

An Overview of the Basic ADA Facility Requirements for Public Accommodations and Commercial Facilities

The ADA was signed into law on July 26, 1990 and became effective over a series of dates, the last of which, for private entities, was January 26, 1993. The key dates that apply to most facilities are as follows:

- *New Construction*¹ first occupied after January 26, 1993 was required to meet the full *ADA Standards* unless the plans were completed and submitted for permitting before January 26, 1992;
- *Alterations* physically started after January 26, 1992 were required to comply with the *ADA Standards* to the *Maximum Extent Feasible*, and
 - When an *Alteration* might affect the usability of a *Primary Function Area*, then additional *Path of Travel* barrier removal might also be required;
- Existing *Places of Public Accommodation* were required to remove *Barriers to People with Disabilities* where it was *Readily Achievable* to do so by January 26, 1992 and subsequently as conditions changed to make it *Readily Achievable* preferably reassessing it annually; (Note that *Commercial Facilities* are not required to remove barriers under the *Readily Achievable* requirement of the ADA);
- When physical removal of a barrier is determined not to be *Readily Achievable*, then the *Public Accommodation* must make their goods and services available to people with disabilities using alternate methods when that is *Readily Achievable*;
- Finally, private entities with more than 15 employees are required to make *Reasonable Accommodations* to allow their employees with disabilities to perform the essential functions of their jobs and to make it possible for them to enjoy an equal employment opportunity²

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¹ All *Italicized* and capitalized words are defined in the attached “ADA Facility Definitions”.

² The full requirements for *Reasonable Accommodations* under Title I of the ADA are too broad to be covered in this document. This reference is primarily to note that some *Reasonable Accommodations* that may exceed the simple requirements of the ADA Standards must be made in certain circumstances to allow prospective employees to have access to the employment process.