



# FLORIDA BUILDING CODE

Eighth Edition  
(2023)

## Accessibility



# **2012 FLORIDA ACCESSIBILITY CODE FOR BUILDING CONSTRUCTION**

**ADOPTED PURSUANT TO  
SECTION 553.503, FLORIDA STATUTES**

**BASED ON  
THE 2010 ADA STANDARDS FOR ACCESSIBLE DESIGN**



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## PREFACE

The 1993 Florida Legislature enacted the “Florida Americans with Disability Accessibility Implementation Act” which incorporated the architectural accessibility requirements of the Americans with Disabilities Act of 1990, Public Law No. 101-336, 42 U.S.C. Section 12101 et. seq. ADA, into Florida law and maintained existing provisions of Florida law thought to be more stringent than the ADA accessibility guidelines. In 1997 the legislature amended the Act to address U.S. Department of Justice (DOJ) concerns with Florida requirements, which might not have been equivalent or more stringent than ADA architectural standards, to obtain federal certification of Florida’s building code as substantially equivalent to the Federal ADA Standards for Accessible Design as adopted by the Department of Justice (DOJ) in 28 CFR 36. The United States Access Board adopted revised ADA Accessibility Guidelines in 2004. DOJ published final regulations September 15, 2010 adopting the 2004 Guidelines with additions pursuant to 28 CFR 35 and 28 CFR 36 as the 2010 ADA Standards for Accessible Design. The Florida Building Commission updated the *Florida Accessibility Code for Building Construction* for consistency with the 2010 ADA Standards and Florida law, Part II, Chapter 553, *Florida Statutes*, in the summer of 2011. The intent as established by s.553.502, *Florida Statutes*, is to maintain the US Department of Justice certification of the Code as substantially equivalent to the ADA Standards so compliance with the Code provides presumption of compliance with the ADA Standards. The 1997 *Florida Accessibility Code for Building Construction* was certified by DOJ, however, the 2012 *Florida Accessibility Code for Building Construction* must also be reviewed and certified by DOJ. Until the review is completed and DOJ notifies the State the 2012 Code is certified all parties should maintain due diligence to ensure compliance with both the 2010 ADA Standards for Accessible Design and the 2012 *Florida Accessibility Code*. Note: Code certification provides presumption of rebuttable evidence of compliance with the ADA for private entities (Title III entities) but not public entities (Title II entities).

Accessibility is a multifaceted issue within the issues of life today. The legislative actions of the 101st Congress which implemented the Americans with Disabilities Act of 1990 and previous acts of the Florida Legislature have been combined in the following pages to reflect accessibility laws as they relate to most areas of construction in Florida. Areas of employment as related to accessibility and/or complaints would be the responsibility of the Equal Employment Opportunity Commission, 1-800-669-4000 or 305-536-4491.

Primarily because of the complexities of balancing the rights of the physically disabled and the technically specific requirements of the built environment, no single agency has been charged with enforcement of all issues pertaining to accessibility. The following is a listing of agencies and their statutory areas of responsibility for accessibility. A thorough attempt was made by the Florida Building Commission at the time of publication of this code to ensure that this manual is a reflection of the laws of Florida and the administrative rules of each agency as these requirements relate to construction. Because individual agency rules may change, it is the responsibility of the design professional and the property owner to ensure compliance with subsequent revisions.