
ADAPTING FOR ACCESS

ADA COMPLIANCE IN HISTORIC STRUCTURES

There are many challenges involved in using and reusing historic buildings; satisfying current codes and laws is one of them. This brochure is intended to dispel myths and show that it is possible and reasonable to comply with the Americans with Disabilities Act (ADA) while remaining in your historic structure and retaining its historic significance. *The goal is to achieve the highest level of accessibility with the lowest amount of impact on the historic structure.*

Quick Summary

The ADA is about removing and preventing barriers in new, existing, or altered facilities (historic or non-historic) used by people with physical or mental limitations.

In general, the ADA gives qualified historic buildings more options for compliance and special provisions in some cases. Depending on the use of the building, the standards for compliance vary slightly. *Qualified historic structures* are not exempt and must comply with the ADA. If it is determined that full compliance will *threaten or destroy* the historic significance of the structure, then *minimum standards* may be used. This decision must be made in conjunction with the State Historic Preservation Office (SHPO). If even the minimum standards will threaten or destroy the historic significance of the structure, then *alternate methods of access* may be used. This option is considered a last resort and is only applicable in rare situations.

When *alterations* are involved, all structures must comply with the ADA design guidelines. For projects using federal money or licensing, then a *Section 106 Review* must occur. For sensitive repair solutions and help rating accessibility solutions, refer to The Secretary of the Interior's Standards for Rehabilitation. Contact SHPO at the address below for additional information.



First Methodist Church, Salt Lake City, Utah

What is the Americans with Disabilities Act?

The ADA is a civil rights act passed in 1990 to ensure that persons with disabilities are not discriminated against at work (Title I), by state or local governments (Title II), by private businesses (Title III), or in communication (Title IV). Titles II and III have the most impact on historic structures, because compliance often involves altering buildings physically. The intent of the law is to allow people with disabilities to engage in everyday activities such as eating at a restaurant, registering their car or buying an item at the store. Because the ADA is a civil rights law, it is enforced through civil court cases rather than police action.

In addition to the regulations of the act, there are design guidelines to help with compliance. These are the Standards for Accessible Design, often known as the ADA Accessibility Guidelines (ADAAG)* and the Uniform Federal Accessibility Standards (UFAS). The information in this brochure is a general summary of the guidelines included in both the Standards for Accessible Design and UFAS. For more specific assistance, both of these can be ordered from the Department of Justice (resources, p. 8).

**These design standards are under revision and may not be referred to as ADAAG in the future.*

GETTING THROUGH THE ADA MAZE

Start Here!

Is your building a *qualified historic structure*? (definitions, p. 8)

No - Full compliance with ADA required. Follow ADAAG and/or UFAS design standards. See *Financial Incentives*, p. 4.

Yes - What is its use?

Uncertain - Contact SHPO at 801-533-3500.

Private business: Public accommodations (Box G, p. 4) and *commercial facilities* (definitions, p. 8)

Public entity (p. 4, definitions, p. 8)
Examples are schools, libraries, city halls, civic centers, etc.

Private club, private residence, religious facility, or bed and breakfast with 5 or fewer rooms and the proprietor living on site. Although **exempt from ADA requirements**, many strive to be accessible anyway.

Do you have any *alterations* (replacements, additions, renovations, restorations) to the building planned?

Yes - Follow federal accessibility guidelines. Try to comply with the Secretary of the Interior's Standards for Rehabilitation.

No - *Public accommodations* must still remove barriers (Box E, p. 4) if *readily achievable* (p.3, 8).

No - *Public entities* must make programs and services accessible (Box H, p. 4).

Private businesses use ADAAG.

Public entities choose between ADAAG or UFAS (p. 1).

Public Entities: Can programs be made accessible without altering the building or moving the program to another facility?

Is there federal money or licensing involved?

No

Yes - Proceed with compliance (Box H, p. 4) following ADAAG or UFAS standards.

Yes - Begin *Section 106 Review* process (definitions, p. 8). Contact SHPO. All consultations will involve the Advisory Council on Historic Preservation and SHPO.

No - Consult with SHPO to reach a workable solution.

See page 8 for definitions.

Need financial assistance? Grants and tax incentives are available, depending on the use of the building. See *Financial Incentives* (p. 4).

Can the building be made fully accessible without threatening or destroying the historic significance? See "*Readily Achievable*" *Accessibility Options* (p. 3) and *Entrance Solutions* (p. 5). Consult SHPO to verify.

Yes - *Private businesses*: Are these "*readily achievable*?" (p. 3 and definitions, p. 8)

No - Can *Minimum Standards* (Box B, p. 3) be applied without threatening or destroying the historic significance?

Yes - *Public entities*: Do *alterations* cause *undue financial or administrative burdens*? (Box I, p. 4).

No - Proceed with *alternate methods of access* (Box D, p. 3).

Yes - Proceed with *alterations* (Box C, p. 3).

No - Use *alternate methods of access* (Box D, p. 3). For *public entities* this may involve moving programs to an accessible location.

No - Proceed with *alterations* (Box C, p. 3).

Yes - Proceed with *alternate methods of access* (Box D, p. 3).

ALL QUALIFIED HISTORIC STRUCTURES

It is important to remember that the information given here refers only to *qualified historic structures*. All facilities that are being altered and are not qualified as historic must abide by the standard design guidelines which are only mentioned briefly here. To order copies of the ADAAG and UFAS guidelines see *resources* (p. 8).

A

Priorities

1. Get everyone through the door.
2. Make goods and services accessible.
3. Make restrooms accessible.
4. Remove any remaining barriers.

C

Alterations

- Private business must meet the standards set forth for historic buildings in ADAAG.
- State and local governments must follow the standards for historic buildings in either ADAAG or UFAS to the maximum extent feasible.
- *Alterations trigger the requirement that the *path of travel* (p. 8) to an alteration be accessible. 20% of the cost of the original alteration must be used to make the path of travel accessible unless the cost of making it fully accessible is less than 20%. No more than 20% is required to be spent. However, if the path is not fully accessible, *alternate methods of access* need to be used (Box D).

** For Public Accommodation alterations, ADAAG required.*

B

Minimum Standards for Historic Structures

- Only one accessible route is required to one accessible entrance. Ramps may be steeper than is normally permitted (1:6 for a run of 2ft. vs. 1:8 to 1:10).
- The accessible entrance need not be the primary entrance. It must be unlocked and indicated by signage at the primary entrance.
- Only one accessible restroom is required, and it may be unisex.
- Accessible routes are only required on the level of the accessible entrance, with access to other levels added when practical.
- Exhibits and displays should be visible from a seated position.

D

Alternate Methods of Access

- Move services to an accessible floor.
- Have staff available for assistance.
- Take service or goods to the person's home. (This is only a sample of solutions.)

"READILY ACHIEVABLE" ACCESSIBILITY OPTIONS

The Site	Entrances	Interior
<ul style="list-style-type: none"> • Have convenient parking. • Add accessible parking spaces by repainting lines. • Mark stalls with signs. • Create an accessible route from the parking area to the building. • Make curb cuts in sidewalks and entrances. • Install ramps. • Install handrails . 	<p style="text-align: center;">(See p. 5 for further details.)</p> <ul style="list-style-type: none"> • Regrade. • Install ramps. • Install wheelchair lifts. • Adapt door hardware, i.e. lever handles. • Adjust door closer tension. • Level door thresholds. • Install offset hinges to widen door openings. • Install automatic door openers. 	<ul style="list-style-type: none"> • Install ramps, wheelchair lifts. • Upgrade restrooms. • Remove thick, soft carpeting. • Install offset hinges to widen door openings. • Install lever door handles. • Modify stairs. • Install flashing alarm lights. • Reposition telephones and shelves. • Rearrange furniture and displays. 

PRIVATE BUSINESSES

Private businesses include *public accommodations* (Box G), *commercial facilities* (p. 8), and private educational facilities. These are covered by the ADA under Title III. There are differences between the requirements for public entities and private businesses which make the process a bit simpler for private businesses.

E Basic Requirements

Remove structural architectural and communication barriers where “*readily achievable*” (p. 3 and definitions p. 8). Use the *priorities* (Box A) to aid in decision making.

F Elevator Exemption

Buildings that are less than 3 stories tall or have less than 3000 sq ft per story are *not required to have an elevator* unless the building is a shopping center, shopping mall, the professional office of a health care provider, or any other facility specifically designated by the Attorney General.

G Public Accommodations

- Lodgings
- Food and drink establishments
- Places of exhibition and entertainment
- Public gathering spaces
- Retail or sales establishments
- Service establishments (includes banks, offices of doctors, and lawyers, etc.)
- Public transportation facilities
- Places of public display or collection
- Places of recreation
- Places of education
- Social service center establishments
- Places of exercise or recreation

PUBLIC ENTITIES

The activities, programs, and services provided by state and local governments (public entities) are covered by Title II of the ADA. There are differences between the requirements for public entities and private businesses. For public entities, an important part of the accessibility process is the creation of a *transition plan*, something which may already be done. This plan involves evaluating the accessibility of the programs in their entirety and then developing plans for making them accessible through alternate means or building alteration.

H Basic Requirements

Make your programs, services, and activities accessible by providing the service in some alternative method or by removing barriers to access. In meeting the accessibility requirement, you are not required to take any action that would fundamentally alter the nature of your service, program, or activity or cause an *undue financial or administrative burden* (Box I).

I Undue Burdens

If you decide that an action would cause an *undue financial or administrative burden* or would fundamentally alter the nature of your program, service or activity, you must document the reason in writing. You then must take an action that would not cause an undue burden, but would still render your program, service or activity accessible.

J Elevators

Although the elevator exemption does not apply to public entities, this need not be a worry. There are solutions, such as exterior wheelchair lifts (p. 5), that can access all floors and may not threaten or destroy the historic significance of the building. If it would be an *undue financial burden* to install an elevator or a lift, then use *alternate methods of access* (Box D).

FINANCIAL INCENTIVES*

	Small Businesses	Any Business	Local Governments
Incentive Type	Tax Credit	Tax Deduction	Community Development Block Grant
Eligible Expenses	Removing architectural, communication, physical or transportation barriers. Providing other similar services, modifications, materials or equipment.	Removing architectural or transportation barriers. Eligible barriers include: grading, walks, parking lots, ramps, entrances, doors and doorways, stairs, floors, toilet rooms, water fountains, public telephones and elevators.	Accessibility purposes such as installation of ramps, curb cuts, wider doorways, wider parking spaces, and elevators.
Amount	50% of expenses over \$250 and less than \$10,250 for a maximum of \$5,000 per year.	Maximum deduction of \$15,000 per year.	Varies.
Available Through	Title 26, Internal Revenue Code, Section 44	Title 26, Internal Revenue Code, Section 190	U.S. Department of Housing and Urban Development

* There may also be funds available for restoration work on historic buildings through Certified Local Government (CLG) grants, Main Street grants and Federal or State tax credits. Accessibility adaptations may qualify for these additional financial benefits. Contact SHPO for details.

ENTRANCE SOLUTIONS	ADVANTAGES	DISADVANTAGES
RAMPS \$\$   		
<p>Suggestions</p> <ul style="list-style-type: none"> • Design to fit with style of building; use appropriate materials. • Make reversible, able to be removed without damaging the building. • Locate at public entrance whenever feasible. • Do not make slopes steeper than 1:12 unless doing so would destroy or threaten the historic significance. • Use handrails in keeping with historic character. 	<ul style="list-style-type: none"> • Can be portable, if used with only a few steps. • Can be temporary. • Users can all use same entrance. • Range of costs of installation; cost varies with height of entrance. • Below-grade entrances may preserve the historic appearance. • Does not require staff assistance. • Low maintenance and maintenance cost. • Can be used indoors or out. 	<ul style="list-style-type: none"> • Long ramps can be tiring for manual wheelchair users. • Wet ramps are slippery and dangerous. • Uncovered ramps are a hazard in cold climates with snow and ice. • Portable ramps tend not to fit in with historic properties. • Often not acceptable historically on primary entrance, as it requires a lot of space.
CHAIR LIFTS \$\$   		
<p>Suggestions</p> <ul style="list-style-type: none"> • Have a person with a disability involved when choosing a lift. • Are regulated by the State of Utah Safety Division of the Labor Commission and must be inspected annually. • Use one that can be independently operated. 	<ul style="list-style-type: none"> • Two types are available: vertical and inclined, which follows the steps. • Some retract into the ground when not in use. • Can be enclosed to be weather tight. • Takes up little space. • Is a reversible solution. • May be used inside or outside. 	<ul style="list-style-type: none"> • Initial cost is high. • Involves maintenance costs. • Inclined stair lifts tend to be visually intrusive. • User may need assistance to operate.
REGRADING \$\$   		
<p>Suggestions</p> <ul style="list-style-type: none"> • Landscape appropriately. • Move steps out from the building and regrade behind. 	<ul style="list-style-type: none"> • Easier snow removal than with steps. • Low cost, less expensive if low slope. • Everyone uses the same entrance. • May not affect historical appearance. • Requires no staff assistance. 	<ul style="list-style-type: none"> • May threaten historic integrity. • Can only be used for one or two steps. • Requires a great deal of space.
ALTERING DOORS \$   		
<p>Suggestions</p> <ul style="list-style-type: none"> • Use offset hinges to widen clear door openings. • Use automatic door openers on heavy, hard-to-open doors. • Bevel thresholds that are too high. • Adjust door closer on heavy or fast-closing doors. • Replace knobs with or add lever handles. 	<ul style="list-style-type: none"> • Low cost. • Several readily achievable solutions are available (see suggestions). • Helps a variety of disability types. • Most adaptations will not affect historic significance. 	<ul style="list-style-type: none"> • Widening the door frame may destroy the historic significance, especially if on a primary elevation. It is also irreversible.
ELEVATORS \$\$\$   		
<p>Suggestions</p> <ul style="list-style-type: none"> • Exterior additions should meet the Secretary of the Interior's Standards for Rehabilitation. • Try to place in an existing shaft in the building. • Locate where least alteration to building structure is required. 	<ul style="list-style-type: none"> • Can access most floors. • Is weather-safe. • Can be internal or added externally. Is less expensive than building a new accessible structure. • External elevators do not affect structural members of the building. • Interior elevator shafts can add seismic strengthening to buildings. 	<ul style="list-style-type: none"> • Expensive. • May require an addition. • Requires regular maintenance and safety inspections. • Not easily reversible. • Placing on a primary elevation often will damage the historic significance.

Cost: \$-low cost, \$\$-moderate cost, \$\$\$-high cost
Installation:  -easy to install,   -may require professional installation,    -requires professional installation
Accessibility:  -mildly accessible,   -moderately accessible, but requires assistance    -highly accessible
Compatibility:  -difficult to meet the Secretary's Standards,   -easily meets the Secretary's Standards,    -almost always meets the Secretary's Standards

WHAT'S BEEN DONE?

Case Study #1

Washington County Courthouse (Old Pioneer Courthouse)

97 East St. George Blvd., St. George, UT

Current Use: Public Accommodation (Title III)

Owner: St. George City

Contact: Five County Association of Governments, P.O. Box 1550, St. George, UT 84771, 435-673-3548

Contractor: Arnell West

Architect: JHCH-Architects, St. George P.C., 750 Ridgeview Dr., St. George, UT 84770, 435-628-5969

Cost: \$60,000 (approximately) for chair lift

Funded by: Community Development Block Grant Program

Built: 1866-1876 through community labor.



Old Pioneer Courthouse, St. George, Utah

Case Study #2

Clotworthy/McMillan House

261 S. Main St., Heber City, UT

Current Use: Interior design firm (Title III)

Owner: Gordon D. Spencer

Contact: Sharon A. Spencer, 405 East 200 South, Heber City, UT 84032

Designer: George Bennett

Cost: \$10,000 (estimated cost of ramp)

Funded By: Private investment and federal tax credits.

Built: c. 1874 by local rancher and early settler of the Heber Valley, Thomas Clotworthy.

Alterations Made

- Railings added to front steps.
- Ramp added to rear entrance with modification of rear addition.
- Addition put on rear of house.

Case Study #3

Salina Municipal Building

90 West Main St.

Current Use: City hall, library, police office (Title II)

Owner: Salina City

Contact: Salina City Corporation, 435-529-7304

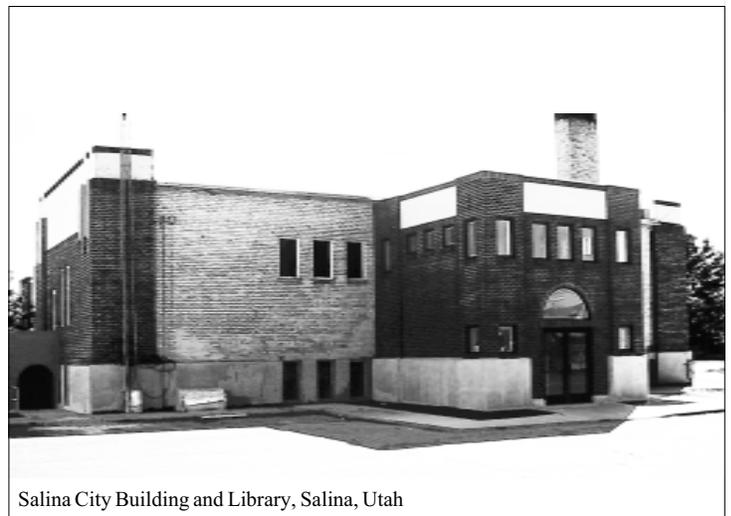
Contractor: Bryant E. Mickelson, Redmond, UT

Architect: Paul David Brown, Salt Lake City, UT, 801-359-2145

Cost: \$300,000 (Total building rehabilitation)

Funded by: Grants from Permanent Community Impact Board and the State Energy Department

Built: 1936-37 with money from the WPA;
Architect: Carson F. Wells, Jr., SLC.



Salina City Building and Library, Salina, Utah

HOW DID THEY DO IT?

Alterations Made:

- Thresholds leveled.
- Signage adapted.
- Miscellaneous site work.
- Repainted parking lot striping.
- Added curb cuts between parking lot and sidewalk.
- Vertical platform lift installed on secondary (rear) elevation.
- Lift located between stairs and building in architecturally compatible enclosure.
- Existing exterior stairs removed for relocation.
- Steps removed.
- Unobtrusive ramp to lower level on front elevation.
- Restrooms adapted.

Positive Aspects:

- Lift is in same place as existing non-historic stairway.
- Attachment to building is soft, meaning it can be removed without damaging the historic fabric of the building.
- Ramp is in location of existing shallow stairwell.
- Lift is on secondary elevation of structure.
- All floors are accessible.
- Lift is enclosed in glass, therefore usable in all weather conditions.
- Accessible entries are close to parking.
- Accessible entries are the same entries as used by the rest of the public.
- No modifications were made to the historic structure.



Clotworthy / McMillan House, Heber City, Utah

Positive Aspects

- Accessible entrance is close to parking.
- Accessible entrance is used by most of the public.
- Handrails aid those who are not in wheel chairs.
- Ramp is on secondary facade and does not destroy the significance of the building.

Alterations Made:

- New doors added on the interior.
- Restroom added on the second level.
- Offices rearranged for accessibility and ease of function for the public.
- Wheelchair lift installed on north elevation.
- Addition made to secondary (rear) elevation.
- Council chambers moved to the first level for more public interaction.
- Courtroom and public meeting facilities also added.

Positive Aspects:

- Lift is located on the secondary elevation of the building.
- Lift is enclosed in a historically sensitive addition.
- All floors are accessible.
- Accessible entrance is close to parking.
- Accessible entrance is the same entry as used by most of the public.
- Traffic flow improvements impact the general public as well as the disabled.

DEFINITIONS

ADAAG is the current acronym for the design standards set forth in the ADA. These standards are under revision and may not use the same acronym in the future.

An *alteration* is replacement, renovation, or addition to a space of a facility. Historic restoration is considered an alteration.

Architectural barriers are physical features that prevent or limit people with disabilities from obtaining the goods or services that are offered. Examples include narrow doors, closely arranged furniture or display racks, and steps.

Commercial facilities are nonresidential facilities, including office buildings, factories, and warehouses, that affect commerce.

The *path of travel* is the route from an accessible entrance to the part of the building that is being altered and to the restrooms servicing the alteration.

Private businesses for the purpose of this publication include public accommodations and commercial facilities.

Public accommodations are defined in Box G, p. 4.

Public entities are state and local governments and their branches. Examples include libraries, city halls, civic centers, courthouses, and schools.

Qualified historic structures are those that are on or are eligible for the National Register of Historic Places, or are locally designated as historic. Contact SHPO to determine eligibility.

Readily achievable means that it can be easily accomplished and is able to be carried out without much difficulty or expense. This is evaluated on a case by case basis and should be reevaluated every year.

Secretary's Standards refers to the Secretary of the Interior's Standards for Rehabilitation.

Section 106 Review is the required process used when federal projects impact historic properties.

SHPO is the State Historic Preservation Office. The Utah SHPO can be reached at 801-533-3500.

UFAS alternate design guidelines for use by public entities. These may be merged with ADAAG in the future.

RESOURCES

(Most publications are available for public use at the Utah Division of State History - 300 Rio Grande, Salt Lake City, Utah 84101-1182, 801-533-3500.)

Agencies

Architectural and Transportation Barriers Compliance Board.

Offers technical assistance on the ADAAG, 800-872-2253 (voice), 800-993-2822 (TDD), 202-272-5448 (electronic bulletin board), www.access-board.gov/ (internet address).

Governor's Council for People with Disabilities, 555 East 300 South, Suite 201, Salt Lake City, UT 84102, 801-533-4128.

Rocky Mountain Disability & Business Technical Assistance Center, 3630 Sinton Road, Suite 103, Colorado Springs, CO 80907, 800-949-4232.

U.S. Department of Justice, Civil Rights Division, Office of the Americans with Disabilities Act, P.O. Box 66118, Washington, D.C. 20035-6118, 800-514-0301 (voice), 800-514-0383 (TDD), 202-514-6193 (electronic bulletin board), www.usdoj.gov/crt/ada/adahom1.htm (internet address), ADA Hotline - 800-526-7234 (voice/TDD).

Publications

ADA Guide for Small Businesses from the U.S. Department of Justice, Civil Rights Division, Disability Rights Section.

ADA Title II Action Guide for State and Local Governments, by the Adaptive Environments Center, Inc. with a grant from the National Institute on Disability and Rehabilitation Research, LRP Publications, Horsham, Pennsylvania.

Available from the Disability and Business Technical

Assistance Centers.

"Making Historic Properties Accessible." Preservation Briefs No. 32, U.S. Department of the Interior, National Park Service, Cultural Resources, Preservation Assistance.

National Park Service publications, including Preservation Briefs, Tech Notes, and the "Secretary of the Interior's Standards for Rehabilitation." These resources present a variety of sensitive repair solutions for historic features and materials.

"Preserving the Past and Making it Accessible to Everyone: How Easy a Task?" CRM Supplement, 1991. U.S. Department of the Interior, National Park Service, Cultural Resources.

Standards for Accessible Design: ADA Accessibility Guidelines (ADAAG), U.S. Department of Justice, 1991.

"The Impact of the Americans with Disabilities Act on Historic Structures." Information Series No. 55, 1991, National Trust for Historic Preservation.

UFAS Retrofit Manual, available from the Architectural and Transportation Barriers Compliance Board.

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