

## 9. Requirements to be Waived

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### Issue 1:

**201.1.1 Vertical Accessibility Section 553.501- 553.513.** F.S. and the ADA Standards for Accessible Design do not relieve the owner of any building structure or facility governed by those sections from the duty to provide vertical accessibility to all levels above and below. The occupiable grade level regardless of whether the standards require an elevator to be installed in such buildings, structures, or facility.\_

### Issue 2:

**202.4.1 Disproportionate Cost.** Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost exceeds 2-0% of the cost of the alteration to the primary function area. Costs that may be counted as expenditures required to provide an accessible path of travel may include: (i) costs associated with providing an accessible entrance and an accessible route to the altered area; (ii) costs associated with making restrooms accessible, such as installing grab bars, enlarging toilet stalls, insulating pipes, or installing accessible faucet controls; (iii) costs associated with providing accessible telephones, such as relocating the telephone to an accessible height, installing amplification devices, or installing a text telephone (TTY); (iv) costs associated with relocating an inaccessible drinking fountain.

### Issue 3:

**202.4.2 Accessible Features in the Event of Disproportionality.** When the cost of alterations necessary to make the path of travel to the altered area fully accessible is disproportionate to the cost of the overall alteration, the path of travel shall be made accessible to the extent that it can be made accessible without incurring disproportionate costs. In choosing which accessible elements to provide, priority should be given to those elements that will provide the greatest access, in the following order: (i) an accessible entrance; (ii) an accessible route to the altered area; (ii) at least one accessible restroom for each sex or a single unisex restroom; (iv) accessible telephones; (v) accessible drinking fountains; and (vi) when possible, additional accessible elements such as parking, storage, and alarms.