**Florida Supplement to the**

**2010 ACCESSIBILITY**

**FINAL VERSION**

101.2 Effect on Removal of Barriers in Existing Facilities.

Removal of architectural barriers, pursuant to 28 C.F.R. s. 36.304, from buildings, structures or facilities shall comply with this code’s requirements for alterations unless compliance would render the removal not readily achievable. In no instance shall the removal of an architectural barrier create a significant risk to the health or safety of an individual with a disability or others.

This code applies to alterations to existing facilities that are subject to the barrier removal requirement under Title III of the ADA to the extent required by regulations issued by the Department of Justice incorporated in 202.6.1 and to alterations undertaken by Title II entities to provide program access.

This document does not address existing *facilities* unless *altered* at the discretion of a covered entity. The Department of Justice has authority over existing *facilities* that are subject to the requirement for removal of barriers under title III of the ADA. Any determination that this document applies to existing *facilities* subject to the barrier removal requirement is solely within the discretion of the Department of Justice and is effective only to the extent required by regulations issued by the Department of Justice.

**(Mod 5393, AS)**