



**GEORGIA STATE FINANCING AND INVESTMENT COMMISSION  
CONSTRUCTION DIVISION**

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**INTER-OFFICE MEMORANDUM**

**To:** State Fire Marshal

**From:** GSFIC/State ADA Coordinator's Office

**Subject:** Technical Assistance for Georgia Accessibility Code

**Date:** June 2014 Revised

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**General – 206 Accessible Routes – 206.2.3 Multi-Story Buildings; Elevator Exception 1  
For Additional requirements/information see Subpart D of 28 CFR Part 36; 36.404 Alterations:  
Elevator Exemption.**

**Question:** Does the Georgia Accessibility Code require installation of elevators in buildings that are two stories?

**Answer: 206.2.3 Multi-Story Buildings** requires an accessible route to all floors including mezzanines in multi-story buildings and facilities with the following exceptions

Exception 1: In private building or facilities that are less than 3 stories, have less than 3000 sq. ft. per floor an accessible route shall not be required unless the building is a shopping center, a shopping mall or the professional office of a health care provider or falls into a category of facilities that may be identified by the U.S. Attorney General (terminals, depots, or other stations used for specified public transportation, or airport passenger terminals).

In addition, Exception 2, 3, 4, 5, and 6 provide further exceptions for public buildings and facilities, Detention and Correctional Facilities, residential facilities, transient lodging facilities and air traffic control towers. Please read the exceptions under 206.2.3 carefully.

**Question:** What constitutes a shopping center or shopping mall under the Georgia Accessibility Code?

**Answer:** A shopping center or mall is either-

1. A building with five or more "sales or retail establishment," or

The State of Georgia ADA Coordinator's Office provides this information to assist the Commissioner of Insurance and State Fire Marshal in administering interpretative guidance for the Georgia Accessibility Code. However, it does not constitute a legal interpretation or legal advice.

2. A series of buildings on a common site, either under common ownership or common control or developed together, with five or more “sales or retail establishments.” (e.g., bakery, grocery store, clothing store, hardware store, etc.)

Note: Under Title II of the Americans with Disabilities Act, buildings with two or more stories **are not** entitled to the elevator exception under Exception 1 (28 C.F.R. §35.151(c)).

Although this provision is not contained within the Georgia Accessibility Code, designers and builders should consult the U.S. Department of Justice ((800) 514-0301) for additional technical guidance concerning these requirements.

TEB  
State ADA Coordinator's Office