

ADA Regulations for Construction and Renovation Projects

The following guidelines are intended to ensure that new construction, renovations, and alterations to existing buildings in Frederick County comply with the Americans with Disabilities Act and the Maryland Accessibility Code. Frederick County is legally required to enforce the Maryland Accessibility Code as written, without modifications.

General Requirements:

- New construction, alterations, additions to, or a change of use of buildings and facilities must comply with the Maryland Accessibility Code and all applicable federal accessibility regulations (ADA Accessibility Guidelines).
- No alterations may be undertaken that decrease, or have the effect of decreasing, the accessibility or usability of a building or facility below the requirements for new construction at the time of the alteration.
- If existing elements, spaces, or common areas are altered, each such altered element must comply with the minimum requirements for new construction.
- An alteration to areas containing the primary function of an existing entity shall be made so as to ensure that, to the maximum extent feasible, the path of travel to the altered areas is readily accessible to and is usable by individuals with disabilities.
 - The area of a building or facility that contains a major activity for which the building or facility is intended is considered a primary function area.
 - Alterations made to provide an accessible path of travel to the altered area will be deemed disproportionate to the overall alteration when the cost of compliance exceeds 20% of the cost of the alteration to the primary function area.

Evaluating the 20% Cost Threshold:

To evaluate whether the cost of providing an accessible path of travel exceeds the 20% threshold of the overall alteration cost, please complete and submit the [Maryland Accessibility Compliance Form](#) with your permit application.

Examples of an Accessible Path of Travel Include:

- An accessible entrance
- An accessible route to the altered area
- At least one accessible restroom for each sex, or a single accessible unisex restroom
- Accessible parking
- Accessible drinking fountains

For more information, please visit [ADA.gov](#) and [Maryland Accessibility Code](#), .