

**1341.0011 IBC CHAPTER 11.**

Subpart 1. **IBC Section 1101, General.** Section 1101 is amended by adding a section 1101.3 to read as follows:

**1101.3 Equity.** Where not all similar type facilities and spaces are required to be accessible, accessible facilities and spaces shall be provided with the same or equivalent elements as provided in the nonaccessible facilities and spaces.

Subp. 1a. **IBC Section 1101, General.** Section 1101 is amended by adding a section 1101.4 to read as follows:

**1101.4 Calculation of percentages.** Where the required number of elements or facilities to be provided is determined by calculations of ratios or percentages and remainders or fractions result, the next greater whole number of such elements or facilities shall be provided. Where the determination of the required size or dimension of an element or facility involves ratios or percentages, rounding down for values less than one-half is permitted.

Subp. 2. **IBC Section 1102, Definitions.** Section 1102, Definitions, is amended to read as follows. Definitions listed in the IBC have been intentionally duplicated and defined in this subpart.

**1102.1 Definitions.** The following words and terms shall, for the purposes of this chapter, have the following meanings:

**ACCESSIBLE.** A site, building, facility, or portion thereof that complies with this chapter.

**ACCESSIBLE ROUTE.** A continuous, unobstructed path that complies with this chapter.

**ACCESSIBLE UNIT.** A dwelling unit or sleeping unit that complies with this code and the provisions for accessible units in ICC A117.1.

**APPROVED.** "Approved" means approval by the building official, pursuant to the Minnesota State Building Code, by reason of: inspection, investigation, or testing; accepted principles; computer simulations; research reports; or testing performed by either a licensed engineer or by a locally or nationally recognized testing laboratory.

**CIRCULATION PATH.** An exterior or interior way of passage from one place to another for pedestrians.

**CODE.** For purposes of this chapter, "the code" or "this code" means the Minnesota Accessibility Code, Minnesota Rules, chapter 1341.

**COMMON USE.** Interior or exterior circulation paths, rooms, spaces, or elements that are not for public use and are made available for the shared use of two or more people.

**DETECTABLE WARNING.** A standardized surface feature built in or applied to walking surfaces or other elements to warn visually impaired persons of hazards on a circulation path.

**EMPLOYEE WORK AREA.** All or any portion of a space used only by employees and only for work. Corridors, toilet rooms, kitchenettes, and break rooms are not employee work areas.

**FACILITY.** All or any portion of buildings, structures, site improvements, elements, and pedestrian or vehicular routes located on a site.

**INTENDED TO BE OCCUPIED AS A RESIDENCE.** A dwelling unit or sleeping unit that can or will be used all or part of the time as the occupant's place of abode.

**MULTILEVEL ASSEMBLY SEATING.** Seating that is arranged in distinct levels where each level is comprised of either multiple rows, or a single row of box seats accessed from a separate level.

**MULTISTORY UNIT.** A dwelling unit or sleeping unit with habitable space located on more than one story.

**PRIMARY FUNCTION.** 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 service 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 rooms, employee lounges or locker rooms, janitorial closets, entrances, corridors, and restrooms are not areas containing a primary function.

**PUBLIC ENTRANCE.** An entrance that is not a service entrance or a restricted entrance.

**PUBLIC-USE AREAS.** Interior or exterior rooms or spaces that are made available to the general public.

**RESTRICTED ENTRANCE.** An entrance that is made available for common use on a controlled basis, but not public use, and that is not a service entrance.

**SELF-SERVICE STORAGE FACILITY.** Real property designed and used for the purpose of renting or leasing individual storage spaces to customers for the purpose of storing and removing personal property on a self-service basis.

**SERVICE ENTRANCE.** An entrance intended primarily for delivery of goods or services.

**SITE.** A parcel of land bounded by a lot line or a designated portion of public right-of-way.

**TECHNICALLY INFEASIBLE.** An alteration of a building or a facility that has little likelihood of being accomplished because the existing structural conditions require the removal or alteration of a load-bearing member that is an essential part of the structural

frame, or because other existing physical or site constraints prohibit modification or addition of elements, spaces, or features which are in full and strict compliance with the minimum requirements for new construction and which are necessary to provide accessibility.

**TYPE A UNIT.** A dwelling unit or sleeping unit designed and constructed for accessibility in accordance with this code and the provisions for Type A units in ICC A117.1.

**TYPE B UNIT.** A dwelling unit or sleeping unit designed and constructed for accessibility in accordance with this code and the provisions for Type B units in the ICC A117.1, consistent with the design and construction requirements of the federal Fair Housing Act.

**WHEELCHAIR SPACE.** A space for a single wheelchair and its occupant.

Subp. 2a. **IBC Section 1102.2, Terms not defined.** Section 1102 is amended by adding a subsection to read as follows:

**1102.2 Terms not defined.** Where terms are not defined through the methods authorized by this chapter, the Merriam-Webster Collegiate Dictionary, available at [www.m-w.com](http://www.m-w.com), shall be considered as providing ordinarily accepted meanings. The dictionary is incorporated by reference, is subject to frequent change, and is available through the Minitex interlibrary loan system.

Subp. 3. **IBC Section 1103, Scoping requirements.**

A. Section 1103.2.1, Specific requirements, is amended to read as follows:

**1103.2.1 Specific requirements.** Accessibility is not required in buildings and facilities, or portions thereof, to the extent permitted by sections 1104 to 1113.

B. Section 1103.2.2, Existing buildings, is amended to read as follows:

**1103.2.2 Existing buildings.** Existing buildings shall comply with sections 1111 to 1113 as applicable.

C. Section 1103.2.12, Day care facilities, is deleted in its entirety.

D. Section 1103.2.13, Live/work units, is deleted in its entirety.

E. Section 1103.2.16, Recreational facilities, is amended by adding a section to read as follows:

**1103.2.16 Recreational facilities.** Recreational equipment such as play structures, amusement rides, and miniature golf are not required to be accessible.

Subp. 4. **IBC Section 1104, Accessible route.**

A. Section 1104.3, Connected spaces, is amended by deleting exception 2.

B. Section 1104.4, Multilevel buildings and facilities, is amended to read as follows:

**1104.4 Multilevel buildings and facilities.** Multilevel buildings and facilities shall comply with sections 1104.4.1 to 1104.4.4 as applicable.

**1104.4.1 General.** At least one accessible route shall connect each level, including mezzanines, in multilevel buildings and facilities.

**Exceptions:**

1. An accessible route is not required to stories and mezzanines that have an occupant load of not more than 30 and are located above or below accessible levels.
2. Levels that do not contain accessible elements or other spaces as determined by section 1107 or 1108 are not required to be served by an accessible route from an accessible level.
3. In air traffic control towers, an accessible route is not required to serve the cab and the floor immediately below the cab.
4. Vertical access to elevated employee work stations within a courtroom is not required at the time of initial construction, provided a ramp, lift, or elevator can be installed without requiring reconfiguration or extension of the courtroom or extension of the electrical system.

**1104.4.2 Specific public areas.** At least one accessible route shall connect each level that is open to the public, including mezzanines, in the following multilevel buildings and facilities.

1. group M occupancies;
2. health care providers, Group B or I occupancies;
3. nongovernment passenger transportation and airport facilities, Group A-3 or B occupancies; and
4. government facilities.

**Exception:** In air traffic control towers, an accessible route is not required to serve the cab and the floor immediately below the cab.

**1104.4.3 Musical risers.** An accessible route shall be provided to the main floor level and to at least one riser level of built-in or fixed riser assemblies designed for instrumental or choral use.

**Exception:** An accessible route is not required to risers where performers are positioned on the main floor level at the base of the risers.

**1104.4.4 Tiered areas.** Tiered areas without fixed seats shall comply with section 1104.4.4.1 or 1104.4.4.2.

**1104.4.4.1 Small tiered areas utilizing the floor area at the base of the tier.** Where a tiered area has no more than five tiers, the tier assembly has an occupant load of not more than 300, and the floor level at the base of the tier is utilized for the same use as the tiers, an accessible route shall be provided to the floor level at the base of the tier.

**1104.4.4.2 Other tiered areas.** Tiered areas not complying with section 1104.4.4.1 shall provide an accessible route to the floor level at the base of the tier and to 10 percent, but not less than one level, of the tiered levels. Accessible tiers shall be separated by a minimum of five intervening tiers.

**Exceptions:**

1. An accessible route shall not be required to tiers where the depth of each tier is 36 inches (915 mm) maximum.
2. An accessible route shall not be required to tiers where the floor level at the base of the tier is not utilized for the same use as the tiers, provided: there are no more than five tiers; the tier assembly has an occupant load of not more than 300; individuals are intended to sit directly on the tier surface; and, a clear floor space is provided adjacent to the tier which allows a transfer onto a tier.

C. Section 1104.5, Location, is amended to read as follows:

**1104.5 Location.** Accessible routes shall be the shortest route possible and coincide with a primary use general circulation path. Where the circulation path is interior, the accessible route shall also be interior. Where the circulation path is within a tenant space in a multitenant facility, the accessible route shall also be within the tenant space. Where only one accessible route is provided, the accessible route shall not pass through kitchens, storage rooms, restrooms, closets, or similar spaces.

**Exceptions:**

1. Accessible routes from parking garages contained within and serving Type B dwelling units are required to be interior only when the garage provides required accessible parking and where dwelling units not providing accessible parking are provided with interior routes.
2. A single accessible route is permitted to pass through a kitchen or storage room in an Accessible unit, Type A unit, or Type B unit.
3. Where the accessible route cannot coincide with a general circulation path, the accessible route shall be located in the same area as the general circulation path.

**Subp. 5. IBC Section 1105, Accessible entrances.**

A. Section 1105.1, Public entrances, is amended to read as follows:

**1105.1 Public entrances.** In addition to accessible entrances required by sections 1105.1.1 to 1105.1.5, at least 60 percent of all public entrances to each building, facility, and tenant space shall be accessible.

**Exceptions:**

1. An accessible entrance is not required to areas not required to be accessible.
2. Loading and service entrances that are not the only entrance to a tenant space.

B. Section 1105.1.6, Tenant spaces, dwelling units and sleeping units, is renumbered and amended to read as follows:

**1105.2 Dwelling unit and sleeping unit entrances.** At least one accessible entrance shall be provided to each dwelling unit and sleeping unit required to be an Accessible unit, Type A unit, or Type B unit.

Subp. 5a. **IBC Section 1106, Parking and passenger loading facilities.** Section 1106.7, Passenger loading zones, is amended by adding a new subsection to read as follows:

**1106.7.5 Bus boarding and alighting.** At least one bus boarding and alighting space in each boarding and alighting area shall be accessible.

Subp. 5b. **IBC Section 1106.8, Restriping.** Section 1106 is amended by adding a section to read as follows:

**1106.8 Restriping.** Renewing parking striping shall be allowed. New striping due to surface seal coating, resurfacing, reconfiguration of parking spaces, or some other reason, shall provide accessible spaces as applicable in sections 1106.1 to 1106.7.

Subp. 6. **IBC Section 1107, Dwelling units and sleeping units.**

A. Section 1107.4, Accessible route, is amended to read as follows:

**1107.4 Accessible route.** At least one accessible route shall connect accessible building or facility entrances with the primary entrance of each Accessible unit, Type A unit, and Type B unit within the building or facility and with those exterior and interior spaces and facilities that serve the units.

**Exception:** If, due to circumstances outside the control of the owner, either the slope of the finished ground level between accessible facilities and Type B units exceeds one unit vertical in 12 units horizontal (1:12), or where physical barriers or legal restrictions prevent the installation of an accessible route, a vehicular route with parking that complies with section 1106 at each public or common use facility or building is permitted in place of the accessible route.

B. Section 1107.5, Group I, is amended to read as follows:

**1107.5 Group I.** Accessible units and Type B units shall be provided in Group I occupancies in accordance with sections 1107.5.1 to 1107.5.5. Dwelling units and sleeping units intended to be used by guests in Groups I-1 and I-2 occupancies providing Accessible units or Type B units shall comply with sections 1107.6.1.1, 1107.6.1.3, and 1107.6.1.5.

C. Section 1107.5.1, Group I-1, is amended to read as follows:

**1107.5.1 Group I-1.** In Group I-1 occupancies not licensed by the Department of Health, Accessible units and Type B units shall be provided in accordance with sections 1107.5.1.1 and 1107.5.1.2. Group I-1 boarding care facilities licensed by the Department of Health shall be provided in accordance with section 1107.5.1.3.

D. Section 1107.5.1.3, Boarding care, is amended to read as follows:

**1107.5.1.3 Boarding care.** All boarding care resident rooms and common use bathing rooms provided only for boarding care resident use shall comply with Minnesota Rules, chapter 4660. All other rooms and spaces shall comply with the applicable provisions of this code.

E. Section 1107.5.2, Group I-2 nursing homes, is amended to read as follows:

**1107.5.2 Group I-2 nursing homes.** In Group I-2 nursing homes licensed by the Department of Health, at least ten percent, but not less than one room of all nursing home resident rooms, and all common use toilet rooms and bathing rooms provided only for nursing home resident use, shall comply with Minnesota Rules, part 4658.4150. All other rooms and spaces shall comply with the applicable provisions of this code.

Subsections 1107.5.2.1 and 1107.5.2.2 are deleted in their entirety.

F. Section 1107.5.5.1, Group I-3 sleeping units, is amended to read as follows:

**1107.5.5.1 Group I-3 sleeping units.** In Group I-3 occupancies, at least 3 percent of the total number of dwelling units and sleeping units in the facility, but not less than one unit in each classification level, shall be Accessible units.

G. Section 1107.6, Group R, is amended to read as follows:

**1107.6 Group R.** Dwelling units and sleeping units shall be provided in Group R occupancies in accordance with sections 1107.6.1 to 1107.6.4, except as provided in subitems (1) to (3). Bedrooms within student facilities and congregate living facilities shall be considered sleeping units for the purpose of determining the number of units.

(1) Dwelling units and sleeping units intended to be used by guests in Groups R-2, R-3, and R-4 occupancies providing Type B units shall comply with sections 1107.6.1.1, 1107.6.1.3, and 1107.6.1.5.

(2) Facilities that provide student housing shall be considered sleeping units and comply with sections 1107.6.1.1 to 1107.6.1.5.

(3) Crew quarters that are used exclusively as a residence by emergency response personnel of a government entity and the kitchens and bathrooms exclusively serving those quarters shall, at a minimum, comply with the provisions for Type B units.

H. Section 1107.6.1, Group R-1, is amended to read as follows:

**1107.6.1 Group R-1.** Accessible units, Type B units, and units with communication features shall be provided in Group R-1 occupancies in accordance with sections 1107.6.1.1 to 1107.6.1.4. Units not required to be Accessible units or Type B units shall comply with section 1107.6.1.5.

I. Section 1107.6.1.1, Accessible units, is amended to read as follows:

**1107.6.1.1 Accessible units.** Accessible dwelling units and sleeping units shall be provided in accordance with Table 1107.6.1.1. All dwelling units and sleeping units on a site shall be considered to determine the total number of Accessible units. Table 1107.6.1.1 in the code applies to this part.

J. Section 1107.6.1, Group R-1, is amended by adding a section to read as follows:

**1107.6.1.3 Communication features.** Dwelling units and sleeping units with accessible communication features shall be provided in accordance with Table 1107.6.1.3 and shall provide the following:

1. audible and visual alarms complying with ICC A117.1; and
2. visual notification devices to alert room occupants of a door knock or bell. Notification devices shall not be connected to visual alarm signal appliances.

**TABLE 1107.6.1.3**

**DWELLING OR SLEEPING UNITS WITH  
ACCESSIBLE COMMUNICATION FEATURES**

Total number of dwelling or sleeping units provided	Minimum required number of dwelling or sleeping units with accessible communication features
1	1
2 to 25	2
26 to 50	4
51 to 75	7
76 to 100	9
101 to 150	12



151 to 200	14
201 to 300	17
301 to 400	20
401 to 500	22
501 to 1,000	5 percent of total
Over 1,000	50, plus 3 for each 100 over 1,000

K. Section 1107.6.1, Group R-1, is amended by adding a section to read as follows:

**1107.6.1.4 Dispersion.** Units required to comply with sections 1107.6.1.1 and 1107.6.1.3 shall be dispersed to multiple floors in multistory facilities having more than two stories or providing more than 100 total units. Units required to comply with sections 1107.6.1.1 and 1107.6.1.3 shall be dispersed among the various classes of rooms. Where the minimum number of units required to comply with sections 1107.6.1.1 and 1107.6.1.3 is not sufficient to allow for complete dispersion, units shall be dispersed in the following priority: room type, number of beds, and amenities. At least one unit required to comply with section 1107.6.1.1 shall also comply with section 1107.6.1.3. Not more than 10 percent of units required to comply with section 1107.6.1.1 shall be used to satisfy the minimum number of units required to comply with section 1107.6.1.3.

L. Section 1107.6.1, Group R-1, is amended by adding a section to read as follows:

**1107.6.1.5 Passage doors.** Passage doors into and within units not required to comply with section 1107.6.1.1 or 1107.6.1.2 shall provide a clear width in compliance with ICC A117.1.

**Exception:** Shower and sauna doors.

M. Section 1107.6.2, Group R-2, is amended to read as follows:

**1107.6.2 Group R-2.** Dwelling units and sleeping units shall be provided in Group R-2 occupancies in accordance with sections 1107.6.2.1 and 1107.6.2.2.

N. Section 1107.6.2.1.1, Type A units, is amended to read as follows:

**1107.6.2.1.1 Type A units.** In Group R-2 occupancies containing more than seven dwelling units or sleeping units, at least 2 percent but not less than one of the units shall be a Type A unit. All Group R-2 units within a contiguous parcel of land development, irrespective of lot lines and public rights-of-way within the development, shall be considered to determine the total number of units and the required number of Type A units. Type A units shall be dispersed among the various classes of units. Where three or more Type A units are required, at least one Type A unit shall be provided with an accessible roll-in shower.

**Exceptions:**

1. The number of Type A units is permitted to be reduced in accordance with section 1107.7.
2. Existing Group R-2 units shall not contribute to the total number of units considered to determine the number of Type A units required.

O. Section 1107.6.2.2, Group R-2 other than apartment houses, monasteries, and convents, is amended to read as follows:

**1107.6.2.2 Group R-2 other than apartment houses, monasteries, and convents.** In Group R-2 occupancies, other than apartment houses, monasteries, and convents, dwelling units and sleeping units shall be provided in accordance with sections 1107.6.1.1 to 1107.6.1.5.

Subsections 1107.6.2.2.1, Accessible units, and 1107.6.2.2.2, Type B units, are deleted in their entirety.

P. Section 1107.6.3, Group R-3 occupancies, is amended to read as follows:

**1107.6.3 Group R-3.** Group R-3 occupancies shall comply with section 1107.6.3.1, 1107.6.3.2, or 1107.6.3.3 as applicable.

**1107.6.3.1 Dwelling units and sleeping units.** In occupancies where there are four or more dwelling units or sleeping units intended to be occupied as a residence in a single structure, every dwelling unit and sleeping unit intended to be occupied as a residence shall be a Type B unit.

**Exception:** The number of Type B units is permitted to be reduced in accordance with section 1107.7.

**1107.6.3.2 Congregate living facilities, boarding houses, and care facilities.** Congregate living facilities, boarding houses, and care facilities that have four or more sleeping units in each facility shall comply with sections 1107.6.4.1 and 1107.6.4.2.

**1107.6.3.3 Care facilities.** Care facilities that provide accommodations for less than 24 hours are not required to be accessible.

Q. Section 1107.7, General exceptions, is amended to read as follows:

**1107.7 General exceptions.** Where specifically permitted by section 1107.5 or 1107.6, the required number of Type A and Type B units is permitted to be reduced in accordance with sections 1107.7.1 to 1107.7.6.

R. Section 1107.7, General exceptions, is amended by adding a section to read as follows:

**1107.7.6 Owner occupied units.** Type A units are not required in dwelling units or sleeping units where sale of the unit occurs prior to construction of the unit and the dwelling unit owner declines the Type A provisions. The dwelling units and sleeping units shall be Type B units.

Subp. 7. **IBC Section 1108, Special occupancies.**

A. Section 1108.2, Assembly area seating, is amended to read as follows:

**1108.2 Assembly area seating.** A building, room, or space used for assembly purposes with fixed seating shall comply with sections 1108.2.1 to 1108.2.5. A building, room, or space used for assembly purposes with nonfixed seating shall comply with section 1108.2.6. Assistive listening systems shall comply with section 1108.2.7. Performance areas viewed from assembly seating areas shall comply with section 1108.2.8. Dining areas shall comply with section 1108.2.9.

All subsections remained unchanged, except for item B, section 1108.2.6, Nonfixed seating.

B. Section 1108.2.6, Lawn seating, is amended to read as follows:

**1108.2.6 Nonfixed seating.** Seating areas where fixed seats are not provided shall connect to an accessible route.

Subp. 8. **IBC Section 1109, Other features and facilities.**

A. Section 1109.1, General, is amended to read as follows:

**1109.1 General.** Accessible building features and facilities shall be provided in accordance with sections 1109.2 to 1109.19.

**Exception:** Accessible units, Type A units, and Type B units shall comply with chapter 10 of ICC A117.1.

B. Section 1109.2.1.5, Prohibited location, is amended to read as follows:

**1109.2.1.5 Prohibited location.** The accessible route from separate-sex toilet rooms to a family or assisted-use toilet room shall not pass through security checkpoints.

C. Section 1109.2.2, Water closet compartment, is amended to read as follows:

**1109.2.2 Water closet compartment.** Where water closet compartments are provided in a toilet room or bathing room, at least one wheelchair-accessible compartment shall be provided. Where two or more water closet compartments are provided in a toilet room or bathing room, at least one ambulatory-accessible water closet compartment shall be provided in addition to the wheelchair-accessible compartment.

D. Section 1109.3, Sinks, is amended by deleting the exception.

E. Section 1109.4, Kitchens and kitchenettes, is amended by adding an exception to read as follows:

**Exception:** Where multiple kitchens are provided in a space or room, at least one kitchen shall be accessible.

F. Section 1109.6, Swimming pools, wading pools, hot tubs, spas, saunas, and steam rooms, is amended to read as follows:

**1109.6 Swimming pools, wading pools, hot tubs, spas, saunas, and steam rooms.** Common use and public use swimming pools, wading pools, hot tubs, spas, saunas, and steam rooms shall be accessible.

**Exception:** Where hot tubs, spas, saunas, or steam rooms are clustered at a single location, at least 5 percent but not less than one of each type in each cluster shall be accessible.

G. Section 1109.7, Elevators, is amended to read as follows:

**1109.7 Elevators.** Passenger elevators on an accessible route shall be accessible and comply with Minnesota Rules, chapter 1307, Minnesota Elevators and Related Devices.

H. Section 1109.8, Lifts, is amended to read as follows:

**1109.8 Lifts.** Platform (wheelchair) lifts are permitted to be a part of a required accessible route in new construction where indicated in items 1 to 11. Platform (wheelchair) lifts shall be accessible and comply with Minnesota Rules, chapter 1307, Minnesota Elevators and Related Devices.

1. An accessible route to a performing area and speaker platforms in Group A occupancies.

2. An accessible route to wheelchair spaces required to comply with the wheelchair space dispersion requirements of sections 1108.2.2 to 1108.2.6 or the accessible route requirements of sections 1104.4.3 and 1104.4.4.

3. An accessible route to spaces that are not open to the general public with an occupant load of not more than five.

4. An accessible route within a dwelling or sleeping unit.

5. An accessible route to wheelchair seating spaces located in outdoor dining terraces in Group A-5 occupancies where the means of egress from the dining terraces to a public way are open to the outdoors.

6. An accessible route to jury boxes and witness stands; raised courtroom stations including judges' benches, clerks' stations, bailiffs' stations, deputy clerks' stations, and court reporters' stations; and to depressed areas such as the well of the court.

7. An accessible route to load and unload areas serving amusement rides.

8. An accessible route to play components or soft contained play structures.

9. An accessible route to team or player seating areas serving areas of sport activity.

10. An accessible route where existing exterior site constraints make use of a ramp or elevator infeasible.

11. An accessible route within a tenant space as required in section 1104.5 where the area accessed by the lift has an occupant load of 150 maximum or where the structural limitations make use of an elevator impracticable.

I. Section 1109.10, Detectable warnings, is amended to read as follows:

**1109.10 Detectable warnings.** Passenger transit platform edges bordering a drop-off and not protected by platform screens or guards and circulation paths that cross tracks shall have a detectable warning.

**Exception:** Detectable warnings are not required at bus stops.

J. Section 1109.12.3, Point of sale and service counters, is amended to read as follows:

**1109.12.3 Point of sale and service counters.** Where counters are provided for sales or distribution of goods or services, at least one of each type provided in each area shall be accessible. Where such counters are dispersed throughout the building or facility, accessible counters shall also be dispersed.

K. Section 1109.14, Fuel dispensing systems, is deleted in its entirety.

L. Section 1109, Other features and facilities, is amended by adding four sections to read as follows:

**1109.16 Automatic teller and fare vending machines.** Where automatic teller and fare vending machines are provided, at least one machine at each location shall be accessible. Where bins are provided for envelopes, wastepaper, or other purposes, at least one of each type shall be accessible.

**1109.17 Public telephones.** Where coin-operated public pay telephones, coinless public pay telephones, public closed-circuit telephones, courtesy telephones, or other types of public telephones are provided, public telephones shall be provided in accordance with section 1109.17 for each type of public telephone provided. For purposes of this section, a bank of telephones shall be considered two or more adjacent telephones. For purposes of this section, "public building" means a building or portion of a building constructed by, on behalf of, or for the use of the state of Minnesota or any local government and any department, agency, public school district, special purpose district, or other instrumentality of the state or local government.

**1109.17.1 Wheelchair accessible telephones.** Where public telephones are provided, telephones complying with ICC A117.1 shall be provided in accordance with Table 1109.17.1.

**Exception:** Drive-up only public telephones.

**TABLE 1109.17.1**

**WHEELCHAIR ACCESSIBLE TELEPHONES**

Number of Telephones Provided on a Floor, Level, or Exterior Site	Minimum Required Number of Wheelchair Accessible Telephones
1 or more single units	1 per floor, level, and exterior site
1 bank	1 per floor, level, and exterior site
2 or more banks	1 per bank

**1109.17.2 Volume controls.** All public telephones shall have volume controls complying with ICC A117.1.

**1109.17.3 TTYs.** TTYs complying with ICC A117.1 shall be provided in accordance with section 1109.17.3.

**1109.17.3.1 Bank requirement.** Where four or more public pay telephones are provided at a bank of telephones, at least one public TTY complying with ICC A117.1 shall be provided at that bank.

**Exception:** TTYs shall not be required at banks of telephones located within 200 feet (61 m) of, and on the same floor as, a bank containing a public TTY.

**1109.17.3.2 Floor requirement.** TTYs in public buildings shall be provided in accordance with section 1109.17.3.2.1. TTYs in private buildings shall be provided in accordance with section 1109.16.3.2.2.

**1109.17.3.2.1 Public buildings.** Where at least one public pay telephone is provided on a floor of a public building, at least one public TTY shall be provided on that floor.

**1109.17.3.2.2 Private buildings.** Where four or more public pay telephones are provided on a floor of a private building, at least one public TTY shall be provided on that floor.

**1109.17.3.3 Building requirement.** TTYs in public buildings shall be provided in accordance with section 1109.17.3.3.1. TTYs in private buildings shall be provided in accordance with section 1109.17.3.3.2.

**1109.17.3.3.1 Public buildings.** Where at least one public pay telephone is provided in a public building, at least one public TTY shall be provided in the building.

**1109.17.3.3.2 Private buildings.** Where four or more public pay telephones are provided in a private building, at least one public TTY shall be provided in the building.

**1109.17.3.4 Exterior site requirement.** Where four or more public pay telephones are provided on an exterior site, at least one public TTY shall be provided on the site.

**1109.17.3.5 Rest stops, emergency roadside stops, and service plazas.** Where a public pay telephone is provided at a public rest stop, emergency roadside stop, or service plaza, at least one public TTY shall be provided.

**1109.17.3.6 Hospitals.** Where a public pay telephone is provided serving a hospital emergency room, hospital recovery room, or hospital waiting room, at least one public TTY shall be provided at each location.

**1109.17.3.7 Transportation facilities.** In addition to the requirements of sections 1109.17.3.1 to 1109.17.3.4, in transportation facilities, where one public pay telephone serves a particular entrance to a bus or rail facility, a TTY shall be provided to serve that entrance. In airports, in addition to the requirements of sections 1109.17.3.1 to 1109.17.3.4, if four or more public pay telephones are located in a terminal outside the security areas, a concourse within the security areas, or a baggage claim area in a terminal, at least one public TTY shall also be provided in each location.

**1109.17.3.8 Detention and correctional facilities.** In detention and correctional facilities, where a public pay telephone is provided in a secured area used only by detainees or inmates and security personnel, then at least one TTY shall be provided in at least one secured area.

**1109.17.4 Shelves for portable TTYs.** Where a bank of telephones in the interior of a building consists of three or more public pay telephones, at least one public pay telephone at the bank shall be provided with a shelf and an electrical outlet in accordance with ICC A117.1.

**Exceptions:**

1. Secured areas of detention and correctional facilities where shelves and outlets are prohibited for purposes of security or safety shall not be required to comply with section 1109.17.4.
2. The shelf and electrical outlet shall not be required at a bank of telephones with a TTY.

**1109.18 Airplane hangars.** An accessible route and accessible entrance shall be provided to 5 percent of all airplane hangars in a facility, but not less than one hangar used for the storage or repair of private aircraft.

**1109.19 Two-way communication systems.** Where a two-way communication system is provided to gain admittance to a building or facility or to restricted areas within a building or facility, the system shall comply with ICC A117.1.

Subp. 9. **IBC Section 1110, Signage.** Section 1110 is deleted in its entirety and replaced with the following:

## SECTION 1110

### SIGNAGE

A. **1110.1 General.** Signs shall be provided in accordance with section 1110 and shall comply with ICC A117.1.

#### **Exceptions:**

1. Building directories, menus, seat and row designations in assembly areas, occupant names, building addresses, and company names and logos shall not be required to comply.
2. Temporary, seven days or less, signs shall not be required to comply.
3. In detention and correctional facilities, signs not located in public use areas shall not be required to comply.

B. **1110.2 Designations.** Interior and exterior signs identifying toilet rooms, bathing rooms, locker rooms, dressing rooms, fitting rooms, room numbers, and room names shall comply with ICC A117.1, section 703.3. Where pictograms are provided, they shall comply with ICC A117.1, section 703.5 and include text descriptors. The International Symbol of Accessibility complying with ICC A117.1, section 703.6.3.1 shall be provided at the following locations:

1. Accessible passenger loading zones.
2. Accessible toilet and bathing rooms where not all such rooms are accessible.
3. Accessible dressing, fitting, and locker rooms where not all such rooms are accessible.

**1110.2.1 Exterior signs.** Exterior signs that are not located at the door to the space they serve shall comply with ICC A117.1, section 703.2.

C. **1110.3 Directional and informational signs.** Signs that provide direction to or information about interior spaces and facilities of the site shall comply with ICC A117.1, section 703.2.

D. **1110.4 Means of egress.** Signage providing instructions for the operation of exit doors shall comply with ICC A117.1, section 703.2. Floor designations within exit stairways shall comply with ICC A117.1, section 504.9. Other signs for accessible means of egress shall comply with IBC chapter 10.



E. **1110.5 Parking.** Accessible parking spaces shall be identified by signs complying with ICC A117.1, section 502.7.

**Exception:** In residential facilities, where parking spaces are assigned to specific residential dwelling units, identification of accessible parking spaces shall not be required.

F. **1110.6 Entrances.** Where not all entrances are accessible, accessible entrances shall be identified by the International Symbol of Accessibility complying with ICC A117.1, section 703.6.3.1. Directional signs complying with ICC A117.1, section 703.2, that indicate the location of the nearest accessible entrance shall be provided at all nonaccessible entrances.

G. **1110.7 TTYs.** TTY identification and directional signs shall be provided in accordance with section 1110.7.

**1110.7.1 Identification signs.** Public TTYs shall be identified by the International Symbol of TTY complying with ICC A117.1, section 703.6.3.2.

**1110.7.2 Directional signs.** Directional signs indicating the location of the nearest public TTY shall be provided at all banks of public pay telephones not containing a public TTY. In addition, where signs provide direction to public pay telephones, they shall also provide direction to public TTYs. Directional signs shall comply with ICC A117.1, section 703.2, and shall include the International Symbol of TTY complying with ICC A117.1, section 703.6.3.2.

H. **1110.8 Assistive listening systems.** Each assembly area required to provide assistive listening systems shall provide signs informing patrons of the availability of the assistive listening system. Assistive listening signs shall comply with ICC A117.1, section 703.2, and shall include the International Symbol of Access for Hearing Loss complying with ICC A117.1, section 703.6.3.3.

**Exception:** Where ticket offices or windows are provided, signs shall not be required at each assembly area provided that signs are displayed at each ticket office or window informing patrons of the availability of assistive listening systems.

I. **1110.9 Check-out aisles.** Where not all check-out aisles are accessible, accessible check-out aisles shall be identified by the International Symbol of Accessibility complying with ICC A117.1, section 703.6.3.1. Signage at accessible check-out aisles shall be located in the same location as the nonaccessible check-out aisle identification.

**Exception:** Where all check-out aisles serving a single function are accessible, signs complying with ICC A117.1, section 703.6.3.1, shall not be required.

J. **1110.10 Variable message signs.** Where provided in the locations in sections 1110.10.1 and 1110.10.2, variable message signs (VMS) shall be accessible.

**1110.10.1 Transportation facilities.** Where provided in transportation facilities, variable message signs conveying transportation-related information shall comply with section 1110.10.

**1110.10.2 Emergency shelters.** Where provided in buildings that are designated as emergency shelters, variable message signs conveying emergency-related information shall comply with section 1110.10.

**Exception:** Where equivalent information is provided in an audible manner, VMS signs are not required to comply with section 1110.10.

Subp. 10. [Repealed, 39 SR 95]

Subp. 11. **IBC Section 1111, Additions.** A section is added to read as follows:

## SECTION 1111

### ADDITIONS

A. **1111.1 Minimum requirements.** Accessibility provisions for new construction shall apply to additions. Each addition shall, to the maximum extent feasible, be located on an accessible route of travel from an accessible main entrance. An addition that affects the accessibility to an existing area of primary function shall, to the maximum extent feasible, provide an accessible route to the existing area of primary function. Existing space and space added by the addition shall be considered aggregately for the purpose of determining compliance with section 1104.4. Existing toilet rooms, parking facilities, telephones, or drinking fountains that serve the addition shall be provided in accordance with section 1112.7.

B. **1111.2 Dwelling units and sleeping units.** Where dwelling units or sleeping units are being added, the requirements of section 1107 for Accessible units, Type A units, or Type B units, and chapter 9 for accessible alarms, apply only to the quantity of spaces being added, until the number of units complies with the minimum number required for new construction.

Subp. 12. **IBC Section 1112, Alterations.** A section is added to read as follows:

## SECTION 1112

### ALTERATIONS

A. **1112.1 Application.** Where existing elements, spaces, features, or common areas are altered, then each altered element, space, feature, or common area shall comply with the applicable provision for new construction. If the applicable provision for new construction requires that an element, space, feature, or common area be on an accessible

route, the altered element, space, feature, or common area shall be on an accessible route as provided in section 1112.7.

**B. 1112.2 Extent of application.** No alteration of an existing element, space, feature, or area of a building or facility shall impose a requirement for greater accessibility than that which would be required for new construction.

**C. 1112.3 Decrease accessibility.** No alteration shall be undertaken that decreases or has the effect of decreasing accessibility or usability of a building or facility below the requirements for new construction at the time of alteration.

**D. 1112.4 Extent technically feasible.** Where compliance with this section is technically infeasible, the alteration shall provide accessibility to the maximum extent feasible. Any elements or features of the building or facility that are being altered and can be made accessible shall be made accessible within the scope of the alteration.

**E. 1112.5 Addition of pedestrian route.** Where a pedestrian route is installed where none existed previously, an accessible route shall be provided.

**F. 1112.6 Entrances.** Where a planned alteration entails an alteration to a building entrance, and the building or facility has an accessible entrance, the altered entrance is not required to be accessible unless required by section 1112.7. If a particular entrance is not made accessible, appropriate accessible signage indicating the location of the nearest accessible entrance shall be installed at or near the inaccessible entrance so that a person with disabilities will not be required to retrace the approach route from the inaccessible entrance.

**G. 1112.7 Alterations to an area containing a primary function.** In addition to the requirements of sections 1112.1 to 1112.6, an alteration that affects or could affect the usability of or access to an area containing a primary function shall be made to ensure that, to the maximum extent feasible, the path of travel to the altered area and the toilet rooms, parking facilities, telephones, and drinking fountains serving the altered area are accessible. The alterations to the path of travel, toilet rooms, parking facilities, telephones, and drinking fountains serving the altered area need not exceed 20 percent of the cost of the alteration to the primary function area.

**Exceptions:**

1. This provision does not apply to alterations limited solely to the electrical, mechanical, or plumbing system, or to hazardous material abatement or automatic sprinkler installation or retrofitting.
2. This provision does not apply to alterations limited solely to windows, hardware, operating controls, electrical outlets, and signs.

3. This provision does not apply to alterations undertaken for the primary purpose of increasing accessibility.
4. This provision does not apply to alterations undertaken by a tenant where the accessible route, toilet facilities, parking facilities, telephones, and drinking fountains are outside the tenant space.

**1112.7.1 Priority for application.** Priority for application of the 20 percent cost for the primary function area shall be as follows:

1. accessible path of travel to the primary function area, such as exterior route, building entrance, interior route, or elevator;
2. accessible toilet facilities;
3. accessible parking;
4. accessible telephones; and
5. accessible drinking fountains.

H. **1112.8 Special technical provisions for alterations to existing buildings and facilities.** Alterations to existing buildings and facilities shall comply with sections 1112.8.1 to 1112.8.10.

**1112.8.1 Elevators.** Altered elements of existing elevators shall be accessible and comply with Minnesota Rules, chapter 1307, Minnesota Elevators and Related Devices. The elements shall also be altered in elevators programmed to respond to the same hall call control as the altered elevator.

**1112.8.2 Platform lifts.** Platform (wheelchair) lifts complying with ICC A117.1 and Minnesota Rules, chapter 1307, Minnesota Elevators and Related Devices, shall be permitted to be used as part of an accessible route. Standby power shall be provided where a platform lift provides the only accessible route from a space listed in section 1109.8.

**1112.8.3 Toilet rooms and bathing rooms.** Toilet rooms and bathing rooms shall comply with sections 1112.8.3.1 to 1112.8.3.3.

**1112.8.3.1 Family or assisted-use toilet rooms and bathing rooms.** Where it is technically infeasible to alter existing toilet rooms and bathing rooms to be accessible, at least one accessible family or assisted-use toilet room or bathing room shall be provided. The family or assisted-use toilet room or bathing room shall be located in the same area and be on the same floor as the existing toilet rooms and bathing rooms. Each family or assisted-use toilet room shall contain one water closet, one lavatory, and the door shall have a privacy latch. In addition, family or assisted-use bathing rooms shall contain one shower or bathtub fixture. Family or assisted-use toilet rooms and bathing rooms shall also be permitted to contain one urinal. All fixtures provided in the family or assisted-use room shall be accessible.

**1112.8.3.1.1 Ambulatory compartment.** In addition to the provisions of section 1112.8.3.1, an ambulatory compartment shall be provided within the existing toilet room or bathing room, unless technically infeasible.

**1112.8.3.2 Ambulatory compartment.** Where it is technically infeasible to alter the existing toilet rooms and bathing rooms to be accessible or provide a family or assisted-use toilet room or bathing room in compliance with section 1112.8.3.1, an ambulatory compartment with a minimum clear floor space of 48 inches in front of the water closet shall be provided in the existing toilet room or bathing room, unless technically infeasible.

**1112.8.3.3 Signage.** Where existing toilet rooms or bathing rooms are not made accessible, directional signs indicating the location of the nearest accessible toilet room or accessible bathing room within the facility shall be provided. Signs shall comply with ICC A117.1, section 703.2, and shall include the International Symbol of Accessibility complying with ICC A117.1, section 703.6.3.1. Where existing toilet rooms or bathing rooms are not accessible, the accessible toilet rooms or accessible bathing rooms shall be identified by the International Symbol of Accessibility.

**1112.8.4 Assembly areas.** Assembly areas shall comply with sections 1112.8.4.1 and 1112.8.4.2.

**1112.8.4.1 Wheelchair seating.** Where it is technically infeasible to disperse accessible seating throughout an altered assembly area, accessible seating areas shall be permitted to be clustered. Each accessible seating area shall provide for companion seating and shall be located on an accessible route.

**1112.8.4.2 Performance area.** Where it is technically infeasible to alter all performing areas to be on an accessible route, at least one of each type of performing area shall be made accessible.

**1112.8.5 Dressing, fitting, and locker rooms.** Where dressing, fitting, and locker rooms are being altered and technical infeasibility can be demonstrated, one dressing, fitting, or locker room for each sex on each level shall be made accessible. Where only family or assisted-use rooms are provided, accessible family or assisted-use rooms shall be permitted.

**1112.8.6 Dwelling units or sleeping units.** Where dwelling units or sleeping units are being altered, the requirements of section 1107 for Accessible units, Type A units, or Type B units, and chapter 9 for accessible alarms apply only to the quantity of spaces being altered, until the number of units complies with the minimum number required for new construction.

**1112.8.7 Check-out aisles.** Where check-out aisles are altered, at least one of each type of check-out aisle serving each function shall be made accessible until the number of accessible check-out aisles complies with section 1109.12.2.

**1112.8.8 Jury boxes and witness stands.** In alterations, accessible wheelchair spaces are not required to be located within the defined area of raised jury boxes or witness stands and

shall be permitted to be located outside these spaces where the ramp or lift access restricts or projects into the means of egress.

**1112.8.9 Historic buildings.** Where alterations to provide accessibility to exterior and interior routes, ramps, entrances, or toilets are undertaken to a qualified historic building or facility that would threaten or destroy the historic significance of the building or facility, the alternative requirements in sections 1112.8.9.1 to 1112.8.9.3 shall be permitted.

**1112.8.9.1 Entrances.** At least one accessible entrance that is used by the public shall be provided and located on an accessible route.

**Exceptions:**

1. If a main entrance cannot be made accessible, an accessible nonpublic entrance that is unlocked while the building is occupied shall be provided.
2. If a main entrance cannot be made accessible and compliance with exception 1 is not feasible, a locked accessible entrance with a notification system or remote monitoring shall be provided.

**1112.8.9.2 Toilet rooms.** Where toilets are provided, at least one accessible toilet facility shall be provided along an accessible route. The toilet facility shall be permitted to be family or assisted-use in design.

**1112.8.9.3 Accessible route.** Accessible routes from an accessible entrance to all publicly used spaces on at least the level of the accessible entrance shall be provided. Access shall be provided to all levels of a building or facility whenever practical.

**1112.8.10 Parking restriping.** Renewing existing parking striping shall be allowed. New striping, due to surface resurfacing, reconfiguration of parking spaces, or other reason, shall provide accessible spaces as applicable in sections 1106.1 to 1106.7.

Subp. 13. **IBC Section 1113, Change in use.** A section is added to read as follows:

SECTION 1113

CHANGE OF OCCUPANCY

**1113.1 General.** Existing buildings or portions of buildings that undergo a change of group or occupancy classification shall comply with section 1113.1.1 or 1113.1.2. No requirement for change of occupancy shall impose a requirement for greater accessibility than that which would be required for new construction. Platform (wheelchair) lifts complying with ICC A117.1 and Minnesota Rules, chapter 1307, Minnesota Elevators and Related Devices, shall be permitted as a component of an accessible route. Standby power shall be provided where a platform lift provides the only accessible route from a space listed in section 1109.8. A change of occupancy that incorporates any additions or alterations shall comply with sections 1111 to 1113.

**1113.1.1 Entire building.** When a change of occupancy affects the entire building, the building shall have all of the following accessible features:

1. At least one accessible building entrance.
2. At least one accessible route from an accessible building entrance to primary function areas.
3. Signage complying with section 1110.
4. Accessible parking, where parking is provided.
5. At least one accessible passenger loading zone, when loading zones are provided.
6. At least one accessible route connecting accessible parking and accessible passenger loading zones to an accessible entrance.
7. At least one accessible family or assisted-use toilet room or bathing room, or one accessible male and one accessible female toilet room or bathing room, located on an accessible route not more than one story above or one story below a floor without such facilities. Signage complying with section 1112.8.3.3 shall be provided.

Where it is technically infeasible to comply with the new construction criteria for a change of occupancy, items 1 to 7 shall conform to the criteria to the maximum extent technically feasible.

**1113.1.2 Portion of a building.** When a change of occupancy affects a portion of the building, all of the following accessible features shall be provided:

1. At least one accessible building entrance.
2. At least one accessible route from an accessible building entrance to the portion of the building undergoing the change of occupancy. In multistory buildings where the portion of the building undergoing the change of occupancy is located above or below the level of access and the number of occupants of the new occupancy exceeds 30 occupants, an accessible route shall be provided.

**Exception:** Regardless of occupant load, an accessible route shall be provided where the new occupancy is a public area of: a Group M occupancy; a medical care facility; a transportation facility; or a government or municipal facility.

3. Accessible parking, where parking is provided.
4. At least one accessible route from accessible parking to an accessible building entrance.
5. At least one accessible family or assisted-use toilet room or bathing room, or one accessible male and one accessible female toilet or bathing room, located on an accessible route not more than one story above or one story below the portion of the building

undergoing the change in occupancy. Signage complying with section 1112.8.3.3 shall be provided.

Where it is technically infeasible to comply with the new construction criteria for a change of occupancy, items 1 to 5 shall conform to the criteria to the maximum extent technically feasible.

**Statutory Authority:** *MS s 16B.37; 16B.59 to 16B.76; 326B.02; 326B.101 to 326B.194*

**History:** *32 SR 9; L 2007 c 140 art 4 s 61; art 13 s 4; L 2008 c 337 s 64; 39 SR 95*

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