
CHAPTER 2: SCOPING REQUIREMENTS

201 APPLICATION

201.1 Scope. This code establishes standards for accessibility to *places of public accommodation* and *commercial facilities* by individuals with disabilities. This code shall also apply: to state and local government *facilities* pursuant to Section 553.503, F.S.; to *private clubs* pursuant to Section 553.505, F.S.; and to residential *buildings* pursuant to Section 553.504(2), F.S., and the ADA Standards for Accessible Design. All new or altered *public buildings and facilities*, *private buildings and facilities*, *places of public accommodation* and *commercial facilities* subject to this code shall comply with this code.

This code applies to: All areas of newly designed and newly constructed *buildings* and *facilities* as determined by the ADA Standards for Accessible Design; portions of altered *buildings* and *facilities* as determined by the ADA Standards for Accessible Design; a *building* or *facility* that is being converted from residential to nonresidential or mixed use as defined by the Florida Building Code where such *building* or *facility* must, at a minimum, comply with s. 553.508, F.S., and the requirements for *alterations* as determined by the ADA Standards for Accessible Design; *buildings* and *facilities* where the original construction or any former *alteration* or renovation was carried out in violation of applicable permitting law.

201.1.1 Vertical accessibility. Sections 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 *building*, structure or *facility*, except for:

- (1) Elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks and automobile lubrication and maintenance pits and platforms.
- (2) Unoccupiable *spaces*, such as rooms, enclosed *spaces* and storage *spaces* that are not designed for human occupancy, for *public accommodations* or for work areas.
- (3) Occupiable *spaces* and rooms that are not open to the public and that house no more than five persons, including, but not limited to equipment control rooms and projection booths.
- (4) Theaters, concert halls, and stadiums, or other large *assembly areas* that have stadium-style seating or tiered seating if sections 221 and 802 are met.
- (5) All play and recreation areas if the requirements of chapter 10 are met.
- (6) All employee areas as exempted by 203.9.
- (7) *Facilities*, *sites* and *spaces* exempted by section 203.

Buildings, structures and *facilities* must, at a minimum, comply with the requirements of the ADA Standards for Accessible Design.

Advisory 201.1 Scope. These requirements are to be applied to all areas of a facility unless exempted, or where scoping limits the number of multiple elements required to be accessible. For example, not all medical care patient rooms are required to be accessible; those that are not required to be accessible are not required to comply with these requirements. However, common use and public use spaces such as recovery rooms, examination rooms, and cafeterias are not exempt from these requirements and must be accessible.

Florida vertical accessibility requires all levels in all new *buildings*, structures and *facilities* and all altered areas of existing *buildings*, structures and *facilities* to be accessible to persons with disabilities. All new and altered areas must comply with the ADA Standards for Accessible Design including requirements for accessible routes. Where the ADA Standards do not require an accessible route to each and every level, the Florida requirement may be waived down to the requirement of the ADA Standards.

201.2 Application Based on Building or Facility Use. Where a *site*, *building*, *facility*, room, or *space* contains more than one use, each portion shall comply with the applicable requirements for that use.

201.2.1 Commercial facilities and places of public accommodation located in private residences.

Advisory 206.2.1 Site Arrival Points Exception 2. Access from site arrival points may include vehicular ways. Where a vehicular way, or a portion of a vehicular way, is provided for pedestrian travel, such as within a shopping center or shopping mall parking lot, this exception does not apply.

206.2.2 Within a Site. At least one *accessible* route shall connect *accessible buildings, accessible facilities, accessible elements, and accessible spaces* that are on the same *site*.

EXCEPTION: An *accessible* route shall not be required between *accessible buildings, accessible facilities, accessible elements, and accessible spaces* if the only means of access between them is a *vehicular way* not providing pedestrian access.

Advisory 206.2.2 Within a Site. An accessible route is required to connect to the boundary of each area of sport activity. Examples of areas of sport activity include: soccer fields, basketball courts, baseball fields, running tracks, skating rinks, and the area surrounding a piece of gymnastic equipment. While the size of an area of sport activity may vary from sport to sport, each includes only the space needed to play. Where multiple sports fields or courts are provided, an accessible route is required to each field or area of sport activity.

206.2.3 Multi-Story Buildings and Facilities. At least one *accessible* route shall connect each *story* and *mezzanine* in *multi-story buildings and facilities*.

EXCEPTIONS: 1. In *private buildings or facilities* that are less than three *stories* or that have less than 3000 square feet (279 m²) per *story*, an *accessible* route shall not be required to connect *stories* provided that the *building or facility* is not a shopping center, a shopping mall, the professional office of a health care provider, a terminal, depot or other station used for specified public transportation, an airport passenger terminal, or another type of *facility* as determined by the Attorney General.

2. Where a two *story public building or facility* has one *story* with an *occupant load* of five or fewer persons that does not contain *public use space*, that *story* shall not be required to be connected to the *story* above or below.

3. In detention and correctional *facilities*, an *accessible* route shall not be required to connect *stories* where cells with mobility features required to comply with 807.2, all *common use* areas serving cells with mobility features required to comply with 807.2, and all *public use* areas are on an *accessible* route.

4. In residential *facilities*, an *accessible* route shall not be required to connect *stories* where *residential dwelling units* with mobility features required to comply with 809.2 through 809.4, all *common use* areas serving *residential dwelling units* with mobility features required to comply with 809.2 through 809.4, and *public use* areas serving *residential dwelling units* are on an *accessible* route.

5. Within multi-*story transient lodging* guest rooms with mobility features required to comply with 806.2, an *accessible* route shall not be required to connect *stories* provided that *spaces* complying with 806.2 are on an *accessible* route and sleeping accommodations for two persons minimum are provided on a *story* served by an *accessible* route.

6. In air traffic control towers, an *accessible* route shall not be required to serve the cab and the floor immediately below the cab.