

**BUILDING OFFICIAL INTERPRETATION 2018-10**  
**July 01, 2021**

**CODE/EDITION:** **VIRGINIA CONSTRUCTION CODE/2018**  
**VIRGINIA EXISTING BUILDING CODE/2018**

**SECTION(S):** **VCC/2018, Section 202 Definitions**  
**VEC/2018, Section 402 Change of Occupancy**  
**VEC/2018, Section 404 Alterations**  
**VEC/2018, Section 710 Plumbing**

**QUESTIONS/ANSWERS:**

1. Are accessible bathrooms and accessible drinking fountains part of the accessible route?

No. The VCC/Section 202 defines the accessible route as: "A continuous, unobstructed path that complies with Chapter 11." However, when working with the VEC, accessible bathrooms and accessible drinking fountains will need to be evaluated (see Question 4).

2. VEC/Section 404.3 states in part: "The accessible route to the primary function area shall include toilet facilities and drinking fountains that shall also be accessible to and useable by individuals with disabilities, serving the area of primary function." Does this mean the toilet facilities and drinking fountains serving the area of primary function must be accessible?

Yes. The evaluation for accessible improvements includes both the route to the toilet facilities and drinking fountains serving the area being altered, as well as the toilet facilities and drinking fountains themselves.

3. VEC/Section 404.3, Exception 1 states, "The costs of providing the accessible route are not required to exceed 20% of the costs of the *alterations* affecting the area of primary function." Can this exception be applied to alterations to the existing toilet facilities or drinking fountains serving the primary function?

Yes. Although the toilet facilities and drinking fountain are not included in the definition of accessible route, the intent of the exception is to be consistent with the Federal America Disability Act Accessibility Guidelines (ADAAG). The ADAAG states:

"(2) Alterations to an Area Containing a Primary Function: In addition to the requirements of 4.1.6(1), an alteration that affects or could affect the usability of or access to an area containing 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, unless such alterations are disproportionate to the overall alterations in terms of cost and scope (as determined under criteria established by the Attorney General)."

4. In reference to VEC/Section 710.1 Plumbing, are the additional required plumbing fixtures (i.e., toilet facilities; drinking fountains) allowed to be omitted through application of VEC/Section 404.3 Alterations affecting an area containing a primary function, Exception 1?

No.

5. Is the cost of complying with VEC/Section 710.1 allowed to be applied toward compliance with VEC/Section 404.3, Exception 1?

No. Additional toilet rooms and drinking fountains required for a change of occupancy must meet new construction requirements for accessibility. They do not count towards the cost for improvements for existing elements.



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