



**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:** Revised June 2014

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**ADA Chapter 2: Scoping Requirements (202 Existing Buildings and Facilities) – 202.4  
Alterations Affecting Primary Function Areas**

**Question:** What is the definition of an alteration that triggers accessibility requirements?

**Answer:** These are changes that affect usability, including remodeling, renovation, rearrangements in the structural parts, and changes or rearrangements of walls and full height partitions. Normal maintenance, reroofing, painting, wallpapering, asbestos removal and changes to electrical and mechanical systems are not "alterations" unless they affect usability. Alterations to provide an accessible path of travel are required to the extent that they are not "disproportionate" to the original alteration, that is, to the extent that the added accessibility costs do not exceed 20% of the cost of the original alteration to the primary function area.

**Question:** What is a primary function area?

**Answer:** It is any area where a major activity takes place. It includes both the customer services areas and work areas in public and government buildings. It includes all offices and work areas in commercial facilities. It does not include mechanical rooms, boiler rooms, supply storage rooms, employee lounges or locker rooms, janitorial closets, entrances, corridors or restrooms.

**Question:** What type of alterations to a Primary Function area trigger Path of Travel obligations?

**Answer:** When an alteration is made to a "primary function area", not only must that alteration be done in compliance with the Georgia Accessibility Code the 2010 ADA Standards for Accessible Design, but there must also be an accessible path of travel from the altered area to the entrance. The "path of travel" requirement not only includes an accessible route to the altered area, but also the bathrooms, telephones, and drinking fountains serving the area. The order of priority when identifying path of travel requirements is always in order of getting people into the building and to the primary function areas.

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.

**Question:** When Path of Travel alterations are required due to alterations to a Primary Function area, how is disproportionality determined?

**Answer: Advisory 202.4 Alterations Affecting Primary Function Areas.** Department of Justice ADA regulations state, "Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost exceeds 20% of the cost of the alteration to the primary function area." (28 CFR 36.403 (f)(1)). Therefore, it is incumbent upon code enforcement agencies/officials to require that cost information be provided when a new Primary Function area is created or altered in existing buildings to the point that usability is affected, so that path of travel requirements can be administered effectively.

**Question:** What if the cost of making an accessible path of travel exceeds the cost of the original alteration by more than 20%?

**Answer:** If the cost of making an accessible path of travel would exceed the cost of the original alteration by much more than 20%, then the entity must still make the path of travel accessible to the extent possible without going over the 20%. Priority must be given to those elements that would provide the greatest degree of access. Changes should be made in the following order: accessible entrance, accessible route to the altered area, at least one accessible restroom for each sex or a single unisex restroom, phones, drinking fountains, and then other elements such as parking, storage, and alarms.

TEB  
State ADA Coordinator's Office