



*"It takes everyone in a community to keep our homes, schools, offices, stores and other buildings safe."*

### City of Highland Building and Zoning

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# From The Ground Up

Summer 2012

City of Highland's Community Development Mission Statement:  
To ignite positive change through orderly development and revitalization of quality construction while serving in a courteous professional, and ethical manner.

## American Disabilities Act— Update \*

The Federal Government adopted new regulations dealing with the American Disabilities Act. Those regulations, known as 2010 ADA Standards for Accessible Design were released by the Department of Justice, dated September 15, 2010. You can find the document at [www.ADA.gov](http://www.ADA.gov) or you may request copies by calling the ADA Information Line at 800 514 0301 or (TTY) at 800 514 0383.

The regulation applies to both State and Local Government facilities, and also public accommodations and commercial facilities\*\*.

### State and Local Government:

- Must follow the requirements of the 2010 Standards, including both the Title II regulations at 28 CFR 35. 151; and the 2004 ADAAG at 36 CFR part 1191, appendices B and D.

### Compliance Date for State and Local Government:

- If the start date for construction is **on or after March 15, 2012**, all newly constructed or altered State and Local government facilities must comply with the 2010 Standards. Before that date, the 1991 Standards (without the elevator exception), the UFAS, or the 2010 Standards may be used for projects when the start of construction commences on or after September 15, 2010.

### Public Accommodations and Commercial Facilities:

- Must follow the requirements of the 2010 Standards, including both the Title III regulations at 28 CFR part 36, subpart D; and the 2004 ASAAG at 36 CFR part 1191, appendices B and D.

### Compliance Date for Public Accommodations and Commercial Facilities:

- The compliance date for the 2010 Standards for new construction and alterations is determined by:

The date the last application for a building permit or a permit extension is certified to be complete by a State , county, or local government;

The date the last application for a building permit or a permit extension is received by a State , county, or local government, where the government does not certify the completion applications; or

The start of physical construction or alteration, if no permit is required.

- If that date is **on or after March 15, 2012**, then new construction and alterations must comply with the 2010 Standards. If that date is **on or after September 15, and before March 15, 2012**, then new construction and alterations must comply with either the 1991 or the 2010 Standards.

### \*\* Special note to all of the above:

- In the few places where requirements between the regulations and the 2004 ADAAG differ, the requirements of 28 CFR 35. 151 or 28 CFR part 36, subpart D, prevail.

\* **THE CURRENT ILLINOIS ACCESSIBILITY CODE MAY ALSO APPLY.**