

NORTHAMPTON COUNTY



Building Department
P.O. Box 66
Eastville, VA 23347
Phone: (757) 678-0445
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Accessibility Regulation Compliance Form 2009 USBC / 2009 IBC 3409 - Americans with Disabilities Act

Project address _____

1. Is this project exempt from the IBC 1103? If "yes", please provide the code section where the exemption is found and sign this form. No Yes Code sec. _____

2. Does this project involve alterations to a "primary function area"? Primary function areas are defined in the ADA as the part of the building where the major activities take place. For details, see the end of this form.
 No, this project does not involve altering a primary function area. Please sign this form.
 Yes, this project does involve altering a primary function area. Please go to question 3.

3. Are 20% of this project's costs being used to upgrade the *path of travel* to the altered primary function area?
 Yes Please provide details on the plans showing all path of travel improvements and sign this form.
 No Please go to question 4.

4. Is or will the path of travel to the area being altered, be in 100% compliance with the 2009 IBC 3411 when this project is complete?
 Yes This is a legally binding claim, which the owner must be prepared to defend. Please sign this form.
 No Please review section 36-403 of the ADA that mandates path of travel improvements up to 20% of the project costs. Please return to question 3.

I understand that by signing this form, I am making a legally binding claim. Failure to comply with the USBC and/or the ADA may involve legal action by the Department of Justice, as well as by the Building Official.

Signature _____ Date _____

I am the... ___ property owner. ___ legal tenant. ___ legal agent for the owner or tenant.

ADA 36.403(b) A "primary function" is a major activity for which the facility is intended. Areas that contain a primary function include, but are not limited to, the customer services lobby of a bank, the dining area of a cafeteria, the meeting rooms in a conference center, as well as offices and other work areas in which the activities of the public accommodation or other private entity using the facility are carried out. Mechanical rooms, boiler rooms, supply storage rooms, employee lounges or locker rooms, janitorial closets, entrances, corridors, and restrooms are not areas containing a primary function.

ADA 36.403(a) An alteration that affects or could affect the usability of or access to an area of a facility that contains a primary function shall be made so as to ensure that, to the maximum extent feasible, the path of travel to the altered area and the restrooms, telephones, and drinking fountains serving the altered area, are readily accessible to and usable by individuals with disabilities, including individuals who use wheelchairs, unless the cost and scope of such alterations is disproportionate to the cost of the overall alteration.