section 6 of the EBA, or may forward the complaint to the Attorney General (Section 6, EBA).**

Section 400.150 Local Standards

The provisions of the EBA and this Code constitute minimum requirements for all governmental units, including home rule units. Any governmental unit may prescribe more stringent requirements to increase and facilitate access to the built environment by environmentally limited persons (Section 8, EBA).

Section 400.160 Revisions to Code

This Code may be revised from time to time by the Capital Development Board in accordance with the Illinois Administrative Procedure Act (Ill. Rev. Stat. 1985, ch. 127, pars. 1001 et seq.) (Section 4, EBA).

Section 400.170 Interpretation of Requirements

- a) The requirements of this Code shall take precedence over similar requirements of the referenced ANSI Standard.
- b) For projects involving historic preservation work, the determination that an alteration will have an adverse effect upon the historic feature shall be based upon the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings (Revised 1983). Alterations not recommended by the Standards shall be considered to have an adverse effect on the historic feature that justifies the application of the alternative provisions for historic preservation work as defined by Section 400.610, Historic Preservation.
- c) Words used in the singular number shall include the plural sense and vice-versa.
- d) Unless otherwise specified in the Code, each element or space of a particular building or facility shall comply with the applicable requirements of this Code.
- e) Use of the terms "provide" or "shall" means the provision is mandatory.

Section 400.180 Permits/Statement of Compliance

- a) Where permits are required for the construction or alteration of any public facility or multi-story housing unit, the plans and specifications submitted by the Owner to obtain such a permit shall be examined for compliance with this Code by the administrative authority which issues the permit for construction.
- b) Section 5(d) of the EBA requires a Statement of Compliance by the architect/engineer unless the cost of construction or alteration is less than \$50,000. For privately owned work it shall be filed with local administrative authority or, in the absence of an administrative authority, with the County Clerk. For publicly-owned work, it shall be filed with the governmental unit contracting for the work.
- c) The Statement of Compliance shall be worded as follows and signed by the Architect/Engineer:

STATEMENT OF COMPLIANCE

I have prepared, or caused to be prepared under my direct supervision, the attached plans and specifications and state that, to the best of my knowledge and belief and to the extent of my contractual obligation, they are in compliance with the Environmental Barriers Act (Ill. Rev. Stat. 1985, ch. 111 1/2, pars. 3711 et seq. as amended) and the Illinois Accessibility Code, 71 Ill. Adm. Code 400.

Signed: _____

Architect/Engineer

SEAL

ILLINOIS REGISTRATION NO.: _____

Date: _____

- d) The seal of the Architect/Engineer as required by Section 11 of The Illinois Architecture Act (Ill. Rev. Stat. 1985, ch. 111, par 1216, as amended to date), Section 8 of The Illinois Structural Engineering Act (Ill. Rev. Stat. 1985, ch. 111, par 6510, as amended to date), and Section 13.1 of The Illinois Professional Engineering Act (Ill. Rev. Stat. 1985, ch. 111, par 5119, as amended to date) may be provided in lieu of the "Statement of Compliance" required in (c) above.

Section 400.190 Severability

If any Section, subsection, paragraph, sentence, clause, or phrase of this Code is declared invalid for any reason, the remaining portions of this Code that are severable from the invalid part shall remain in full force and effect. If a part of this Code is declared invalid in one or more of its applications, the remaining part shall be severable and in effect in all valid applications.

SUBPART B: DEFINITIONS

Section 400.210 Code Terms

Definitions from ANSI A117.1-1986 and the Environmental Barriers Act as included herein are modified for compatibility of terminology. Terms used in this Code are defined as follows:

"Access Aisle" means an accessible pedestrian/circulation space between elements such as parking spaces, seating and desks, which provides clearance appropriate for use of the element by environmentally limited persons.

"Accessible" describes a site, building, facility, or portion thereof approached, entered and used by environmentally limited people in compliance with this Code.

"Accessible Route" means a continuous unobstructed path connecting all accessible elements and spaces in a building or facility that can be negotiated by a person with a severe disability using a wheelchair and that is also safe for an usable by people with other disabilities. Interior accessible routes include, but are not limited to, corridors, floors, ramps, elevators, lifts, and clear floor space at fixtures. Exterior accessible routes include, but are not limited to, parking access aisles, curb ramps, walks, ramps, and lifts. An accessible route includes a means of ingress and egress.

"Accessible Space" means all spaces in a building except those which are specifically exempted by the EBA and this Code.

"Accessibility Standards," as required by the EBA, means this Code.

"Adaptability" means the ability of certain building spaces and elements, such as kitchen counters, sinks, and grab bars, to be added, raised, lowered, or otherwise altered with minimal structural changes so as to accommodate the needs of persons with or without disabilities, or to accommodate the needs of persons with different types or degrees of disability.

"Adaptable Dwelling Unit" means a dwelling unit constructed and equipped so it can be converted with minimal structural change (~~(including,)~~ excluding, but not limited to, relocating walls, widening doors and relocating toilet or kitchen plumbing fixtures) for use by persons with different types and degrees of environmental limitation (Section 3, EBA).

"Addition" means a newly constructed expansion, extension, or increase in the gross floor area of a public facility or multi-story housing unit (Section 3, EBA). Additions to a building must provide entry from the existing building at all common levels without necessitating leaving and reentering the addition from the outside.

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"Administrative Authority" means a jurisdictional body that adopts or enforces codes, regulations and/or standards for the design, construction, or operation of buildings and facilities.

"Alteration" means any modification or renovation of a public facility which involves a structural change (Section 3, EBA) and includes, but is not limited to, change in the physical state of a public facility or its permanent fixtures or equipment, remodeling, renovation, rehabilitation, historic preservation/reconstruction/restoration (as separately required by Section 400.610), improvements, extraordinary repairs (as defined herein), mechanical and electrical systems revisions, plumbing fixture changes, structural changes, changes in design function or layout of rooms, and rearrangement of means of egress. The following work is not included under the definition of Alterations: additions, reconstruction, routine maintenance, interior redecoration, minor mechanical and electrical systems alterations which involve a cost of less than 50% of a complete replacement system, replacement of plumbing piping or valves, reroofing, tuckpointing, exterior building facade or storefront rehabilitation except doors (unless exempted by Section 400.510(i), and interior office landscaping rearrangement.

"Applicable Building Code" (see "Building Code, Applicable").

"Architect/Engineer" means an architect, professional engineer, or structural engineer as defined by the Illinois Architecture Act, the Illinois Professional Engineering Act, or the Illinois Structural Engineering Act who has the contract responsibility for the project, who prepares the construction documents from which the building is constructed, and who signs the Statement of Compliance with the Environmental Barriers Act and this Code.

"Archival Storage" means any storage area which is intended for the maintenance of unused records such as those used dead files.

"Area, Gross" means the total area of a building or part of a building measured from the outside face of the exterior walls, including areas of usable or occupiable basements, but not including areas of basements used for storage or mechanical purposes only, overhangs, and mechanical penthouses on the roof.

"Area, Net" means the total usable or occupiable area within the enclosing walls or partitions exclusive of shafts, partitions, columns, walls, elevators, stairs, permanent fixtures, toilet rooms, janitor closets, and mechanical, electrical, and telephone rooms.

"Authority having Jurisdiction" means administrative authority.

"Authoritative Technical Organization" in reference to cost estimating means any nationally published cost estimating guide used for estimating, and as interpreted, by the Architect/Engineer and approved by the administrative authority. Examples are: Robert Snow Means Company, Frank Walker Company, or McGraw-Hill Cost Information Systems (Dodge).

"Automatic Door" means a door equipped with a power-operated mechanism and controls that open and close the door automatically upon receipt of a momentary actuating signal. The switch that begins the automatic cycle may be a photoelectric device, floor mat, sensing device, or manual switch mounted on or near the door itself. (See also "Power Assisted Door").

"Basement" means any floor level below the first floor as defined herein. See also "Story".

"Building" means anything that is constructed on real property usually with a floor, walls and a roof, which has as its principal purpose human occupancy or habitation. The use of the term "building" alone herein shall also include the term "Facility".

"Building Code, Applicable" means the building code adopted by the administrative authority under whose jurisdiction the work involved with construction, additions, alterations, or change or occupancy will be carried out. If no building code has been adopted by the administrative authority, or if the work is not within a municipal or other administrative authority's jurisdiction, the building code shall be deemed to be one of the following codes:

BOCA National Building Code, 1987, published by the Building Officials and Code Administrators International, Inc., 4051 West Flossmoor Road, Country Club Hills, Illinois 60477. No later amendments or editions included, or

Uniform Building Code, 1984 with amendments through 1987, published by the International Conference of Building Officials, 5360 South Workman Mill Road, Whittier, California 90601. No later amendments or editions included.

"Built Environment" means those parts of the physical environment which are designed, constructed or altered by people, including all public facilities and multi-story housing units (Section 3, EBA).

"Business Use" means the use of a building or part of a building for the transaction of business or the rendering of professional services or for other services that do not involve the storage of stocks or goods, wares, or merchandise, except such as are required for display purposes. Business use includes, but is not limited to banks, showrooms, outpatient clinics, fire and police stations, laundries and dry cleaning, print shops, and professional services.

"Children" means people below the age of twelve.

"Circulation Path" means an exterior or interior way of passage from one place to another, including both horizontal and vertical travel, for pedestrians including, but not limited to, walks, hallways, courtyards, stairways, and stair landings.

"Clear" means unobstructed. Standard door trim, door hardware, wall switches, framed documents, and base trim are not considered to be obstructions in corridors.

"Code" means this Illinois Accessibility Code.

"Common Use" or "**Common Areas**" means areas (including interior and exterior rooms, spaces, or elements) **which are held out for the use by all tenants and owners** in public facilities and **multi-story housing units** (for example, residents of an apartment building, occupants of an office building, or the guests of such residents or occupants) **including, but not limited to, lobbies, elevators, hallways, laundry rooms, swimming pools, storage rooms, recreation areas, parking garages, building offices, conference rooms, patios, restrooms, telephones, drinking fountains, restaurants, cafeterias, delicatessens and stores** (Section 3, EBA).

"**Construction**" means any erection, building, installation or reconstruction. **Additions shall be deemed construction for purposes of the EBA and this Code** (Section 3, EBA).

"Control" (see "Operable Part").

"Cost of the Work" means the reasonable estimated cost (for example, based on current cost data listed by an authoritative technical organization) of accomplishing the proposed construction or alteration as determined by the Architect/Engineer and approved by the administrative authority.

"Cost, Reproduction" (see "Reproduction Cost").

"Coverage" means the extent of range of accessibility adopted and required by this Code.

"Cross Slope" means the slope of a pedestrian way that is perpendicular to the direction of travel (see running slope).

"Curb" means the change of level between sidewalk and street or alley and/or a raised edge or margin to strengthen or confine.

"Curb Ramp" means a short ramp cutting through a curb or built up to it.

"Detectable" means perceptible by one or more of the senses.

"Detectable Warning" means a standardized surface texture applied to or built into walking surfaces or other elements to warn visually impaired people of hazards in the path of travel.

"Disability" means a limitation or loss of use of a physical or sensory body part or function, such as visual impairment requiring glasses, loss of a finger or arm, paralysis of legs, etc.

"**Dwelling Unit**" means a single unit of residence which provides a kitchen or food preparation area, in addition to rooms and spaces for living, bathing,

sleeping, and the like. Dwelling units are found in housing types such as town houses and apartment buildings (Section 3, EBA).

"Educational Use" means an educational occupancy including, but not limited to the following uses: Day care centers, nursery schools, elementary and secondary schools, colleges and universities, technical schools, special education facilities, trade and vocational schools and academies.

"Egress" (see "Means of Egress").

"Element" means an architectural or mechanical component of a building, facility, space, or site that can be used in making functional spaces accessible (for example, telephone, curb ramp, door, drinking fountain, seating, water closet).

"Emergency Warning System" means a fire alarm, smoke or heat detector system used to activate emergency audible and visual alarms which can be heard and seen in each accessible space in the building or facility.

"Employment Use" means any building or facility whose major use occupancy provides employment. Used herein primarily, but not exclusively, with reference to business use - see "Business Use".

"Entrance" (see "Means of Ingress and Egress", "Principal Entrance", and "Service Entrance").

"Environmental Barrier" means an element or space of the built environment which limits accessibility to or use of the built environment by environmentally limited persons (Section 3, EBA).

"Environmentally Limited Person" means a person with a physical, mental or communications disability or condition who is restricted in the use of the built environment (Section 3, EBA). Also, "Physically Handicapped Persons" or a person with a "disability".

"Essential Features" means those elements and spaces that make a building or facility usable by, or serve the needs of, its occupants or users. Essential features include, but are not limited to, entrances, toilet rooms, and accessible routes. Essential features do not include those functional spaces which house the major activities for which the building or facility is intended, such as classrooms and offices.

"Exit" means that portion of a means of egress which is separated from all other spaces of a building or structure by construction or equipment as required by the applicable building code to provide a protected way of travel to the exit discharge. The walls and ceiling, and any openings therein, of the protected way of travel shall provide a fire resistance rating as required by the applicable building code.

"Exit access" means that portion of a means of egress which leads to an exit.

SUBCHAPTER b

"Exit Discharge" means that portion of a means of egress between the termination of an exit and a public way.

"Extraordinary Repair" means the replacement or renewal of any element of an existing building or facility for purposes other than normal routine maintenance. It includes, but is not limited to, replacement of sidewalk and curb ramp, replacement of a door and frame, complete stair replacement, plumbing fixture replacement, and plumbing/mechanical/electrical alterations and/or replacement which involves a cost of 50% or more of a complete replacement. See also "Alteration".

"Facility, Public" (see "Public Facility").

"Facility" means all or any portion of a building, structure, or area, including the site on which such building, structure, site improvements, or area is located, wherein specific services are provided or activities are performed.

"First Floor" means the first horizontal floor level designed for public use which is located above or no more than two feet below the level of the finished floor of the principal entrance to the building.

"Floor" means any level within a building which may be occupied by the public. Mezzanines and seating tiers are not included in the definition of "floor" in this Code.

"Functional Spaces" means the rooms and spaces in a building or facility that house the major activities for which the building or facility is intended. Unfinished or undeveloped space is included as "Functional Space".

"Gathering" means an assembly occupancy including, but not limited to the following uses: Auditoria, theaters, lecture halls, dance halls, skating rinks, bowling alleys, restaurants, night clubs and taverns, cafeterias, banquet halls, libraries, shopping centers or malls, bus/train/air terminals and stations, churches, synagogues and temples, museums and art galleries.

"Governmental Unit" means the State or any political subdivision thereof, including but not limited to any county, town, township, city, village, municipality, municipal corporation, school district, park district, sanitary district, local housing authority, public commission, public authority, the Illinois Housing Development Authority or other special purpose districts (Section 3, EBA).

"Grade" means the elevation of the finished surface of the ground, paving, or sidewalk within the area between the building and an imaginary line five feet from the building.

"Hazardous Area" means a space or an area which may be dangerous, or cause injury, to the public if a person accidentally entered into such an area; if an environmentally limited person would be at risk in performing the duties of an employee therein; or if, due to its function, an environmentally limited person could

not fulfill the duties of an employee in monitoring, repairing, servicing or replacing the material and equipment involved. Examples include, but are not limited to: loading docks; boiler or heater rooms; power and generation facilities; electrical and telephone equipment spaces; elevator equipment rooms and pits; tanks, lagoons, storage and processing facilities located at/above/below ground level; highly technical facilities for mechanical, electrical or chemical storage and/or processing facilities; pump facilities; spaces with complex mechanical components of multi-level construction.

"Historic Building" means all buildings, parts of buildings, facilities or sites individually listed on the National Register of Historic Places, a "contributing" building or site in a National Register Historic District as determined by the Illinois Historic Preservation Agency (IHPA) or as determined by a "Certified Local Government" designated by the IHPA, a building or site designated as a historic or architectural landmark by a local Landmarks Commission or local Historic Preservation Commission, and buildings which undergo historic reconstruction.

"Historic Preservation" means the act or process of accurately preserving and/or recovering the form and details of a historic building and its setting as it appeared at a particular period of time by means of repair, stabilization, or restoration as defined herein. Historic Preservation also includes Historic Reconstruction and Historic Restoration.

"Historic Reconstruction" means the act or process of reproducing by new construction the exact form and detail of an original building, structure, object, or part thereof as it appeared at a specific period of time. Historic Reconstruction only applies to reconstruction of buildings which are open to view by the public, are used to demonstrate historic or architectural values, and/or are used for purposes of display of a historic building type, design, technique of construction or a period setting.

"Historic Restoration" means the act or process of accurately recovering the form and details of a building or facility and its setting as it appeared at a particular period of time by means of the removal of later works or by replacement of missing earlier work.

"Historically Interpreted Building" means a building which in whole or part is open to view by the public and has as its major purpose the display of a historic or architectural artifact created in the past in order to give a sense of cultural orientation and establish values of time and place. Historically interpreted buildings do not necessarily have attendants or formal guided or even self-guided tours.

"Housing, Financed or Guaranteed by a Governmental Unit" means any building, facility or portion thereof, excluding inpatient health care facilities, which contains one or more dwelling units or sleeping accommodations, and which is owned by or on behalf of a governmental unit, or financed, in whole or in part, for either initial construction or subsequent alteration, by a grant or a loan made or guaranteed by a governmental unit. Such housing may include, but is not limited to, one family

dwellings, multi-family dwellings including multi-story apartment buildings, group homes, dormitories, housing for the elderly.

"Improved Area" (see "Site Improvements").

"Institutional Use" means the use of a building or part of a building for the harboring of three or more persons for medical, correctional, penal, or other care, treatment, or detention.

"Interior Redecoration" means replacement of interior floor, wall, and ceiling decorative finishes (such as carpet, wall coverings, paint, and paneling), window treatments (such as drapery, blinds, and shades), interior space lighting, fixtures, furnishings, and furniture.

"Level" means any horizontal plane of a building or facility which is designed or intended for human occupancy or habitation.

"Lodging" means the use of any building or structure for housing of a temporary, transient nature, excluding owner-occupied buildings of four or fewer lodging units (Section 3, EBA). This category includes, but is not limited to, the following building types: "bed and breakfast" houses, boarding houses, hotels, lodging houses, motels including cabins and other detached units, rooming houses, transient houses, tourist houses and "halfway" houses.

"Marked Crossing" means a crosswalk or other identified path intended for pedestrian use in crossing a vehicular way.

"Means of Egress" as required by the applicable local building code means a continuous and unobstructed path of travel from any point in a building or structure to a public way, and consisting of three separate and distinct parts: the exit access, the exit and the exit discharge. A means of egress comprises the vertical and horizontal means of travel and shall include intervening room spaces, doors, hallways, corridors, passageways, balconies, ramps, stairs, enclosures, lobbies, escalators, horizontal exits, courts and yards.

"Means of Ingress and Egress" means any access point to a public facility or multi-story housing unit used for the purpose of entering and exiting. It includes the approach walk, the vertical access leading to the entrance platform, the entrance platform, vestibules, the entry door or gates and the hardware of the entry doors or gates (Section 3, EBA). (See "Means of Egress".)

"Mercantile Use" means the use of a building or part of a building for the sale of goods, wares and merchandise and involving only incidental storage of such materials. It also means the use of a building or part of a building for assembling of persons for consumption of food and drink where occupancy count is less than 50 persons as determined by local building code. Mercantile use includes, but is not limited to: department stores, drug stores, markets, shopping centers, sales rooms, and other retail areas.

"Mezzanine" means any intermediate occupiable and usable level placed above any floor of a building and limited to 33% of the net floor area of the floor over which it is placed. The net area of a mezzanine is included in the net area of the floor above which it is placed.

"Multi-story Housing Unit" means any building of four or more stories and also containing ten or more dwelling units constructed to be held out for sale or lease by any person to the public (Section 3, EBA). This category includes, but is not limited to, the following building types: Apartment buildings, condominium apartment buildings, convents, dormitories, fraternities, housing for the elderly, group homes, monasteries, private clubs, and sororities.

"Occupancy" means a classification of the use or uses of any public facility, and/or its rooms and spaces for purposes as defined by the applicable building code; for example, residential, institutional, assembly, business, mercantile, industrial, storage, hazardous, mixed, or miscellaneous uses. See "Building Code, Applicable".

"Operable Part or Mechanism" means a part of a piece of equipment or appliance used to insert or withdraw objects, or to activate, deactivate, control, or adjust the equipment or appliance (for example, coin slot, mail drop, pushbutton, handle).

"Owner" means the person contracting for the construction or alteration. Such person may be the owner of the real property or existing facility or may be a tenant of same (Section 3, EBA).

"Person" means one or more individuals, partnerships, associations, unincorporated organizations, corporations, cooperatives, legal representatives, trustees, receivers, agents, any group of persons or any governmental unit (Section 3, EBA).

"Physically Handicapped Person" (see "Environmentally Limited Person").

"Planning" means the preparation of architectural or engineering designs or plans, technical or other specifications, landscaping plans or other preconstruction plans or specifications (Section 3, EBA).

"Power-assisted Door" means a door used for human passage, with a mechanism that helps to open the door, or to relieve the opening resistance of the door, upon the activation of a switch or the use of a continued force applied to the door itself. If the switch or door is released, such doors immediately begin to close or close completely within 3 to 30 seconds.

"Principal Entrance" means an entrance intended to be used by the residents or users to enter or leave a building or facility. This shall include, but is not limited to, the main entrance.

"Privately Owned Building" means any building which is not publicly owned as defined herein.

"Public" means any group of people who are users of the building and employees of the building, excluding those people who are employed by the owner of a building for construction or alteration of a building (Section 3, EBA). "General Public", as used in this Code, means any group of people who are only users of the building.

"Public Drinking Fountain" means any device in any public facility used to dispense drinking water to the public at no charge.

"Public Facility" means:

Any building, structure or improved area which is

Owned by or on behalf of a governmental unit,

Leased, rented or used, in whole or in part, by a governmental unit, or

Financed, in whole or in part, by a grant or a loan made or guaranteed by a governmental unit; and

Any building, structure or improved area used or held out for use or intended for use by the public or by employees for one or more of the following uses as defined herein, including but not limited to the purpose of:

gathering

recreation

lodging

education

employment (primarily business-applicable to other uses)

institutional care

the purchase, rental, sale or acquisition of any goods, personal property or services (mercantile use); and

Public telephones, drinking fountains and restrooms (Section 3, EBA).

"Public Restroom" means any room equipped with one or more water closets and lavatories (and optionally, urinals), as well as "employee and public restrooms" required by the Illinois Plumbing Code (77 Ill. Adm. Code 890).

"Public Telephone" means any telephone furnished as a convenience to the general public including, but not limited to, courtesy, house, emergency and security phones.

"Public Use" describes interior and exterior rooms or spaces that are made available to the general public. Public use may be provided at a building or facility that is privately or publicly owned.

"Publicly Owned Building" means any building owned by the State of Illinois or any governmental unit.

"Ramp" means a walking surface in an accessible space that has a running slope greater than 1:20.

"Reconstruction" means the act or process of reproducing by new construction the exact form and detail of an original building, structure, object, or part thereof. See Section 400.610 for "Historic Reconstruction".

"Recreational Facility" means an assembly occupancy including, but not limited to the following uses: Parks, camping grounds, public indoor and outdoor swimming pools and beaches, zoos, botanical gardens, amusement parks, fair grounds, carnivals, playgrounds, boat launching facilities, arenas, stadia, and grandstands.

"Rehabilitation" (see "Alteration").

"Remodeling" (see "Alteration").

"Renovation" (see "Alteration").

"Reproduction Cost" means the estimated cost of constructing a new building, structure or improved area of like size, design and materials at the site of the original building, structure or improved area, assuming such site is clear. The reproduction cost should be determined using current costs of an authoritative technical organization (Section 3, EBA). See Estimating Guide published by "Authoritative Technical Organization".

"Restoration" (see "Historic Preservation").

"Running Slope" means the slope of a pedestrian way that is parallel to the direction of travel (see cross slope).

"Service Entrance" means an entrance intended primarily for delivery or service. A "service entrance" may not be the "principal entrance" unless it is the only entrance to the building/facility.

"Shall" denotes a mandatory requirement.

"Signage" means verbal, symbolic, tactile and pictorial information.

"Single family residence" means a building with a residential occupancy containing only one family as defined under applicable building code. It also includes private

parking garages and other accessory buildings on the same lot as a single family residence.

"Site" means a parcel of land bounded by a property line; or a designated portion of a public right-of-way.

"Site Improvements" means landscaping, pedestrian and vehicular pathways, steps, ramps, curb ramps, parking lots, outdoor lighting, recreational facilities, and the like, added to a site.

"Sleeping Accommodations" are rooms in which people sleep.

"Space" means a definable area (for example, toilet room, hall, assembly area, entrance, storage room, alcove, courtyard, or lobby).

"State" means the State of Illinois and any instrumentality or agency thereof (Section 3, EBA).

"Storage, Personal" means hang rod, shelving, or other facilities that may be provided for storage of personal items.

"Story" means that portion of a building included between the upper surface of any floor and the upper surface of the floor or roof next above. The portion between the upper surface of a basement floor and the upper surface of the floor above shall be considered a story if at least 50% of the basement gross floor area consists of functional spaces.

"Structure" means building as defined herein.

"Structural Element" means a load-carrying component of a structural system of a building, structure, or facility such as a foundation, wall, column, strut, slab, beam, girder, truss, or arch.

"Structurally Impracticable" means a change that cannot be accomplished in an existing building or facility without removing or altering a major load-bearing structural element, as approved by the administrative authority.

"Tactile" describes an object that can be perceived using the sense of touch. Tactile characters shall be raised or indented at least 1/32".

"Telephone, Public" (see "Public Telephone").

"Telecommunication Device for the Deaf" (TDD) a portable device with a standard keyboard and a computer for telephone hookup.

"Tenant Work" means new construction or alterations to the interior of an existing building by an individual or company who does not own the building, but who will lease the space from the building owner.

"Temporary" means a building or any element of a building which is not permanent and is designed to be used only for a short period of time for some special purpose. Time limitation within the definition of temporary is generally six months for most temporary buildings or elements.

"Tier" or "Tier Seating" means any intermediate occupiable and usable level placed above or below any floor of a building, or a step or raised or lowered platform on the floor itself used normally for elevating or lowering a seating or viewing position. The net area of a tier is included in the net area of the floor above, below or on which it is placed.

"Vehicular Way" means a route intended for vehicular traffic, such as a street, driveway, or parking lot.

"Walk" means an exterior pathway with a prepared surface intended for pedestrian use, including general pedestrian areas such as plazas and courts.

"Walking Aid" means a device used by a person who has difficulty walking (for example, a cane, crutch, walker, or brace).

"Work" means the process of new construction, alterations, additions, historic preservation, restoration, reconstruction, or the design thereof.

SUBPART C: PUBLIC FACILITIES - NEW CONSTRUCTION**Section 400.310 Public Facilities, New Construction - Minimum Requirements**

All public facilities to which the Environmental Barriers Act and this Code apply, and which involve work of wholly new construction or reconstruction and not additions, alterations, or historic preservation, shall be accessible to environmentally limited persons on all floors (levels), mezzanines and tiers, unless specifically exempted in this Code, by meeting ANSI Sections 4.1 and 4.2 and the following minimum requirements:

- a) **Accessible Route**
 - 1) Accessible routes complying with ANSI Sections 4.3, 4.4 and 4.5 shall be provided to serve all accessible spaces or elements. This includes exterior routes, at least one accessible means of ingress and egress, as well as interior horizontal (e.g. corridors) and vertical (e.g. elevators) circulation routes. Interior horizontal circulation routes shall provide maneuvering clearances at doors per ANSI Section 4.13.6.
 - 2) New site improvements constructed on public property or right-of-way shall be accessible and connect with existing facilities to form an accessible route to public transportation facilities, taxi stands, passenger loading zones, parking, and accessible facilities on non-contiguous sites. They shall include streets, curbs, curb ramps, walks, over and underpasses, pedestrian bridges, etc. As such existing facilities are replaced, the new work shall be accessible.
- b) **Means of Egress and Place of Refuge**
 - 1) Accessible routes shall serve as the exit access portion of the means of egress for emergencies, or connect to an accessible place of refuge as required in Section 400.310(b)(5). Where applicable building code provisions require more than one means of egress from any space or room, the exit access portion of each means of egress shall be served by accessible routes.
 - 2) All doors which are part of a means of egress required by the applicable building code shall comply with ANSI Section 4.13.
 - 3) Stairs meeting the requirements of ANSI Section 4.9 and the applicable building code are permitted within the exit portion of the means of egress.
 - 4) Except as required by the applicable building code, a means of egress and an accessible place of refuge are not required for one-family and two-family units and one or two-story detached dwelling units.
 - 5) In multi-story public facilities and multi-story housing units without exit discharge at grade level from each floor, the following types of place of refuge shall be provided at each floor of the building except the level of exit discharge:

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- A) Horizontal exit(s) into another fire compartment, as permitted by the applicable building code, complete with all fire-rated door assemblies, walls and other elements as required by the applicable building code.
- B) At least one place of refuge within every stairway which is required as an exit by the applicable building code. The place of refuge shall be an area of at least 10 square feet of clear floor area on each floor landing of the stairs in addition to that area required for exiting, and does not reduce the travel width or reduce the swing of the door. This place of refuge shall be accessible to an environmentally limited person in a wheelchair and have a configuration that will accommodate at least one wheelchair in positions which do not obstruct people exiting. All elements and the construction of the stairway, within which the place of refuge is located, shall meet the fire resistance requirements of the applicable building code, or a minimum of one hour fire resistance rating, and shall have self-closing doors.
- C) The floor plan showing exit discharge(s) shall indicate the number of environmentally limited persons anticipated to be evacuated in an emergency for the assistance of the owner in preparing an emergency management evacuation plan prior to occupancy of the building.
- 6) In all buildings, if exterior stairs are provided leading to grade, which are part of a code-required means of egress, an accessible exterior platform at the level of exit discharge shall be provided. The platform shall provide an area of at least 10 square feet, in addition to that area required for exiting, which does not reduce the required travel width, and is not reduced by the swing of the door. This space will be accessible to an environmentally limited person in a wheelchair and have a configuration that will accommodate one wheelchair.
- c) **Parking Spaces and Passenger Loading Zones**
- 1) If any parking is provided for employees, visitors, or both, the minimum number of accessible parking spaces to be provided for environmentally limited persons are as follows:

TOTAL OFF-STREET PARKING SPACES (REQUIRED) (PROVIDED)	REQUIRED MINIMUM NUMBER OF ACCESSIBLE PARKING SPACES
1 to 20	1
21 to 50	2
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8

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401 to 500	9
501 to 1000	2% of total number
over 1000	20 plus 1 for each 100 over 1000

- 2) Each parking space, except on-street spaces, shall consist of an eight foot wide parking space and an adjacent four foot six inch wide access aisle. Except for required width, both shall comply with the technical requirements of ANSI 4.6. Effective July 1, 1988, in compliance with "An Act to amend Sections 11-301 and 11-301.2 of "The Illinois Vehicle Code", approved September 29, 1969, as amended, and to add Section 11-301.1 thereto (P.A. 85-484, effective July 1, 1988), each parking space shall be at least sixteen feet wide including an eight foot wide access aisle, and adjacent parking spaces shall not share a common access aisle. All access aisles shall blend to a common level with an accessible route and shall be diagonally striped.
- 3) No accessible parking shall be required if only attendant or valet parking is provided and is available at all times the facility is open for public use. However, if accessible at-grade parking is available, at least one space for self parking of a vehicle with sensitive specialized control devices shall be provided.
- 4) The total number of accessible parking spaces may be distributed among parking lots, if greater accessibility is achieved in consideration of such factors as anticipated usage, number and location of entrances and level of parking areas.
- 5) If passenger loading zones are provided, all such passenger loading zones shall comply with ANSI Section 4.6.3.

d) Curb ramps

Curb ramps shall be provided wherever an accessible route crosses a curb, and shall comply with ANSI Section 4.7.

e) Ramps

- 1) If the running slope of the terrain, sidewalk, walk, street, level, tier, floor, or other accessible route exceeds 1:20, and if no other means of accessible vertical access (e.g., accessible elevator conforming with ANSI Section 4.10, or accessible platform lift conforming with ANSI Section 4.11) is provided, a ramp shall be provided to accommodate the change of level, and shall comply with ANSI Section 4.8.
- 2) The following areas do not have to be served by accessible ramps: Temporary raised platforms; Seating tiers, theater rows, stadium rows, and auditorium rows utilizing fixed seating (are) provided that they comply with (Sectuin) (Section) 400.320(a)(1), and further provided that the same functions and services are available on an accessible level of the space. Ramps do not have to be provided to

all levels of a multi-level platform. For requirements for restaurants and cafeterias see Section ~~(400.320(d)(5))~~ (400.320(k)(5)).

f) Stairs

Stairs which are required as a means of egress by the applicable building code, stairs which are part of an accessible route and stairs between floors and/or levels not served by an elevator, platform lift or ramp shall comply with ANSI Section 4.9.

g) Elevators

- 1) All passenger elevators provided in a building or facility shall comply with ANSI Section 4.10.
- 2) All levels of a building or facility shall be served by passenger elevators complying with ANSI Section 4.10, unless exempted by this Code.
- 3) Grab bars in compliance with ANSI Section 4.24 shall be provided on the side walls (and preferably both side and rear walls) of all accessible passenger elevator cabs, mounted at a height of between 2'-8" and 3'-0" above the floor of the cab. A bar section 1 1/4" to 1 1/2" in depth, minimum 3/8" thickness, with 1/8" radius edges is also acceptable.
- 4) Floor designations are required for hoistway entrances and shall have tactile characters.
- 5) The following areas do not have to be served by accessible passenger elevators:
 - A) Temporary raised platforms; Seating tiers, theater rows, stadium rows, and auditorium rows, utilizing fixed seating (are) provided that they comply with Section 400.320(a)(1), and further provided that the same functions and services are available on an accessible level of the space. Elevators do not have to be provided to all levels of a multi-level platform.
 - B) Areas served by ramps which conform to ANSI Section 4.8.
 - C) Areas served by platform lifts which conform to ANSI Section 4.11.

h) Platform Lifts

If no other means of accessible vertical access is structurally practical, a platform lift which complies with ANSI Section 4.11 shall be provided in lieu of conforming accessible ramps or elevators.

i) Windows

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Operable windows, where required shall conform with ANSI Section 4.12. Operable windows are required for accessible or adaptable dwelling units and sleeping accommodations such as those found in multi-story housing units and lodging. Operable windows are desirable, but not required, in buildings of other occupancy types.

j) **Doors**

All doors to accessible spaces as defined in Section 400.210 shall comply with ANSI Section 4.13.

k) **Entrances**

All entrances to a building or facility which are part of an accessible route shall comply with ANSI Section 4.14.

l) **Drinking Fountains and Water Coolers**

All public drinking fountains and water coolers which are provided in a public facility shall comply with ANSI Section 4.15.

m) **Restrooms, Bathrooms, Bathing Facilities and Shower Rooms:**

- 1) Public facilities, required by the Illinois Plumbing Code (77 Ill. Adm. Code 890) to have a "Minimum Number of Plumbing Fixtures" shall have accessible restrooms and related fixtures for each sex (excluding bathrooms in apartments of residential occupancies) as required herein and by ANSI Section 4.22. Design and location of plumbing fixtures shall provide the same conditions and privacy for all users.
- 2) When restroom facilities in excess of the "Minimum Number of Plumbing Fixtures" required by the Illinois Plumbing Code (77 Ill. Adm. Code 890) are provided in public facilities for convenience of employees, at least one fixture of each type (excluding urinals) in each restroom shall be accessible as required herein and by ANSI Section 4.22. If stalls are provided, the "Alternate Stall" is acceptable.
- 3) At least one toilet stall in every restroom required by the applicable code shall be designed to provide the equivalent space and privacy of the "Standard Stall" design shown in ANSI Section 4.17, Figure 30a. If the required restroom contains only one water closet and one lavatory, a toilet stall is not required, however, the room itself shall comply with ANSI Section 4.22.
- 4) "Unisex" accessible restrooms are prohibited in all buildings and facilities which have more than five working employees at any one time as defined in the Illinois Plumbing Code (77 Ill. Adm. Code 890).
- 5) All public restrooms in public facilities shall be appropriately identified with signage and the International Symbol of Accessibility. See (r) and ANSI Section 4.28.

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- 6) At least one urinal complying with ANSI Section 4.18 shall be provided in each restroom where more than 4 urinals are provided or required by the Illinois Plumbing Code (77 Ill. Adm. Code 890).
 - 7) At least one lavatory sink and mirror in restrooms shall comply with ANSI Section 4.19.
 - 8) If bathing facilities are provided, at least one for each sex shall comply with ANSI Section 4.22 and with either ANSI Section 4.20 or 4.21. Individual bathrooms in conjunction with lodging units and dwelling units are excluded and shall meet accessibility requirements of Section 400.320(d) or (f), or 400.350.
 - 9) The temperature of the hot water at the outlet for lavatories, bathtubs, and showers shall not exceed 110 degrees.
- n) **Storage**
- 1) If built-in personal storage facilities such as cabinets, shelves, closets and drawers are provided in accessible spaces, at least 5% of each type, or at least one of each type provided, shall comply with ANSI Section 4.23.
 - 2) Archival storage areas are exempt from accessibility by this Code.
- o) **Controls and Operating Mechanisms**
- Where controls and operating mechanisms are provided in accessible spaces, along accessible routes, or as part of accessible elements, operable parts and controls shall comply with ANSI Section 4.25.
- p) **Alarms**
- Where emergency warning systems are required or provided, they shall comply with ANSI Section 4.26, and shall be both audible and visual. Visual alarms shall be arranged so the flashing light beam can be seen from all accessible spaces.
- q) **Detectable Warnings**
- Detectable warnings conforming with the technical requirements of ANSI Section 4.27 shall be provided in all locations specified in ANSI Section 4.27.
- r) **Signage**
- 1) Each parking space designated as reserved for environmentally limited persons shall be equipped with a sign which complies with Section 11-301 of The Illinois Rules of the Road (Ill. Rev. Stat. 1985, ch. 95, par. 11-301 et seq. as amended to date by P.A. 85-484, effective July 1, 1988) and meets the requirements of Sign R7-8 (U.S. Department of Transportation Standard). Signs shall be vertically mounted on a post or a wall at front center of the parking space, no

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more than 5'-0" horizontally from the front of the parking space, and set a minimum of 4'-0" from finished grade to the bottom of the sign.

- 2) Signs complying with ANSI Section 4.28.5 shall be provided at the following locations:
 - A) Passenger loading zones
 - B) Accessible entrances
 - C) Accessible toilet rooms, bathing facilities, and shower facilities
 - D) Public telephones complying with ANSI Section 4.29.
 - 3) Where directional graphics or signage is provided which gives emergency information, it shall comply with ANSI Section 4.28, and shall have tactile characters or symbols.
 - 4) Room identification and numbers shall have tactile characters. They shall be placed along side the latch side of the door and mounted 4'-6" to 5'-0" above the floor.
 - 5) Signs identifying "TDD Access" as required by Section 400.310(s)(2) shall be provided. Signage shall comply with ANSI Section 4.28, but need not be tactile. Mount 4'-6" to 5'-0" above the floor.
 - 6) Where other graphics or signage is provided, it shall comply with ANSI Section 4.28, but need not have tactile characters or symbols.
 - 7) All signs shall have glare free surfaces and comply with ANSI Section 4.28.3. Provide light color character on a dark background.
- s) Telephones
- 1) Where public telephones are provided, at least one per floor or one per bank of telephones shall comply with ANSI Section 4.29. Volume control of receivers is required on at least one telephone per floor or one telephone per bank of telephones. Phones with volume control shall be so identified with signs.
 - 2) Where banks of public telephones are provided in reception rooms, assembly areas, transportation centers, atriums, shopping malls, and similar areas, there shall be an electrical outlet provided for at least one of the telephones in the bank in order to obtain access to the use of a Telecommunications Device for the Deaf (TDD). The location shall be identified with appropriate signage.
- t) Seating, Tables and Work Surfaces
- 1) Where fixed or built-in seating, tables and work surfaces are provided, at least 5% but at least one shall comply with ANSI Section 4.30.
 - 2) Where service counters exceeding 36 inches in height are provided as standing counters, an auxiliary service counter or other space suitable for the business transaction by an environmentally limited

person shall be provided in the immediate vicinity and provide the same services. The auxiliary countertop shall comply with ANSI Section 4.30.

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Section 400.320 Additional Requirements for Specific Occupancy Types

All public facilities are subject to Section 400.310 (a) through (t) inclusively and to the following additional requirements as appropriate to the occupancy type.

a) Auditorium and Assembly Areas

- 1) Wheelchair locations shall comply with ANSI Section 4.31, and shall be provided in the following minimum quantities:

Number of Fixed Seats	Number of Wheelchair Locations
1 to 25	1
26 to 50	2 together
51 to 75	3
76 to 100	4
101 to 150	5
151 to 200	6
201 to 300	7
301 to 400	8
401 to 500	9
501 to 1000	2% of total
Over 1000	20 plus 1 for each 100 over 1000

AGENCY NOTE: For seating 51 and over, arrange wheelchair locations in pairs insofar as possible.

- 2) Access to performing areas shall be provided in accordance with ANSI Section 4.31.
- 3) Listening systems conforming with ANSI Section 4.31 are required as follows:

Number of Fixed Seats	Number of Listening System Device Locations
1 to 50	2 together
51 to 400	4 in two locations
Over 400	1% of total

b) Educational Facilities

- 1) All spaces in educational facilities used by students, faculty and staff shall be accessible.

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- 2) 2% of minimum of two lockers in every room where lockers are provided shall be accessible to persons in wheelchairs, shall be located within a reach range of 9" to 4'-0" above the floor, and have a minimum clear space in front of 3'-6". Accessible circulation routes to the lockers shall comply with ANSI Section 4.3.
 - 3) Where showers are provided, at least one shower for each sex shall be accessible to people in wheelchairs and comply with ANSI Sections 4.21 and 4.22.
 - 4) In laboratories and other work or study areas which are provided with fixed work countertops, there shall be at least one station which complies with ANSI Section 4.30.
- c) Health Care, Outpatient Facilities, Hospitals and Nursing Homes
- 1) All public use spaces, common use spaces, and employee use spaces not otherwise exempted shall be accessible.
 - 2) Where in-patient medical care is provided, all bedrooms and bathrooms shall have accessible doors complying with ANSI Section 4.13.
 - 3) Five percent (5%) or a minimum of 2 per floor, whichever is the greatest, of patient bedrooms with bathrooms shall have fully accessible bathrooms complying with ANSI Section 4.22.
- d) Housing Owned or Financed by a Governmental Unit
- Housing units owned or financed by a governmental unit which consist of five or more dwelling units on each project site shall comply with all requirements of Multi-story Housing, Section 400.350.
- e) Libraries
- In addition to other applicable accessibility requirements, all libraries shall comply with the following requirements:
- 1) At least 5% or a minimum of one of each element of fixed seating, tables, or study carrels shall comply with ANSI Section 4.30.
 - 2) Where service counters exceeding 36 inches in height are provided as standing counters, an auxiliary service counter or other space suitable for the business transaction by the environmentally limited shall be provided in the immediate vicinity and provide the same

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services. The auxiliary countertop shall comply with ANSI Section 4.30.

- 3) All traffic control or book security gates shall comply with ANSI Section 4.13.
- 4) Minimum clear aisle width at card catalogs, magazine displays, and all book stacks shall be 36 inches wide.
- 5) Maximum accessible reach height at card catalogs, magazine displays or reference book stacks shall comply with ANSI Section 4.2. Shelf height in general (not reference) book stack areas is unrestricted.

f) Lodging

- 1) All common areas, common use spaces, and public use spaces shall be accessible.
- 2) Five percent of the total number of lodging units with or without bathrooms, or at least one, whichever is greater, shall be accessible and comply with the space requirements of ANSI Section 4.32.
- 3) Entrance doors to all individual lodging units shall be accessible per ANSI Section 4.13.
- 4) If common use restrooms and shower rooms are provided in lieu of private bathrooms in each accessible lodging unit, they shall be located on an accessible route in compliance with ANSI Section 4.3 and the rooms shall comply with ANSI Section 4.22.
- 5) A permanent audible and visual emergency warning system complying with Section 400.310(p) and ANSI Section 4.26 shall be provided in all public use and common use areas of lodging buildings.
- 6) Portable or permanent audible and visual emergency warning systems complying with ANSI Section 4.26 shall be provided in lodging units on an as-needed basis at the request of a hearing impaired person. If permanent systems are provided, they shall be provided in all lodging units. If portable devices are provided, at least one shall be provided for each fifty units or fraction thereof. If a patron of a hotel or motel requests an emergency warning system which is audible and visual, it shall be the duty of the hotel operator or motel operator to provide installation of such a system in the patron's room, or to assign the patron to a room equipped with such a system. Each hotel operator and each motel operator shall post a

notice at the place of registration of patrons, bearing the legend "Visual Alarms for the hearing impaired available".

g) Mercantile and Business Occupancies

All buildings used for business transactions for the public shall comply with the following:

- 1) Where built-in fixed service counters exceed 36 inches in height, provide an auxiliary service counter complying with Section 400.310(t).
- 2) If checkout aisles are provided, at least one accessible checkout aisle with a clear width of 36 inches shall be provided.
- 3) Any device used to prevent the removal of shopping carts from store premises shall not prevent ingress or egress to environmentally limited persons.
- 4) Where dressing rooms are provided for trying on clothes, at least one in every group shall be accessible.
- 5) Product display shelf height - no requirements.
- 6) Exemption - product storage areas need not be accessible.

h) Museums and Exhibition Areas

- 1) In museums and exhibition areas, every level with displays open to public viewing shall be accessible and shall comply with ANSI Section 4.3.
- 2) Displays shall be designed so that they shall be able to be viewed by seated persons and are accessible to persons in wheelchairs.
- 3) In state-owned facilities, audible and visual interpretive information shall be provided for persons with auditory or visual impairment.

i) Public Facilities Which Primarily Serve Children

The following dimensions and accessories may be adjusted to suit the age of children to be accommodated in the facility.

- 1) Water closets (suggested height - 1'-3").

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- 2) Toilet stall grab bars (suggested height 10" above seat) 3'-0" long, extended 1'-6" beyond front edge of water closet. To support 150 lb. load.
 - 3) Lavatory (suggested height 2'-5" from floor to bottom of apron).
 - 4) Controls, receptacles, and dispensers (suggested height 3'-4" above finished floor).
 - 5) Supplemental handrails (suggested height 2'-0" from center of bar to floor surface). (Note that this does not supersede other Code requirements for guard and hand rails at proper heights.)
 - 6) Drinking Fountain Spouts (suggested height 2'-6" above finished floor).
- j) Recreational Facilities
- 1) Parking lots, toilets, showers, cabins, campsites, concession stands, craft areas, boat docks and other communal areas shall be accessible and be on an accessible route.
 - 2) Five percent or at least 2, whichever is the greater, of all camping sites shall be accessible to those in wheelchairs by having an accessible parking space and walk which leads to the camp sites, rest rooms, and fire-pits, where provided. Trails over steep or difficult terrain need not be accessible.
 - 3) Swimming pools, beaches, zoos, botanical gardens, amusement parks, fairgrounds, bowling alleys, playgrounds, sports facilities, marinas and other recreational facilities shall be accessible. Where provided, all allied facilities, such as parking, horizontal and vertical circulation, entrances, toilet facilities, changing and shower facilities shall meet the specific requirements of this Code.
- k) Restaurants and Cafeterias
- 1) At least 5% of all fixed seating or tables in a restaurant or cafeteria shall comply with ANSI Section 4.30.
 - 2) Food service lines shall have a minimum clear width of 36 inches.
 - 3) Tray slides shall be mounted no higher than 34 inches above the floor.

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- 4) Tableware, dishware, condiment, food and beverage display shelves, and dispensing devices shall be located within reach range by a person in a wheelchair as specified in ANSI Section 4.2.
- 5) In restaurants or cafeterias where there are mezzanine levels, loggia, or raised platforms, accessibility to all spaces is not required if at least 50% of the spaces providing the same services and decorative character are located on accessible paths of travel.

l) Temporary Buildings and Facilities

All temporary buildings, facilities, accessible routes, and building elements shall comply with the applicable accessibility requirements of this Code, unless specifically exempted in Section 400.330. In no case shall a temporary building or facility cause an existing building or facility to be further from compliance with this Code than it was prior to the erection of the temporary building, facility, accessible route, or building element.

m) Tenant Work

- 1) Tenant finishing work (including, but not limited to, partitions, doors, and officescapes) which is first constructed within any space of a building shall be considered as new construction within this Code, and shall comply with all requirements of this Code for new construction, including the principal entrance to the tenant space.
- 2) Tenant finishing work which is constructed subsequent to the first tenant remodeling of a building shall be considered alterations within this Code, and shall comply with requirements of this Code for alterations. The area of required compliance shall include the principal entrance to the tenant space.

n) Transportation Terminals/Stations, and Shopping Malls

- 1) All public facilities which are used for transportation terminals, stations and shopping malls shall have a visual information source which shall be located immediately adjacent to principal entrance(s) of transportation terminals/stations and shopping malls to give visual directions or information to environmentally limited persons. Such visual information source shall be one or both of the following:
 - A) A floor plan of the building, with viewer's position marked and properly oriented, showing vehicle embarkation and disembarkation points, entrances and exits, ticket counters, public lockers, telephones, and public restrooms;

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- B) Printed and graphic information, complying with ANSI Section 4.28, with tactile characters and symbols.
- 2) Provide for installation of a Telecommunication Device for the Deaf (TDD) at all major public transportation sites as required by "AN ACT in relation to the installation of telecommunication devices for use throughout the State by individuals with hearing impairments." (Ill. Rev. Stat. ch. 111 1/2, par. 4201 et seq.)

Section 400.330 Exemptions

The following buildings or parts of buildings are exempted from applicability of the minimum requirements for new construction:

- a) Privately owned single and two-family residences and any sheds, storage buildings, or garages incidental thereto.
- b) Privately owned apartment buildings which are not herein classified as multi-story housing units.
- c) Individual dwelling units in privately owned multi-story housing units, except as required to be adaptable or accessible as defined herein.
- d) Housing, owned or financed by a governmental unit consisting of less than 5 dwelling units located on an individual site, and any sheds, storage buildings, or garages incidental thereto.
- e) Elevators or lifts are not required to serve the second floor or mezzanine space of privately owned public facilities, subject to the following:
 - 1) The exemption applies to the second story or the mezzanine of a two story building, and to the mezzanine space of a one story building.
 - 2) The second story or mezzanine space is limited to 1,000 square feet or less.
 - 3) The exemption does not apply to areas of visitor usage or to common employee usage such as locker areas, toilet facilities, or lunchrooms if these facilities are the only ones in the building.
- f) Farm buildings related solely to agricultural production or storage.
- g) All inmate housing portions of detention and correctional facilities owned by the State of Illinois or a governmental unit, except that 5% or at least one, whichever is greater, of the individual detention housing units shall be accessible.
- h) Areas of attendant or valet parking facilities which are restricted to employee use.
- i) Penthouses, rooms or mezzanines used exclusively for building maintenance, mechanical, electrical, plumbing, or fire protection systems purposes.
- j) Machine rooms, shafts, and pits used for elevators and dumbwaiters.

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- k) Electrical, telephone, and communications equipment closets, and switchgear and transformer rooms. Also buildings and facilities enclosing similar functions without full-time occupancy.
- l) Catwalks and booths used exclusively for lighting, sound, and/or projection control, including projection rooms of the professional type in theaters.
- m) Inspection and maintenance catwalks in industrial and hazardous use occupancies as defined in the applicable building code.
- n) Diving boards and diving towers, boxing and wrestling rings.
- o) Roofs not intended for public or building tenant use.
- p) Miscellaneous buildings and parts of buildings include those of unusual occupancy and those not included in specific use groups classified by the applicable building code. They shall not exceed 1000 square feet in area and shall have limited occupancy, except as provided below, and shall include, but not be limited to:
 - 1) Dormitory and equipment maintenance portions of fire stations - area and occupancy not limited.
 - 2) Employee areas of gasoline filling stations.
 - 3) Detached drive-up banking facilities.
 - 4) Walk-up vending stands, miscellaneous merchandising dispensing facilities, and similar facilities of less than 200 square feet.
 - 5) Elevated control, observation, and security towers.
- q) Temporary buildings and structures associated with the actual process of major construction, such as portable offices and toilets, scaffolding, bridging, rigging, trailers, and the like. Temporary walk by-passes around construction sites are not exempted.
- r) Covered storage areas of lumber yards, steel warehouses, and miscellaneous materials.
- s) Commercial greenhouses, except business and mercantile spaces.
- t) Vehicular bridges which do not provide pedestrian access.
- u) Industrial occupancies, except:

- 1) The first or main operating floor shall have limited accessibility as follows if its intended use may result in employment of environmentally limited persons.
 - A) Accessible route - Section 400.310(a).
 - B) Accessible toilets; accessible lockers and showers, if provided - Section 400.310(m).
 - C) Accessible drinking fountains - Section 400.310(l).
- 2) All areas for which the intended use will require access by the general public - full accessibility.
- 3) Business and mercantile spaces - full accessibility.
- v) Hazardous use occupancies, except business and mercantile spaces.
- w) Storage occupancies, except business and mercantile spaces.
- x) Those areas of a building which are restricted to use by employees of businesses or concerns occupying such restricted areas and in which environmentally limited persons cannot reasonably be expected to perform the duties of a job therein.

SUBPART D: MULTI-STORY HOUSING - NEW CONSTRUCTION

Section 400.350 Multi-Story Housing, New Construction

- a) All common use and public use spaces on all floors (levels) shall be accessible utilizing Subparagraphs of Section 400.310 as required to ensure accessibility to this occupancy. Entrance doors to all individual dwelling units shall comply with ANSI Section 4.13.
- b) All site improvements shall be accessible, including an accessible route from the public sidewalk, public transportation facilities and/or parking, if provided, to and through an accessible entrance.
- c) A permanent audible and visual emergency warning system complying with Section 400.310(p) shall be provided in all public use and common use areas. Permanent or portable audible and visual emergency warning systems shall be installed in all adaptable units on an as-needed basis at the request of an environmentally limited occupant. If a permanent system is provided, the visual emergency warning system shall be arranged so the flashing light beam is visible in all rooms of the dwelling unit.
- d) The owner shall provide 20%, or at least one, whichever is greater, of the dwelling units as adaptable. Either the accessible or adaptable dwelling units shall be distributed throughout the building to provide a variety of sizes and locations.
- e) **Adaptable Dwelling Units**
 - 1) Adaptable dwelling units shall be designed and constructed so they may, upon application by initial occupant, be converted to accessible units, with a minimum of structural changes, to meet the needs of different types of environmentally limited persons and to comply with ANSI 4.32 and ANSI Table 4. Costs of conversion for the initial environmentally limited person shall be born by the owner; subsequent conversion costs shall be paid by the occupant.
 - 2) An accessible route conforming with ANSI Section 4.3 shall be provided into and within all adaptable dwelling units to all rooms and spaces and shall provide maneuvering space at doors as required by ANSI Section 4.13.6.
 - 3) An accessible route conforming with ANSI Section 4.3 shall be provided into and within all private patios, terraces, balconies, carports and garages designated for use by adaptable dwelling units.

- 4) Bathrooms in adaptable dwelling units shall comply with the space requirements of ANSI Section 4.32. Bathrooms shall be designed to allow, when converted to accessible units, for the installation of grab bars, water closets, toilet paper dispensers, mirrors, medicine cabinets, under-lavatory cabinets, in-tub or head-end bathtub seats, faucets, controls, pipe insulation, shower seats, and shower spray units without structural changes to the walls, floors or ceiling.
 - 5) Kitchen appliances and laundry facilities, if provided, in adaptable dwelling units shall comply with ANSI Section 4.32.
 - 6) Personal storage included in the initial construction of adaptable dwelling units shall comply with ANSI Section 4.23.
 - 7) Dwelling units consisting of two stories are exempt from requirements for adaptability, as defined herein, if the required proportion of adaptable units, as stipulated in the Environmental Barriers Act, is met by other types of units distributed throughout the building; or, if accessibility to the second floor can be provided by the owner by the installation of a residential elevator or stairway chairlift complying with ANSI/ASME A17.1-1984 and A17.1a-1985 when appropriate and approved by administrative authorities.
- f) Projects for which the design contract was awarded after September 25, 1985 and the construction contract is awarded prior to 90 days after the effective date of this Code, shall be considered in compliance with this Code if they comply with the above Subsections (a), (b), and (c), and if 20% of the adaptable dwelling units are in compliance with Section 16.1.1 through 16.1.7 of Accessibility Standards, Illustrated, June 1978 Edition, as revised and reprinted under date of March 1, 1985 (71 Ill. Adm. Code 400).

SUBPART E: PUBLIC FACILITIES - ADDITIONS**Section 400.410 Public Facilities, Additions - Minimum Requirements**

All additions to public facilities are considered new construction and are subject to Section 400.310, as applicable to the occupancy type, and to the following additional requirements.

- a) All spaces within any addition shall be accessible and provide the minimum elements listed in Section 400.310 to ensure accessibility as required for the occupancy classification defined by the applicable building code.

b) **Entrances**

If a new addition to a public facility does not have an accessible entrance, then at least one entrance to the existing building or facility shall comply with ANSI Section 4.14.

c) **Accessible Route**

If the only accessible entrance to the new addition is located in the existing building or facility, then at least one accessible route conforming with ANSI Section 4.3 shall provide access through the existing building or facility to all accessible spaces in the new addition.

d) **Restrooms and Bathing Facilities**

- 1) Restrooms, existing and/or new, shall provide the "Minimum Number of Plumbing Fixtures" required by the Illinois Plumbing Code (77 Ill. Adm. Code 890), including the requirements of the addition.
- 2) If there are no restrooms, bathing facilities, or shower facilities in the addition and these facilities are provided in the existing building, then at least one restroom, one bathing facility, or one shower facility for each sex shall conform with ANSI Section 4.22.

Section 400.420 Exemptions

Additions to all buildings or parts of buildings which are exempted in Section 400.330 from applicability of the minimum requirements for new construction.

SUBPART F: PUBLIC FACILITIES - ALTERATIONS**Section 400.510 Public Facilities, Alterations - Minimum Requirements**

The requirements of this Section (see definition of "Public Facility") are applicable, subject to exemptions in Section 400.330(d), to alterations of public facilities or privately owned facilities for which the alterations are financed or guaranteed by a governmental unit.

a) Site Improvements and Exterior Facilities

- 1) All new street curbs and 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.
- 2) 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).
- 3) All expansions or improvements of existing parking lots including resurfacing, remarking, fencing, curbs, walks, and/or landscaping shall provide parking spaces for disabled persons in accordance with Section 400.310(c) and (r)(1). In addition, there shall be provided curb ramps as necessary to provide an accessible route to an accessible entrance.
- 4) 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 subsections 400.310(a) and (d) and result in an accessible site access route.

b) Miscellaneous Building Requirements

- 1) Any alteration or replacement work to the door(s) and frame of the major entrance of a public building shall result in an accessible door and shall comply with ANSI Section 4.13, unless otherwise noted exempted by this Code.
- 2) If hardware, controls, dispensers, receptacles, stairs or other elements are replaced or altered, then the requirements of the applicable technical standards section of this Code, Sections

400.310(a) through (t), shall be followed, unless structurally impracticable.

c) State Owned Public Facilities

Any alteration to a public facility owned by the State (Section 5, EBA) shall provide accessibility as follows, in addition to subsections (a) and (b) above:

- 1) **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 subsections of Section 400.310 (Section 5, EBA).**
- 2) **If the alteration costs more than 15% but less than 50% of the reproduction cost of the public facility, the following essential features shall comply with the applicable subsections of Section 400.310.**
 - A) **the element or space being altered.**
 - B) **an accessible means of ingress and egress intended for use by the public.**
 - C) **all spaces and elements necessary to provide horizontal and vertical accessible routes between an accessible means of ingress and egress and the parts being altered (Section 5, EBA).**
 - D) **at least one accessible toilet room for each sex complying with ANSI Section 4.22 if toilets are provided or required in the facility by the Illinois Plumbing Code (77 Ill. Adm. Code 890). If a stall is required, the "standard stall" is preferred. For housing units, this requirement is applicable only to toilet rooms provided in public or common use areas.**
 - E) **accessible parking spaces complying with Section 400.310(c), where parking is provided.**
 - F) **an accessible route from public sidewalks or from accessible parking spaces to an accessible entrance.**
- 3) **If the alteration costs 50% or more of the reproduction cost of the public facility, the entire public facility shall comply with this Code following the minimum requirements for new construction, Section 400.310 (Section 5, EBA). For housing units this means that**

public and common use areas shall comply with the applicable subparagraphs of Section 400.310, and that the percentage of dwelling units required to be accessible or adaptable, per Section 400.310(c), shall be provided.

d) **Other Public Facilities**

Any alteration to a public facility owned by any governmental unit other than the State, any alteration to a privately-owned public facility (Section 5, EBA), and any alteration to a privately-owned multi-story housing unit which alteration is financed or guaranteed by a governmental unit shall provide accessibility as follows, in addition to subsections 400.510(a) and (b) above:

- 1) **Compliance with the standards is not mandatory where the cost of the alteration is 15% or less of the reproduction cost of the public facility unless the cost of the alteration exceeds \$100,000, in which case the element or space being altered must comply with the applicable subparagraphs of Section 400.310 (Section 5, EBA).**
- 2) **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 must comply with this Code utilizing the minimum requirements for new construction (Section 400.310):**
 - A) **the element or space being altered,**
 - B) **an accessible means of ingress and egress intended for use by the general public (Section 5, EBA).**
- 3) **If alteration costs more than 15% but less than 50% of the reproduction cost of the public facility, and more than \$100,000, the following essential features must be provided in compliance with this Code utilizing the minimum requirements for new construction (Section 400.310):**
 - A) **the element or space being altered,**
 - B) **an accessible means of ingress and egress intended for use by the public,**
 - C) **all spaces and elements necessary to provide horizontal and vertical accessible routes between an accessible means of ingress and egress and the parts being altered,**

- D) at least one accessible toilet room for each sex complying with ANSI Section 4.22, if toilets are provided or required in the facility by the Illinois Plumbing Code (77 Ill. Adm. Code 890). If a stall is required, the "standard stall" is preferred. For housing units, this requirement is applicable only to toilet rooms provided in public or common use areas.
 - E) accessible parking spaces complying with 400.310(c) where parking is provided.
 - F) an accessible route from public sidewalk or from the accessible parking spaces, if provided, to an accessible entrance.
- 4) **If the alteration costs 50% or more of the reproduction cost of the public facility or multi-story housing unit, the entire public facility or multi-story housing unit shall comply with this Code following the minimum requirements for new construction, Section 400.310 (Section 5, EBA).** For housing units this means that the public and common use areas shall comply with applicable subparagraphs of Section 400.310 and that the percentage of dwelling units required to be accessible or adaptable, per Section 400.350, shall be provided.
- e) All tenant work shall comply with standards included in this Code. (See Section 400.320.)
 - f) **For the purpose of calculating percentages of reproduction cost, the cost of alterations shall be construed as the total actual combined cost of all alterations to be made within any period of thirty months (Section 5, EBA), as approved by the administrative authority.**
 - g) **In no case shall any alteration of any public facility or multi-story housing unit create an environmental barrier or cause the public facility or multi-story housing unit to be further from compliance with this Code than it was prior to the alteration based upon the elements required to ensure accessibility as listed in Section 400.310 (Section 5, EBA).**
 - h) 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.
 - i) If safety door edge is provided in existing automatic elevators, then the automatic door protective and reopening devices as required in ANSI Section 4.10.6 may be omitted.

- j) Where existing shafts or structural elements prohibit strict compliance with the minimum dimensions of elevator cars as required in ANSI Section 4.10.9, then the minimum floor area dimensions may be reduced to no less than 48 inches by 48 inches.
- k) In privately owned public facilities in which the alteration costs are less than 50% of the reproduction cost of the public facility, and entrance storefront design would be structurally impractical to change, an existing pair of swinging doors without center stile will suffice as a minimum requirement for ingress and egress, as long as each leaf is at least nominally 2'-6" wide.
- l) In alterations where it is structurally impracticable to disperse seating throughout an assembly area, the seating may be located in collected areas as structurally feasible. Seating shall adjoin an accessible route which also serves as a means of emergency exit access.

Section 400.520 Exemptions

- a) Alterations to all buildings or parts of buildings which are exempted from applicability of the minimum requirements for new construction (Section 400.330).
- b) Historic preservation work except as applicable under Section 400.610.
- c) Industrial Occupancies, except mercantile and business spaces.
- d) Hazardous Use Occupancies, except mercantile and business spaces.
- e) Storage Occupancies, except mercantile and business spaces.
- f) Existing privately owned multi-story housing units which are altered with private funds. When privately owned multi-story housing units are altered with governmental unit financing or guarantee, the requirements of Section 400.510(d) shall be met.
- g) Parts of buildings which it would be structurally impracticable to make conform to the strict requirements of the Code for new construction, with the approval of the administrative authority.

SUBPART G: HISTORIC PRESERVATION

Section 400.610 Historic Preservation, Scope - Minimum Requirements

Historic preservation, including historic reconstruction and historic restoration, is the alterations category applied to historic buildings or historically interpreted buildings. Every qualified historic building, facility, or site open to the public shall also provide access to environmentally limited persons as required in this Section to afford them the maximum opportunity to experience their cultural heritage consistent with maintaining the historic aspects of the building or site.

- a) Historic preservation work to any historic building or facility or site and alterations to any historic building, facility or site attendant to historic preservation work shall provide accessibility as follows:
 - 1) General Requirements:
 - A) Compliance with the standards is not mandatory where the cost of the historic preservation work and attendant alterations is 15% or less of the reproduction cost of the public facility unless the cost of the historic preservation work and attendant alterations exceed \$100,000, in which case the element or space being altered must comply with this Code. Technical alternates for historic preservation work, Section 400.620 listed herein, may be substituted for similar standard requirements (Section 400.310(a) through (t)).
 - B) For the purpose of calculating percentages of reproduction cost, the cost of historic preservation work and attendant alterations shall be construed as the estimated total combined cost of all historic preservation work and attendant alterations to be made within a period of thirty months.
 - C) The determination that an alteration will have adverse effect upon the historic feature shall be based upon the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. Alterations not recommended by the Standards shall be considered to have an adverse effect on the historic feature that justifies the application of the alternative provisions for historic preservation work as defined in Section 400.620.
 - 2) If "historically interpreted buildings" as defined herein which are owned by either a governmental unit or are privately owned, undergo historic preservation work and attendant alterations which cost more than 15% of the reproduction cost of the public facility, the following minimum requirements shall be met:
 - A) An accessible route complying with ANSI Section 4.3 and 4.4 shall be provided to one principal level with displays open to the public.

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Exception: Where the historic aspects of the building or facility would be destroyed or so greatly altered as to have an adverse effect on the historic significance of the element, site and structure by the application of the standard or alternative requirements of the Code, fully accessible permanent interpretive exhibits which are of equivalent educational and interpretative scope as the non-accessible historic parts of the building or facility shall be provided as near to the non-accessible part of the building or facility as possible.

- B) An audible and visual information source shall be provided adjacent to the main entrance to the historic building or facility to give directions and information to persons with severe auditory or visual impairment.
 - C) Displays shall be designed so that they may be seen by seated persons.
 - D) If toilets are required in the facility, at least one accessible "unisex" toilet room consisting of one water closet and one lavatory complying with ANSI Section 4.22 shall be provided as near the site as possible but at least within 200 feet from the main entrance of the building or facility.
 - E) At least one accessible drinking fountain shall be provided as near the site as possible but at least within 200 feet from the main entrance of the building or facility.
 - F) Technical alternates for historic preservation work listed herein may be substituted for similar standard requirements (Section 400.310(a) through (f)).
- 3) If buildings other than "historically interpreted buildings" as defined herein which are owned by either a governmental unit or are privately owned, undergo historic preservation work and attendant alterations which cost more than 15% of the reproduction cost of the public facility, the following must comply with this Code:
- A) The element or space being altered.
 - B) A means of ingress and egress intended for use by the general public.
 - C) Horizontal and vertical accessible routes between a means of ingress and egress and the parts being altered.
 - D) At least one accessible toilet room for each sex complying with ANSI Section 4.22, if toilets are required in the facility.
 - E) Accessible parking spaces complying with Section 400.310(c)(1) herein, where parking is provided.

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- F) An accessible route from the accessible parking spaces, if provided, to an accessible entrance.
 - G) Technical alternates for historic preservation work listed herein may be substituted for similar standard requirements (Section 400.310(a) through (t)).
- 4) The following provisions as defined in Section 400.510; Alterations, Minimum Requirements, shall also apply to historic preservation projects:
- A) Full extension of handrails shall not be required in alterations where such extensions would be hazardous or impossible due to plan configuration.
 - B) If safety door edge is provided in existing automatic elevators, then the automatic door protective and reopening devices as required in ANSI Section 4.10.6 may be omitted.
 - C) Where existing shaft or structural elements prohibit strict compliance with the minimum dimensions of elevator cars as required in ANSI Section 4.10.9, then the minimum floor area dimensions may be reduced to no less than 48 inches by 48 inches.
 - D) In historic preservation work and attendant alterations where it is structurally impracticable to disperse seating throughout an assembly area, the seating may be located in collected areas as structurally feasible. Seating shall adjoin an accessible route which also serves as a means of emergency egress.

Section 400.620 Technical Alternates for Historic Preservation Work

- a) The following technical requirements may be substituted for similar standard requirements (Section 400.310(a) through (t)) when an historic building undergoes historic preservation:
- 1) Changes of level may be accommodated by ramps having the following maximum slopes:

A)	MAXIMUM SLOPE	MAXIMUM HORIZONTAL DISTANCE BETWEEN LANDINGS
	1:9	12 FEET
	1:6	2 FEET

 - B) Where access to any space undergoing historic preservation work will be limited to controlled groups with assigned tour guides, changes in level of less than 9" vertical dimension may be accommodated by means of permanent or detachable ramps having a maximum slope of 1:4.
 - 2) Where access to any space will be limited to controlled groups with assigned tour guides, requirements of the following ANSI Sections are waived for that space:
 - A) Section 4.13, Doors, except minimum widths as noted herein
 - B) Section 4.23, Storage
 - C) Section 4.25, Controls and Operating Mechanisms
 - D) Section 4.26, Alarms
 - E) Section 4.27, Detectable Warnings
 - F) Section 4.28, Signage
 - 3) Where access to any space undergoing historic preservation work will be limited to controlled groups with assigned tour guides, or where a full-time door attendant or concierge is provided at the door within visual and audible communication range, a single door or pair of doors with a total clear opening of at least 29-1/2" may suffice to comply with the requirements for an accessible door.
 - 4) Minimum clear door opening width for a single door or the single active leaf of a pair of doors shall be 29-1/2".
 - 5) Where the historic aspects of the building or facility would be destroyed, or so greatly altered as to damage or have an adverse effect on the historic principle entrance, by the application of the requirements of ANSI Section 4.3, a secondary entrance with

SUBCHAPTER b

directional signs from the principle entrance may be used in lieu of the principle entrance as part of an accessible route.

- 6) Where the historic aspects of the building or facility would be destroyed, or so greatly altered as to have an adverse effect on an historic stair, the requirements of ANSI Section 4.9 are waived.

Section 400.630 Exemptions for Historic Preservation

- a) All buildings or parts of buildings exempted from applicability of the minimum requirements for new construction.
- b) Industrial Occupancies, except mercantile and business spaces.
- c) Hazardous Use Occupancies, except mercantile and business spaces.
- d) Storage Occupancies, except mercantile and business spaces.
- e) Existing privately owned multi-story housing units.
- f) Parts of the building where it would be structurally impracticable to make conform to the strict requirements of the Code for new construction.

SUBPART H: STANDARDS FOR GOVERNMENT LEASING, RENTING
OR USE OF PUBLIC FACILITIES

Section 400.710 Standards for Government Leasing, Renting
or Use of Public Facilities

No governmental unit may enter into a new or renewal agreement to lease, rent, or use, in whole or in part, any public facility which does not comply with this Code. Any governmental unit which, on the effective date of the EBA, is leasing, renting or using, in whole or in part, any public facility which does not comply with this Code shall make all reasonable efforts to terminate such lease, rental or use by January 1, 1990 (Section 5, EBA).

- a) If the facility was constructed after the effective date of this Code, the facility shall comply with the Minimum Requirements for New Construction, Section 400.310.
- b) Any facility for which a lease is executed or renewed after the effective date of this Code and which was constructed prior to the effective date of this Code shall comply with the Minimum Requirements for Alterations for State-owned facilities. Such alterations shall include the minimum essential features of Section 400.510(a), (b), and (c)(2). However, if the facility meets the Minimum Requirements for New Construction, Section 3 through 16 of the Accessibility Standards, Illustrated (as revised and reprinted under date of March 1, 1985), it shall be considered to be in compliance with this Section.

ACT 25. ENVIRONMENTAL BARRIERS ACT

Section

- 25/1. Short Title.
- 25/2. Statement of Findings and Purpose.
- 25/3. Definitions.
Standards.
- 25/5. Scope.
- 25/6. Civil Enforcement.
- 25/7. Penalties.
- 25/8. Local Standards.

25/1. Short Title

Section 1. Short Title. This Act shall be known and may be cited as the Environmental Barriers Act.

P.A. 84-948, Section 1, eff. Sept. 25, 1985.

Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par. 3711.

Title of Act:

An Act concerning environmental barriers in public facilities and multi-story housing units and to amend and repeal certain Acts therein named.

P.A. 84-948, approved and eff. Sept. 25, 1985.

25/2. Statement of Findings and Purpose

Section 2. Statement of Findings and Purpose. The General Assembly finds that:

(a) Public Facilities and multi-story housing units which contain environmental barriers create a serious threat to the safety and welfare of all members of society both in normal conditions and in the event of fire, panic and other emergency.

(b) Environmentally limited persons are often denied access to and use of public facilities and multi-story housing units due to environmental barriers which prevent them from exercising many of their rights and privileges as citizens.

(c) The integration of environmentally limited persons into the mainstream of society furthers the goals and policies of this State to assure the right of all persons to live and work as independently as possible and to participate in the life of the community as fully as possible.

Therefore, eliminating environmental barriers is an object of serious public concern. This Act shall be liberally construed toward that end.

P.A. 84-948, Section 2, eff. Sept. 25, 1985.

Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par. 3712.

25/3. Definitions

Section 3. Definitions. As used in this Act:

(a) "Accessibility standards" or "standards" means those standards adopted by the Capital Development Board pursuant to Section 4¹ and, to the extent they conform with this Act, those adopted pursuant to the former Facilities for the Handicapped Act².

(b) "Adaptable dwelling unit" means a dwelling unit constructed and equipped so it can be converted with minimal structural change to use by persons with different types and degrees of environmental limitation.

(c) "Addition" means a newly-constructed expansion, extension or increase in the gross floor area of a building or structure.

(d) "Alteration" means any modification or renovation of a public facility which involves a structural change. It does not include normal maintenance, reroofing, interior or exterior decoration or changes to mechanical systems.

(e) "Built environment" means those parts of the physical environment which are designed, constructed or altered by people, including all public facilities and multi-story housing units.

(f) "Common areas" means areas which are held out for use by all tenants and owners in multi-story housing units including, but not limited to, lobbies, elevators, hallways, laundry rooms, swimming pools, storage rooms, recreation areas, parking garages, building offices, conference rooms, patios, restrooms, telephones, drinking fountains, restaurants, cafeterias, delicatessens and stores.

(g) "Construction" means any erection, building, installation or reconstruction. Additions shall be deemed construction for purposes of this Act.

(h) " Dwelling unit" means a single unit of residence which provides a kitchen or food preparation area, in addition to rooms and spaces for living, bathing, sleeping, and the like. Dwelling units are found in such housing types as townhouses and apartment buildings.

(i) "Environmental barrier" means a feature of the built environment which restricts access to or use of the built environment by environmentally limited persons.

(j) "Environmentally limited person" means a person with a physical, mental or communications disability or condition who is restricted in the use of the built environment.

(k) "Governmental unit" means the State or any political subdivision thereof, including but not limited to, any county, town, township, city, village, municipality, municipal corporation, school district or other special purpose district.

(l) "Improved area" means parking areas, sidewalks, ramps or other means of ingress or egress and landscaped areas, parks, beaches, harbors and similar areas.

(m) "Lodging" means the use of any building or structure for housing of a temporary, transient nature, excluding owner-occupied buildings of 4 or fewer units.

(n) "Means of ingress and egress" means any access point to a public facility or multi-story housing unit used for the purpose of entering and exiting. It includes the approach walk, the vertical access leading to the entrance platform, the entrance platform, vestibules, the entry doors or gates and the hardware of the entry doors or gates.

(o) "Multi-story housing unit" means any building of four or more stories containing 10 or more dwelling units constructed to be held out for sale or lease by any person to the public.

(p) "Person" means one or more individuals, partnerships, associations, unincorporated organizations, corporations, cooperatives, legal representatives, trustees, receivers, agents, any group of persons or any governmental unit.

(q) "Planning" means the preparation of architectural or engineering designs or plans, technical or other specifications, landscaping plans or other preconstruction plans or specifications.

(r) "Public facility" means: (1) any building, structure or improved area which is (i) owned by or on behalf of a governmental unit, (ii) leased, rented or used, in whole or in part, by a governmental unit, or (iii) financed, in whole or in part, by a grant or a loan made or guaranteed by a governmental unit; and

(2) any building, structure or improved area used or held out for use or intended for use by the public or by employees for uses including, but not limited to, the purpose of gathering, recreation, lodging, education, employment or the purchases, rental, sale or acquisition of any goods, personal property or services; and

(3) public telephones, drinking fountains and restrooms.

(s) "Public" means any group of people who are users of the building and employees of the building excluding those people who are employed by the owner of a building for construction or alteration of a building.

(t) "Owner" means the person contracting for the construction or alteration. Such person may be the owner of the real property or existing facility or may be a tenant of same.

(u) "Reproduction cost" means the estimated cost of constructing a new building, structure or improved area of like size, design and materials at the site of the original building, structure or improved area, assuming such site is clear. The reproduction cost shall be determined by using the recognized standards of an authoritative technical organization.

(v) "State" means the State of Illinois and any instrumentality or agency thereof. P.A. 84-948, Section 3, eff. Sept. 25, 1985.

Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par. 3713.

¹410 ILCS 25/4.

²Former Ill. Rev. Stat. Chapter 111 1/2, par 3701 et seq. (repealed).

25/4. Standards

Section 4. Standards. The Capital Development Board shall adopt and publish accessibility standards. Accessibility standards for public facilities shall dictate minimum design, construction and alteration requirements to facilitate access to and use of the public facility by environmentally limited persons. Accessibility standards for multi-story housing units shall dictate minimum design and construction requirements to facilitate access to and use of the common areas by environmentally limited persons and create a number of adaptable dwelling units in accordance with Section 5¹. With respect to areas within public facilities or multi-story housing units which areas are restricted to use by the employees of businesses or concerns occupying such restricted areas, the Capital Development Board shall promulgate standards designed to ensure that such areas will be accessible to those environmentally limited persons who can reasonably be expected to perform the duties of a job therein.

The standards shall be adopted and revised in accordance with the Illinois Administrative Procedure Act².

³ The Capital Development Board may issue written interpretation of the standards adopted under Section 4 of this Act. The Capital Development Board shall issue an interpretation within 30 calendar days of receipt of a request by certified mail unless a longer period is agreed to by the parties. Interpretations issued under this Section are project specific and do not constitute precedent for future or different circumstances.

P.A. 84-948, Section 4, eff. Sept. 25, 1985. Amended by P.A. 87-393, Section 1, eff. Sept. 10, 1991.

Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par. 3714.

¹410 ILCS 25/5.

²5 ILCS 100/1-1 et seq.

25/5. Scope

Section 5. Scope. The standards adopted by the Capital Development Board shall apply to:

(a) Any new public facility or portion thereof, the construction of which is begun after the effective date of this Act. However, any new public facility (1) for which a specific contract for the planning has been awarded prior to the effective date of this Act and (2) construction of which is begun within 12 months of the effective date of this Act shall be exempt from compliance with the standards adopted pursuant to this Act insofar as those standards vary from standards adopted pursuant to the Facilities for Handicapped Act¹.

³Note: Vertical Bars (|) in the left margin indicate revisions since May 1, 1988.

(b) Any new multi-story housing unit or portion thereof, the construction of which is begun after the effective date of this Act. However, any new multi-story housing unit (1) for which a specific contract for the planning has been awarded prior to the effective date of this Act and (2) construction of which is begun within 12 months of the effective date of this Act shall be exempt from compliance with the standards. Provided, however, that if the common areas comply with the standards, if 20% of the dwelling units are adaptable and if the adaptable dwelling units include dwelling units of various sizes and locations within the multi-story housing unit, then the entire multi-story housing unit shall be deemed to comply with the standards.

(c) Any alteration to a public facility owned by the State; provided that:

(1) if the alteration costs 15% or less of the reproduction cost of the public facility, only the part being altered must comply with the standards;

(2) if the alteration costs more than 15% but less than 50% of the reproduction cost of the public facility, the following must comply with the standards: (i) the part being altered, (ii) a means of ingress and egress intended for use by the general public, and (iii) all areas necessary to provide a continuous and unobstructed interior route of travel between that means of ingress and egress and the part being altered;

(3) if the alteration costs 50% or more of the reproduction cost of the public facility, the entire public facility must comply with the standards.

(d) Any alteration to a public facility owned by any governmental unit other than the State, and any alteration to a privately-owned public facility, where the alteration costs more than 15% of the reproduction cost of the public facility; provided that:

(1) if the alteration costs more than 15% but less than 50% of the reproduction cost of the public facility, the following must comply with the standards: (i) the part being altered and (ii) a means of ingress and egress intended for use by the general public;

(2) if the alteration costs 50% or more of the reproduction cost of the public facility, the entire public facility must comply with the standards:

(3) compliance with the standards is not mandatory where the cost of the alteration is 15% or less of the reproduction cost of the public facility unless the cost of the alteration exceeds \$100,000, in which case the part being altered must comply with the standards. 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.

In no case shall any alteration of any public facility or multi-story housing unit create an environmental barrier or cause the public facility or multi-story housing unit to be further from compliance with the standards than it was prior to the alteration.

No governmental unit may enter into a new or renewal agreement to lease, rent or use, in whole or in part, any building, structure or improved area which does not comply with the standards. Any governmental unit which, on the effective date of this Act, is leasing, renting or using, in whole or in part, any building, structure or improved area which does not comply with the standards shall make all reasonable efforts to terminate such lease, rental or use by January 1, 1990.

No public facility may be constructed or altered and no multi-story housing unit may be constructed without the statement of an architect registered in the State of Illinois that the plans for the work to be performed comply with the provisions of this Act and the standards promulgated hereunder unless the cost of such construction or alteration is less than \$50,000. In the case of construction or alteration of an engineering nature, where the plans are prepared by an engineer, the statement may be made by a professional engineer registered in the State of Illinois or a structural engineer registered in the State of Illinois that the engineering plans comply with the provisions of this Act and the standards promulgated hereunder. The architect's and/or engineer's statement shall be filed by the architect or engineer and maintained in the office of the governmental unit responsible for the issuance of the building permit. In those governmental units which do not issue

building permits, the statement shall be filed and maintained in the office of the county clerk.

P.A. 84-948, Section 5, eff. Sept. 25, 1985.

Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par. 3715.

¹Former Ill. Rev. Stat. Chapter 111 1/2, par. 3701 et seq. (repealed).

25/6. Civil Enforcement

Section 6. Civil Enforcement. (a) The Attorney General shall have authority to enforce the standards. The Attorney General shall investigate any complaint or reported violation of this Act and, where necessary to ensure compliance, may bring an action for any or all of the following:

(1) mandamus;

(2) injunction to halt construction or alteration of any public facility or to require compliance with the standards by any public facility which has been or is being constructed or altered in violation of this Act;

(3) injunction to halt construction of any multi-story housing unit or to require compliance with the standards by any multi-story housing unit which has been or is being constructed in violation of this Act; or

(4) other appropriate relief.

P.A. 84-948, Section 6, eff. Sept. 25, 1985.

Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par. 3716.

25/7. Penalties

⁴Section 7. Penalties. (a) Any owner constructing or altering a public facility or constructing a multi-story housing unit in violation of this Act shall be guilty of a business offense punishable by a fine not to exceed \$250 per day, and each day the owner is in violation of this Act constitutes a separate offense.

(b) Any architect or engineer negligently or intentionally stating pursuant to Section 5 of this Act¹ that a plan is in compliance with this Act when such plan is not in compliance shall be subject to a suspension, revocation or refusal of restoration of his or her certificate of registration or license pursuant to The Illinois Architecture Practice Act of 1989², The Illinois Professional Engineering Practice Act of 1989, and The Structural Engineering Licensing Act of 1989⁴.

(c) Any person issuing a building permit or other official authorization for the construction or alteration of a public facility or the construction of a multi-story housing unit in violation of this Act shall be guilty of a business offense punishable by a fine not to exceed \$1,000.

(d) The executive director of the Capital Development Board or any other person may request the State's Attorney of the county in which the public facility or multi-story housing unit is located to initiate prosecution under this Section.

P.A. 84-948, Section 7, eff. Sept. 25, 1985. Amended by P.A. 86-711, Section 44, eff. Jan. 1, 1990; P.A. 86-1475, Art. 3, Section 3-56, eff. Jan. 10, 1991; P.A. 87-562, Section 2, eff. Jan. 1, 1992.

Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par 3717.

¹410 ILCS 25/5 et seq.

²225 ILCS 305/1 et seq.

³225 ILCS 325/1 et seq.

⁴225 ILCS 340/1 et seq.

⁴Note: Vertical Bars (|) in the left margin indicate revisions since May 1, 1988.

25/8. Local Standards

Section 8. Local Standards. The provisions of this Act and the regulations and standards promulgated hereunder constitute minimum requirements for all governmental units, including home rule units. Any governmental unit may prescribe more stringent requirements to increase and facilitate access to the built environment by environmentally limited persons.

P.A. 84-948, Section 8, eff. Sept. 25, 1985.

Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par. 3718.

EXCERPTS FROM "ILLINOIS VEHICLE CODE"

ARTICLE III. TRAFFIC SIGNS, SIGNALS AND MARKINGS

5/11-301. Department to Adopt Sign Manual

Section 11-301. Department to Adopt Sign Manual. (a) The Department shall adopt a State manual and specifications for a uniform system of traffic-control devices consistent with this Chapter for use upon highways within this State. Such manual shall include the adoption of the R7-8 sign adopted by the United States Department of Transportation to designate the reservation of parking facilities for the handicapped. Non-conforming signs in use prior to January 1, 1985, shall not constitute a violation during their useful lives, which shall not be extended by other means than normal maintenance. The manual shall also specify insofar as practicable the minimum warrants justifying the use of the various traffic control devices. Such uniform system shall correlate with and, where not inconsistent with Illinois highway conditions, conform to the system set forth in the most recent edition of the national manual on Uniform Traffic Control Devices for Streets and Highways.

⁵ (b) Signs adopted by the Department to designate the reservation of parking facilities for the handicapped shall also exhibit, in a manner determined by the Department, the words "\$100 Fine".

P.A. 76-1586, Section 11-301, eff. July 1, 1970. Amended by P.A. 76-2159, Section 1, eff. July 1, 1970; P.A. 83-1316, Section 1, eff. Jan 1, 1985; P.A. 85-484, Section 1, eff. Jan. 1, 1988.

Formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 11-301.

5/11-301.1. Handicapped Parking Signs

Section 11-301.1. Beginning July 1, 1988, all signs erected and used to designate the reservation of parking facilities for the handicapped shall be in a form and manner prescribed under Section 11-301 of this Code, and all parking spaces reserved for the handicapped, except those reserving on-street parking areas, shall be at least 16 feet wide. Non-conforming signs or spaces in use prior to July 1, 1988, shall not constitute a violation during their useful lives, which shall not be extended by means other than normal maintenance. Beginning October 1, 1992, all parking spaces reserved for the handicapped, except those reserving on-street parking areas, shall be at least 16 feet wide.

P.A. 76-1586, Section 11-301.1, added by P.A. 85-484, Section 1, eff. Jan. 1, 1988. Amended by P.A. 87-562, Section 1, eff. Jan. 1, 1992.

Formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 11-301.1.

⁵Note: Vertical Bars (|) in the left margin indicate revisions since May 1, 1988.

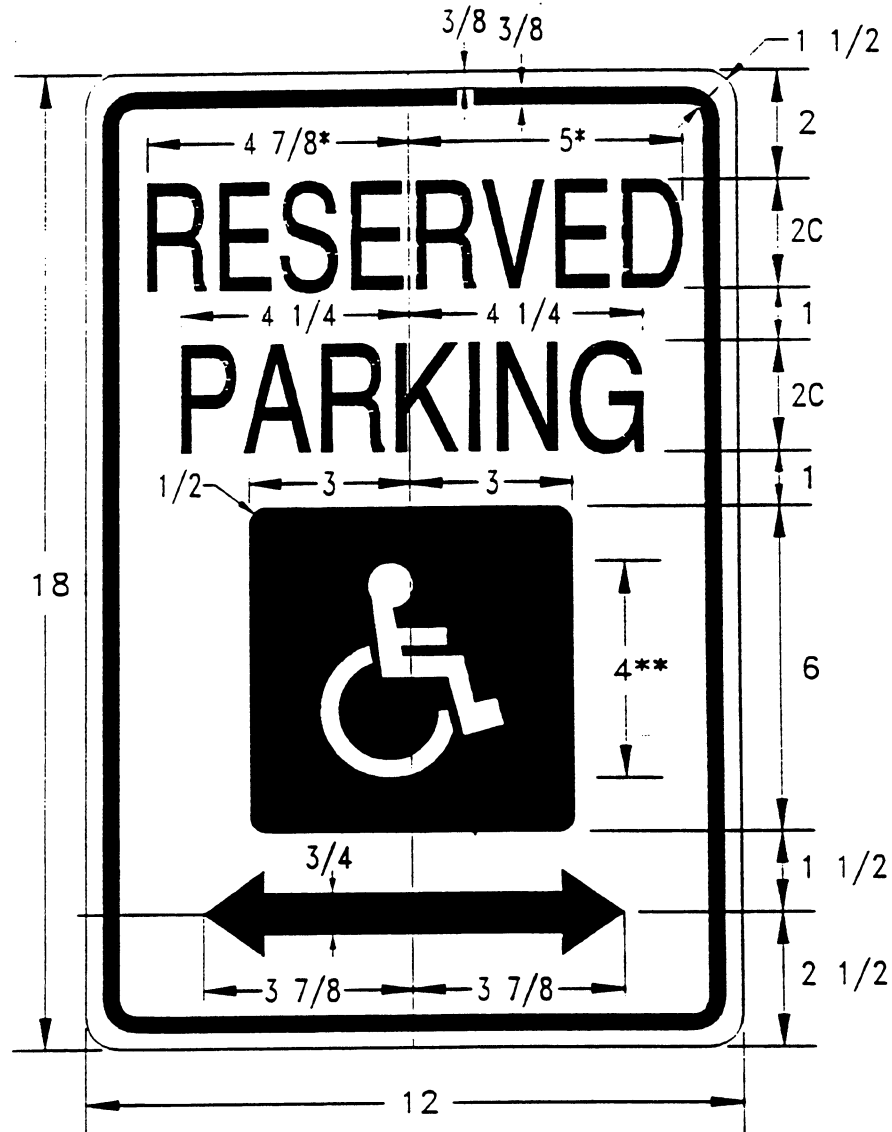
⁶*To Whom It May Concern:

On January 1, 1996, the minimum fine amount required to be posted in Illinois at all accessible (handicapped) parking spaces was raised to \$100.00, and municipalities may impose a fine up to \$200.00. Sign sheeting designating the new fine can be affixed to the existing sign and is available to contacting the Coalition of Citizens with Disabilities in Illinois, 401 East Adams, Springfield, IL 62701 or by calling 1 (800) 533-8848. You may also obtain sign sheeting by contacting Karen Wollington, American Traffic Safety Services Association, 5440 Jefferson Davis Highway, Fredricksburg, VA 22407 or by calling 1 (800) 272-8772, and asking for the name of manufacturers in sign sheeting in Illinois.

⁶Note: Vertical Bars (|) in the left margin indicate revisions since May 1, 1988.

HANDICAPPED PARKING SIGN

Effective January 1, 1985, Public Act 83-1316 amended Sec. 11-301 of "The Illinois Vehicle Code" to require Handicapped Parking Signs (for parking lots subject to "The Illinois Vehicle Code") to comply with R 7-8 sign shown below (U.S. Department of Transportation Standard). Existing signs may remain, but their useful lives shall not be extended by other means than normal maintenance.



R7-8

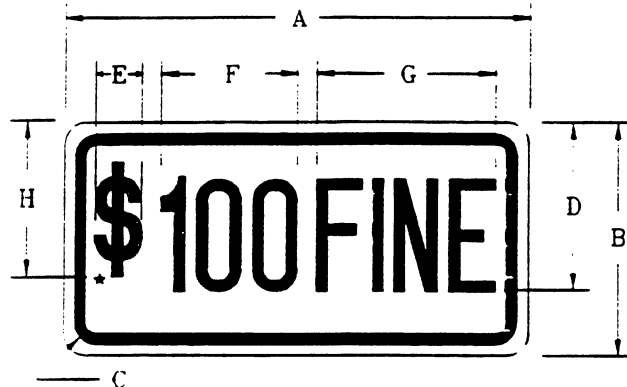
DIMENSIONS (INCHES)

COLORS

LEGEND AND BORDER—PANTONE 340C
 WHITE SYMBOL ON PANATONE 286 BACKGROUND
 BACKGROUND—WHITE

* REDUCE SPACING 80%
 ** SEE APPENDIX "E" FOR SYMBOL PROPORTIONS

ILLINOIS STANDARD R7-I101



COLOR: LEGEND AND BORDER GREEN NON-REFLECTORIZED
 (PANTONE 340C)

BACKGROUND WHITE REFLECTORIZED

SIGN SIZE	DIMENSIONS							
	A	B	C	D	E	F	G	H
12 x 6	12.0	6.0	1.5	4.5	1.19	3.53	4.6	4.0

SIGN SIZE	SERIES	MAR- GIN	BOR- DER	BLK STD.
	LINES			
	1			
12 x 6	3A	0.37	0.37	B5-126

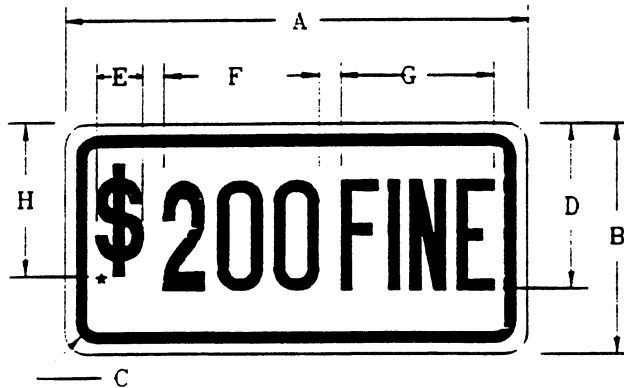
All Dimensions in Inches
 To be used with R7-8
 *\$=Series 3A "s"

Where a fine in excess of \$100 is established by an Municipality By Ordinance in accordance with the statutes, the actual amount of the fine should be shown.

This plate may be mounted directly below the R7-8 sign or combined with that sign on a single 12-inch by 24-inch panel.

Note: For a fine of \$200, use F=4.0 and G=4.0 (reduce letter to letter spacing as necessary to fit).

ILLINOIS STANDARD R7-I101



COLOR: LEGEND AND BORDER GREEN NON-REFLECTORIZED
(PANTONE 340C)

BACKGROUND WHITE REFLECTORIZED

SIGN SIZE	DIMENSIONS							
	A	B	C	D	E	F	G	H
12 x 6	12.0	6.0	1.5	4.5	1.19	4.0	4.0	4.0

SIGN SIZE	SERIES	MAR-GIN	BOR-DER	BLK STD.
	LINES			
	1			
12 x 6	3A	0.37	0.37	B5-126

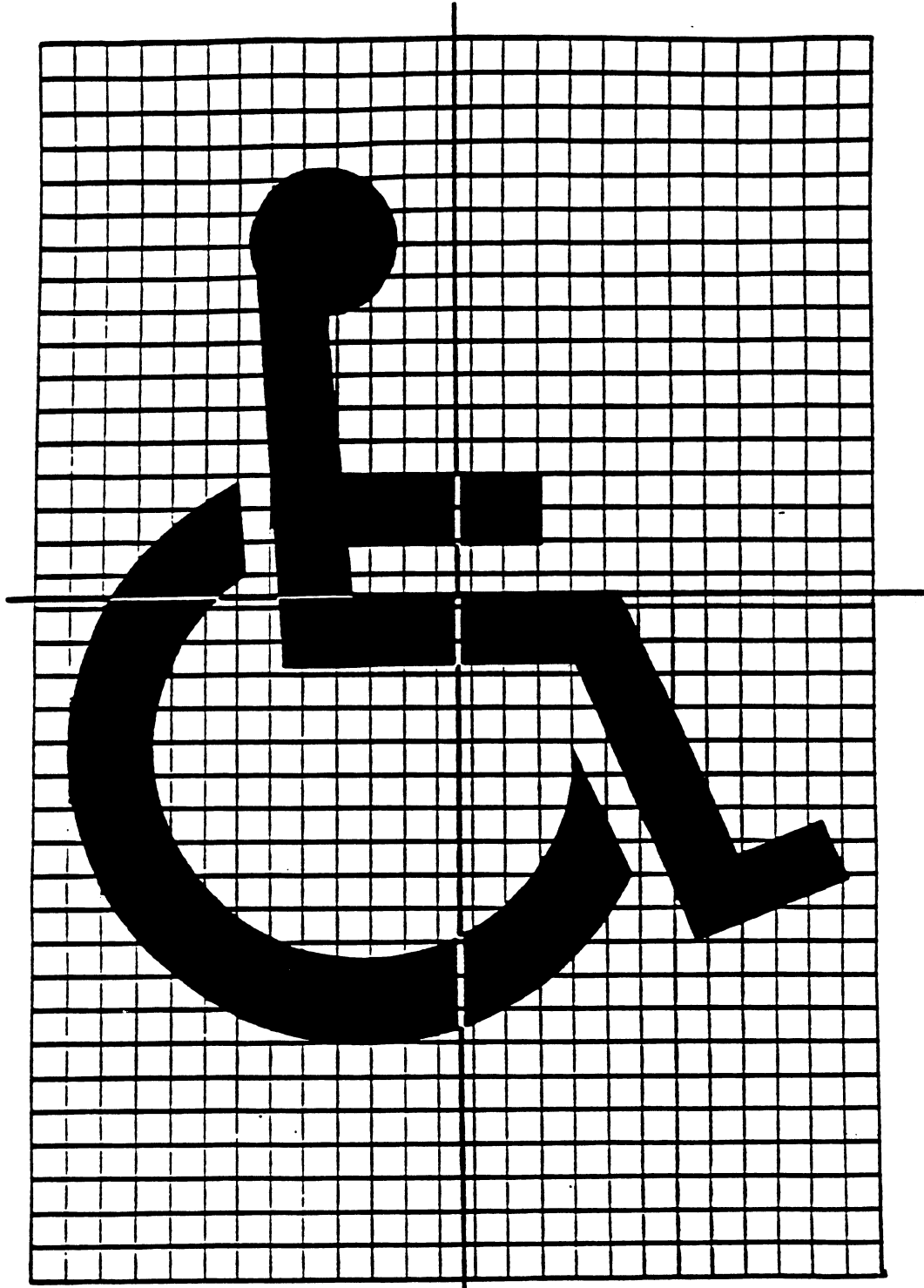
All Dimensions in Inches
To be used with R7-8
*\$=Series 3A "s"

Where a fine in excess of \$100 is established by an Municipality By Ordinance in accordance with the statutes, the actual amount of the fine should be shown.

This plate may be mounted directly below the R7-8 sign or combined with that sign on a single 12-inch by 24-inch panel.

Note: For a fine of \$200, use F=4.0 and G=4.0 (reduce letter to letter spacing as necessary to fit).

INTERNATIONAL SYMBOL



PROPORTIONS

INTERNATIONAL SYMBOL

5/1-159.1. Handicapped Person

Section 1-159.1. Handicapped Person. Every natural person who is unable to walk 200 feet or more unassisted by another person or without the aid of a walker, crutches, braces, prosthetic device or a wheelchair or without great difficulty or discomfort due to the following impairments: neurologic, orthopedic, respiratory, cardiac, arthritic disorder, blindness, or the loss of function or absence of a limb or limbs.

P.A. 76-1586, Section 1-159.1, added by P.A. 78-321, Section 1, eff. Oct. 1, 1973.
Amended by P.A. 83-1058, Section 1, eff. July 1, 1984.

Formerly Ill. Rev. Stat. 1991, ch. 95 1/2, par. 1-159.1.

ACT 30. ELEVATOR TACTILE IDENTIFICATION ACT

Section	
30/0.01.	Short Title.
30/1.	Tactile Identification or Braille Markings in Elevators.
30/2.	Offenses – Penalty.
30/3.	Enforcement of Act.

30/0.01. Short Title
Section 0.01. Short Title. This Act may be cited as the Elevator Tactile Identification Act.
P.A. 80-384, Section 0.01, added by P.A. 86-1324, Section 798, eff. Sept. 6, 1990.
Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par. 3900.

Title of Act:

An Act to require tactile identification for the visually handicapped on certain unsupervised automatic passenger elevator installations, and to repeal an Act therein named. P.A. 80-384, approved Aug. 29, 1977, eff. Oct. 1, 1977.

30/1. Tactile Identification or Braille Markings in Elevators
Section 1. Tactile Identification or Braille Markings in Elevators. In each building, including commercial, residential and institutional structures, served during regular business hours by an unsupervised automatic passenger elevator for use by the general public, the elevator, or at least the left elevator where there is more than one elevator in any bank of elevators, shall be equipped with elevator controls within the elevator and at each floor level served by the elevator, which have tactile identification or braille markings, pursuant to the following schedule:
(a) New elevators for which building permits are issued after the effective date of this Act or October 1, 1977, whichever date is later - immediately;
(b) Existing elevators undergoing renovation of the control panel for which building permits are issued after the effective date of this Act or October 1, 1977, whichever date is later - immediately;
(c) Existing elevators not undergoing renovation, the earlier of:
(1) 90 days after the effective date of Federal standards governing elevator control markings applicable to privately owned buildings, or
(2) June 30, 1980.
All tactile identification except braille shall be in contrasting colors and consist of raised letters, numbers, labels or plaques for the visually handicapped.
P.A. 80-384, Section 1, eff. Oct. 1, 1977.
Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par. 3901.

30/2. Offenses – Penalty
Section 2. Offenses – Penalty. (a) Any person, corporation, partnership, association or other entity who, being the owner of, or is otherwise in control of, any unsupervised automatic passenger elevator for use by the general public, and who fails to apply and maintain tactile identification as required by this Act, is guilty of a petty

offense, and shall be fined \$100. Each day on which the owner or other person fails to provide the requisite tactile identification constitutes a separate and distinct offense.

(b) Any person who removes the tactile identification required by this Act is guilty of a petty offense and shall be fined \$100.

P.A. 80-384, Section 2, eff. Oct. 1, 1977.

Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par. 3902.

30/3. Enforcement of Act

Section 3. Enforcement of Act. The provisions of this Act shall be enforced by the State Fire Marshal.

P.A. 80-384, Section 3, eff. Oct. 1, 1977.

Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par. 3903.

ACT 35. EQUITABLE RESTROOMS ACT

Section

- 35/1. Short Title.
- 35/5. Legislative Finding.
- 35/10. Definition.
- 35/15. Specifications.
- 35/20. Application.

35/1. Short Title

Section 1. Short Title. This Act may be cited as the Equitable Restrooms Act.
P.A. 87-472, Section 1, eff. Jan. 1, 1992.
Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, Par. 3751-1.

Title of Act:

An Act to ensure equity in restroom facilities in certain public places.
P.A. 87-472, approved Sept. 13, 1991, eff. Jan. 1, 1992.

35/5. Legislative Finding

Section 5. Legislative Finding. The General Assembly finds that an inequitable situation occurs due to delays which women face in the use of restroom facilities when men are rarely required to wait for the same purpose. Rectifying this inequitable situation is a matter of serious public concern. This Act shall be liberally construed toward that end.
P.A. 87-472, Section 5, eff. Jan. 1, 1992.
Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par 3751-5.

35/10. Definition

Section 10. Definition. As used in this Act, "place of public accommodation" means a publicly or privately owned sports or entertainment arena, stadium, community or convention hall, special event center, amusement facility or a special event center in a public park. This definition does not include hotels, restaurants or schools.
P.A. 87-472, Section 10, eff. Jan. 1, 1992.
Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par. 3751-10.

35/15. Specifications

Section 15. Specifications. A place of public accommodation shall be equipped with the following facilities:

- (1) At least one women's toilet stall for every 200 persons in the maximum legal capacity of the place of public accommodation.
- (2) At least one men's toilet stall for every 700 persons in the maximum legal capacity of the place of public accommodation.
- (3) At least one men's urinal for every 250 persons in the maximum legal capacity of the place of public accommodation.

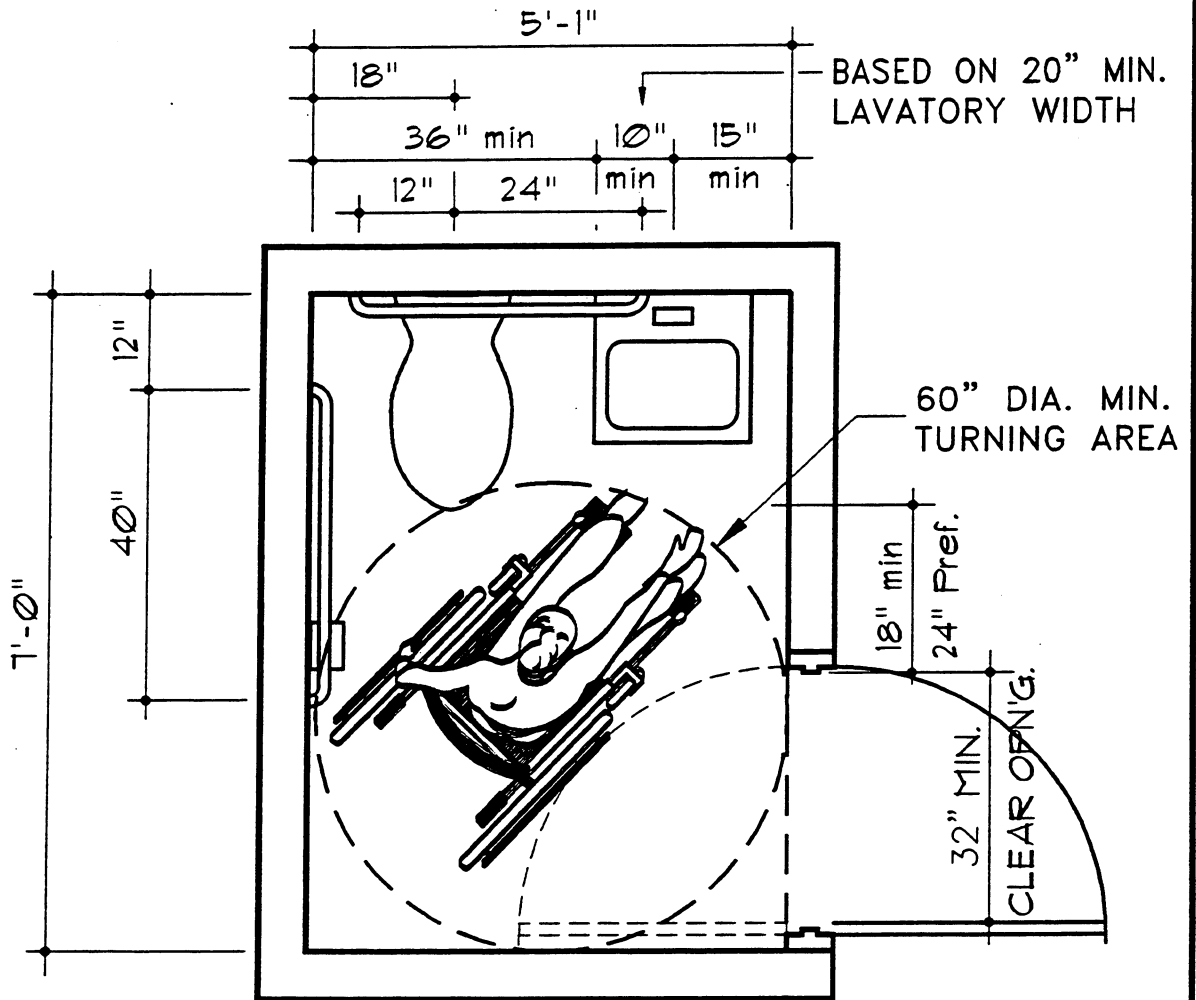
P.A. 87-472, Section 15, eff. Jan. 1, 1992.
Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par. 3751-15.

35/20. Application

Section 20. Application. This Act applies only to places of public accommodation that commence construction, or that commence alterations exceeding 50% of the entire place of public accommodation, after the effective date of this Act.

P.A. 87-472, Section 20, eff. Jan. 1, 1992.

Formerly Ill. Rev. Stat. 1991, ch. 111 1/2, par. 3751-20.



IT IS PREFERRED THAT THE ENTRY DOOR SWING OUT TO COMPLY WITH ADA SECTION 4.22.2 AND 4.22.3. SEE FEDERAL REGISTER, JULY 26, 1991, PAGE 35653.

PLAN - 1

SINGLE USER TOILET ROOM

SCALE: 1/2" = 1'-0"

GENERAL NOTE:

- TOILET ROOM (RESTROOM) ARRANGEMENT WHICH MEETS REQUIREMENTS OF THE ILLINOIS ACCESSIBILITY CODE. THIS IS INTENDED TO BE REPRESENTATIVE ONLY AND TO SHOW CRITICAL REQUIREMENTS. OTHER ACCEPTABLE ARRANGEMENTS ARE POSSIBLE.
- ANSI SEC. 4.22.2 REQUIRES THAT THE DOOR SHALL COMPLY WITH SEC. 4.13, AND THE DOOR MAY SWING INTO THE CLEAR SPACE REQUIRED FOR ANY FIXTURE ONLY IN A TOILET ROOM OR BATHROOM FOR INDIVIDUAL USE THAT PROVIDES SUFFICIENT MANEUVERING SPACE (SEE FIG. 3) WITHIN THE ROOM FOR A PERSON USING A WHEELCHAIR TO ENTER AND CLOSE THE DOOR, USE THE FIXTURES, REOPEN THE DOOR, AND EXIT.

NOTE: Vertical Bars (|) in the left margin indicate revisions since May 1, 1988.