

Chapter 10

Items 10-1-12 through 10-39-12

June 14, 2013.

This is one of ten documents containing those proposed changes to the A117.1 Standard, 2009 edition; for which Committee Ballot comments or Proponent Comments were received. Each item will be discussed at the meeting of A117.1 Committee during the week of July 15, 2013, in Washington D.C. This document does not contain proposals for which no comments were received. Those proposals, and the Committee decision on each one, can be viewed in the Committee Action Report (CAR) under the title: First Draft Standard Development at this following location: <http://www.iccsafe.org/cs/standards/A117/Pages/default.aspx>

10-1– 12

This proposal was approved by the committee. No ballot or proponent comments were received. It will be included in the Public Draft.

10-2– 12

1001.2 (NEW)

Proposed Change as Submitted

Proponent: Larry Nordin, Solomon Cordwell Buenz

Add new text as follows:

1001.2 Mail Boxes. Where mail boxes are provided for individual dwelling and sleeping units, a mail box complying with Section 309 shall be provided for each Accessible and each Type A unit.

Reason: The purpose of the proposed added section is to define the accessibility requirements for the mailboxes for the Accessible Type A units. The proposed wording is taken from ADA 2010-228.2.

If a reach range definition is desired for the type B units, I would suggest that the USPS standard be used as a guideline. The USPS limits the heights of mailboxes based upon their mail carrier standards. The USPS limits are between 28" to the bottom of the lowest mail box and 67" to the operable hardware of the highest mail box.

Section 309 requirements should not be placed on the Type B units due to the other considerations such as people with back ailments. When Section 309 requirements are applied on the Type B unit mail boxes, the size of a mail room practically doubles in size, especially in large residential buildings.

1001.2 (NEW)-NORDIN.doc

Committee Action

Disapproved

Committee Reason: The Committee concluded that this is a scoping requirement and as such belongs in the International Building Code or other scoping document. The provision doesn't specify how mail boxes are to be made accessible, but specifies a quantity. As such it is scoping.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

BALLOT COMMENTS

10-1.1

Commenter: Cheryl D. Kent, Representing HUD

Ballot: Negative with comment:

Comment: While HUD recognizes that the language that was disapproved is scoping, we believe it may be helpful to include scoping where mailboxes are concerned; however, we recommend instead that the Committee consider the following proposal which is similar to the proposal HUD submitted to the IBC for consideration. While HUD subsequently withdrew this proposal in order to obtain more input from stakeholders, we would like to obtain such input from members of the A117 Committee. HUD's proposal is as follows, and would cover mailboxes for Accessible, Type A and Type B Units:

Revise as follows:

1001.2 Mail receptacles. Where provided, mail receptacles shall be accessible in accordance with Sections 1001.2.1 or 1001.2.2.

1001.2.1 Dwelling units and sleeping units. Where mail receptacles are provided for Accessible, Type A or Type B dwelling and sleeping units, accessible mail receptacles shall be provided in accordance with 1001.2.1.1 or 1001.2.1.2.

1001.2.1.1 Centralized mail receptacles. Where each individual mail compartment of a centralized mail receptacle is assigned to a specific dwelling unit or sleeping unit, the individual mail compartments shall comply with 1001.2.1.1.1 or 1001.2.1.1.2.

1001.2.1.1.1 Buildings without an elevator. In a structure without an elevator, all individual mail compartments assigned to Accessible Units, Type A Units and Type B Units in each location shall be accessible.

1001.2.1.1.2 Buildings with an elevator. In a structure with an elevator, fifty percent of all individual mail compartments in each location shall be accessible. Individual mail compartments assigned to Accessible and Type A units shall be included in the accessible mailboxes. In addition to the individual mail compartments assigned to dwelling or sleeping units, an additional number of individual mail compartments that is equal to ten percent of the total number of dwelling units and sleeping units, but not less than one, at each location shall be accessible.

1001.2.1.1.3 Parcel lockers. All parcel lockers of centralized mail receptacles shall be accessible.

1001.2.1.2 Individual house-mounted and curbside mail receptacles. Where an individual house-mounted or curbside mail receptacle serves a dwelling unit or sleeping unit that is required to be an Accessible unit, Type A unit or Type B unit, the mail receptacle shall be accessible.

1001.2.2 Other occupancies. Where mail receptacles are provided in occupancies not falling within the purview of Section 1001.2.1, at least 5 percent, but not less than one, of each type in each location, shall be accessible.

Additional background information:

HUD's position with respect to the Fair Housing Act and HUD's Fair Housing Accessibility Guidelines is that 100% of the mailboxes serving covered dwelling units must be accessible. HUD is aware that HUD's position on mailboxes provided at FHAct covered buildings and current U.S. Postal Service regulations are not in harmony. HUD and U.S.P.S. held a number of discussions and meetings but are not in agreement on a resolution. Nevertheless, HUD recognizes that a 100% scoping requirement for mailboxes in hi-rise elevator buildings, coupled with situations where wall space may be limited, poses challenges for designers and builders in meeting the FHAct requirements as well as those in the IBC and ICC A117.1 for accessible reach ranges. Therefore, we recognize in this proposal that up to 50% of Type A or B units in a building with one or more elevators may not be served by an accessible mailbox. For this reason, this proposal relies on the provision of an additional number of unassigned mailboxes within the accessible reach range to be available, at the time of first occupancy, to serve persons with disabilities who may reside in these units and who may need an accessible mailbox. In addition, in this proposal, HUD is attempting to move to the reach ranges that are in more recent editions of A117.1, even though HUD's Fair Housing Accessibility Guidelines still reference the 1986 ANSI A117.1.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

10-3– 12

1002.3.1, 1003.3.1

Proposed Change as Submitted

Proponent: Rebecca Ingram, representing herself

Revise as follows:

1002.3.1 Location. At least one accessible route shall connect all accessible spaces and accessible elements that are a part of the unit. Accessible routes shall coincide with or be located in the same area as a general circulation path.

EXCEPTION: An accessible route is not required to unfinished attics and unfinished basements that are part of the unit.

1003.3.1 Location. At least one accessible route shall connect all accessible spaces and accessible elements that are a part of the unit. Accessible routes shall coincide with or be located in the same area as a general circulation path.

EXCEPTION: An accessible route is not required to unfinished attics and unfinished basements that are part of the unit.

Reason: This proposal was received late in the previous development cycle as a suggested editorial revision. Because it appeared to be more than an editorial revision and due to when it was submitted, it was not dealt with at that time.

This proposal was submitted to help clarify how the accessible route requirements should be coordinated with the changes made in the 2009 edition of the standard which require “at least one” toilet and bathing room” to be accessible (Accessible and Type A units) and “at least one sleeping area” to include bed access (Accessible units). This suggested revision provides a limitation for the accessible route if it is serving toilet rooms and bathrooms that are not required to comply with Sections 1002.11.2 or 1003.11.2.

While the standard clearly indicates that only one bathroom and one bedroom are regulated, it does not indicate whether an accessible route is required to all spaces (including bedrooms and bathrooms that are not required to be accessible) or just to accessible spaces. The committee’s discussion and action on this item will clarify how the accessible route should be applied to the various accessible or nonaccessible areas of the unit.

One question of concern that was not addressed by the original proponent was how this would coordinate with the Type B and Fair Housing requirements which are shown in Section 1004.3.1. Since the Type B provisions also require an accessible route to “all spaces and elements that are a part of the unit” it would seem that revising the Accessible and Type A units to requiring access only to the accessible spaces and elements would take those units out of conformance with the Type B requirements and jeopardize their ability to substitute for the Type B units and to meet Fair Housing. So while the original proponent’s concept and concern which was related to transient lodging (R-1) seems reasonable regarding access to the nonaccessible bathroom in an Accessible unit, it definitely is more than an editorial change when compared with the Type B unit provisions. Perhaps this proposal should either be submitted to the scoping document/model building code, or another option may be the following wording:

1002.3 Accessible Route. Accessible routes within Accessible units shall comply with Section 1002.3.

1002.3.1 Location. At least one accessible route shall connect all spaces and elements that are a part of the unit. Accessible routes shall coincide with or be located in the same area as a general circulation path.

EXCEPTIONS:

1. An accessible route is not required to unfinished attics and unfinished basements that are part of the unit.
2. In transient lodging facilities that are not intended to be occupied as a residence, the accessible route is not required to the following:
 - 2.1 Toilet and bating areas which are not required to comply with Section 1002.11.2
 - 2.2 Sleeping areas which are not required to comply with Section 1002.15.

1002.3.1-ingram.doc

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

Committee Action

Disapproved

Committee Reason: The change would add confusion to the application of these two dwelling unit/sleeping unit requirements. The Standard requires accessible routes to all spaces and elements of the units and not those judged 'accessible'.

BALLOT COMMENTS

10-3.1

Commenter: Barbara Huelat, Representing ASID

Ballot: Negative with comment:

Comment: Agree with committee.

10-4– 12

1002.5, 1003.5

Proposed Change as Submitted

Proponent: Kim Paarlberg, International Code Council

Revise as follows:

1002.5 Doors and Doorways. The primary entrance door to the unit, and all other doorways intended for user passage, shall comply with Section 404.

EXCEPTIONS:

1. Existing doors to hospital patient sleeping rooms shall be exempt from the requirement for space at the latch side provided the door is 44 inches (1120 mm) minimum in width.
2. In toilet rooms and bathrooms not required to comply with Section 1002.11.2, maneuvering clearances required by Section 404.2.3 are not required on the toilet room or bathroom side of the door.
3. A turning space between doors in a series as required by Section 404.2.5 is not required.
4. Storm and screen doors are not required to comply with Section 404.2.5.
5. Communicating doors between individual sleeping units are not required to comply with Section 404.2.5.
6. At other than the primary entrance door, where exterior space dimensions of balconies are less than the required maneuvering clearance, door maneuvering clearance is not required on the exterior side of the door.
7. The maneuvering clearances required by Section 404 are not required within a closet or pantry complying with Exception 2 of Section 1002.3.2.

1003.5 Doors and Doorways. The primary entrance door to the unit, and all other doorways intended for user passage, shall comply with Section 404.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

EXCEPTIONS:

1. Thresholds at exterior sliding doors shall be permitted to be $\frac{3}{4}$ inch (19 mm) maximum in height, provided they are beveled with a slope not greater than 1:2.
2. In toilet rooms and bathrooms not required to comply with Section 1003.11.2, maneuvering clearances required by Section 404.2.3 are not required on the toilet room or bathroom side of the door.
3. A turning space between doors in a series as required by Section 404.2.5 is not required.
4. Storm and screen doors are not required to comply with Section 404.2.5.
5. Communicating doors between individual sleeping units are not required to comply with Section 404.2.5.
6. At other than the primary entrance door, where exterior space dimensions of balconies are less than the required maneuvering clearance, door maneuvering clearance is not required on the exterior side of the door.
7. The maneuvering clearances required by Section 404 are not required within a closet or pantry complying with Exception 2 of Section 1003.3.2.

Reason: The quantity of change proposals submitted by International Code Council is reflective of three elements of our work: 1. ICC is the Secretariat for the Standard and some changes reflect inconsistencies or improvements suggested by staff; 2. ICC develops and publishes a Commentary on the standard and writing the commentary illuminates issues of the text and figures; and 3. ICC provides an interpretation service for the standard which results in the observation of provisions the users find most confusing.

This proposal is intended to coordinate with a change made in Sections 1002.3.2 and 1003.3.2 of the 2009 standard and to clean up a technical inconsistency.

The 2009 standard added an exception for Accessible and Type A units which eliminates the turning space requirements from small closets and pantries. Because the doors to these spaces are still considered as being "intended for user passage", the standard would technically still require the door maneuvering space within the closet. Since the space is of such a limited size and will not provide adequate space to turn around, the door will only be approachable from within the space by reversing the course used to enter. In addition, the size of the closet or pantry is limited to maximum 48 inch depth although most maneuvering clearances require a 48 inch minimum depth or greater. Therefore none of the door maneuvering clearances specified in Section 404 would work within the space.

I have submitted this proposal to only address the closets and pantries which are addressed in Exception 2 of both Sections 1002.3.2 and 1003.3.2. I believe it is easily apparent that the exclusion of door maneuvering clearances is appropriate for those situations. In reality, the new exceptions should address any space which does not provide a turning space within the room. Therefore I will suggest an alternate for the committee to consider which would pick up both the toilet and bathing rooms of Exception 1 (Sections 1002.3.2 and 1003.3.2) as well as the closets and pantries mentioned previously. The suggested alternate would be:

7. The door maneuvering clearances from Section 404 are not required within a room or space which does not provide a turning space complying with Section 1002.3.2. (1003.3.2 for Type A)

While it may seem to be a bigger issue to eliminate the door maneuvering clearance within the nonaccessible toilet and bathing rooms; the reality of the matter is that regardless of what the space is, if there is no adequate space to turn around within it, then there is no option to approach the door from any direction other than by reversing the entry path.

1002.5-PAARLBERG.doc

Committee Action

Approved

Committee Reason: The change provides correlation with revisions to the 2009 Standard.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

BALLOT COMMENTS

10-4.1

Commenter: Edward Steinfeld, Representing RESNA

Ballot: Negative with comment:

Comment: The text of this is not understandable. I am not sure what the proposal means and fear it would be impossible to implement.

10-5– 12

This proposal was disapproved by the committee. No ballot or proponent comments were received. No further action is needed.

10-6– 12

1002.9, 1003.9

Proposed Change as Submitted

Proponent: Kim Paarlberg, International Code Council

Revise as follows:

1002.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, ~~operating hardware for operable windows~~, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS: (no change to exceptions)

1003.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, ~~operating hardware for operable windows~~, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS: (no change to exceptions)

Reason: The quantity of change proposals submitted by International Code Council is reflective of three elements of our work: 1. ICC is the Secretariat for the Standard and some changes reflect inconsistencies or improvements suggested by staff; 2. ICC develops and publishes a Commentary on the standard and writing the commentary illuminates issues of the text and figures; and 3. ICC provides an interpretation service for the standard which results in the observation of provisions the users find most confusing.

The text related to the operating hardware for operable windows should be eliminated from Sections 1002.9 and 1003.9 since it will create confusion and conflicts with the revised window requirements that were put into Sections 1002.13 and 1003.13 during the development cycle for the 2009 standard.

The requirements for windows in Sections 1002.13 and 1003.13 only reference specific sections of Section 309 while the operable parts requirements of Sections 1002.9 and 1003.9 reference all of Section 309. Therefore the operable parts sections are requiring compliance with portions of Section 309 that are not required by the window provisions.

If the committee does not want to delete the indicated text from Sections 1002.9 and 1003.9 then an additional exception should be added to those sections which would reference the window provisions of Section 1002.13 or 1003.13 respectively.

1002.9-PAARLBERG.doc

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

Committee Action

Disapproved

Committee Reason: For consistency with the Committee's action on proposal 5-22-12

BALLOT COMMENTS

10-6.1

Commenter: Kim Paarlberg, Representing ICC
Ballot: Affirmative with comment:

Comment: Window hardware is being addressed with 5-22.

10-6.2

Commenter: Gene Boecker, Representing NATO
Ballot: Negative with comment:

Comment: The proposal should be approved. The actions on 5-22 can stand individually. While 5-22 intends to make changes to multiple sections in Chapters 5 and 10, this proposal seeks only to change the base sections 1002.9 and 1003.9. Section 1002.13 and 1003.13 already contain the specific requirements for windows and make reference to the applicable portions of Section 309. Keeping the text in 1002.9 and 1003.9 adds confusion.

PROPONENT COMMENT

10-6.3

Proponent: Kim Paarlberg, Representing ICC

Requests the proposal be Approved as Submitted

Reason: Window hardware is being addressed with a proposal for 5-22. Window hardware is already addressed within dwelling units in Sections 1002.13 and 1003.13. Therefore, it should not be repeated here. It causes a conflict.

10-7– 12

1002.9, 1003.9, 1004.9

Proposed Change as Submitted

Proponent: Dominic Marinelli, representing United Spinal Association

Revise as follows:

1002.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with 309.~~ In kitchens, kitchenettes, toilet and bathing facilities, receptacle outlets and switches shall comply with Section 1002.9.1.
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
7. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Electrical panelboards shall not be required to comply with Section 309.4.

1002.9.1 Receptacle outlets and switches in kitchens, kitchenettes and toilet and bathing facilities.

Receptacle outlets and switches in toilet and bathing facilities complying with Section 1002.11.2 and kitchens shall be provided as specified in Sections 1002.9.1.1 through 1002.9.1.4. Outlets and switches in toilet and bathing facilities not complying with Section 1002.11.2 and kitchenettes shall be provided as specified in Sections 1002.9.1.3 and 1002.9.1.4.

1002.9.1.1 Receptacle outlets required in kitchens. In kitchens, receptacle outlets must be provided at the following locations:

1. A receptacle outlet must be provided over the work surface and comply with Section 308.2.2 (forward obstructed reach range).
2. A receptacle outlet must be provided on one side of the sink less than 12 inches horizontally from the inside face of the sink bowl and 44 inches maximum above the floor level. Receptacle outlets are permitted to be located over adjacent counters or cabinets that are 36 inches (915 mm) maximum.

1002.9.1.2 Receptacle outlets required in toilet and bathing facilities. In toilet and bathing facilities complying with Section 1002.11.2, an outlet shall be provided on one side of the lavatory complying with Section 606, less than 12 inches horizontally from the inside face of the lavatory bowl.

1002.9.1.3 Other receptacle outlets. In kitchens, kitchenettes and toilet and bathing facilities, receptacle outlets shall be provided in accordance with the electrical code. Where outlets are provided over counter tops 18 inches or greater in length, at least one outlet per counter length shall be located a minimum of 12 inches horizontally from a cabinet return, perpendicular wall or refrigerator. Receptacle outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25 1/2 inches (650 mm) maximum in depth.

EXCEPTION: Receptacle outlets within 36 inches horizontally from an inside corner at intersecting counter top runs are not required to comply with this section.

1002.9.1.4 Switches. In kitchens, kitchenettes, and bathing and toilet facilities switches shall comply with the following as applicable:

1. Light switches are permitted to be located over cabinets or counter tops 36 inches (915 mm) maximum in height where the reach depth is 10 inches or less.
2. Switches for lights and for control of garbage disposals are permitted to be located in the same area as the receptacle outlets in Section 1002.9.1.1 Item 2.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

3. Redundant controls for range hoods are permitted over the work surface complying with Section 308.2.2 adjacent to the range, or adjacent to cooktops provide with front approach at a location where access to controls does not require reaching across burners.

1003.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with Section 309.~~ Receptacle outlets and switches in kitchens, kitchenettes and toilet and bathing facilities shall comply with Section 1003.9.1.
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
7. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Electrical panelboards shall not be required to comply with Section 309.4.

1003.9.1 Receptacle outlets and switches in kitchens and bathrooms. Receptacle outlets and switches in bathrooms complying with Section 1003.11.2 and in kitchens, shall be provided as specified in Sections 1003.9.1.1 through 1003.9.1.4. Receptacle outlets and switches in toilet and bathing facilities not complying with Section 1003.11.2 and kitchenettes shall be provided as specified in Sections 1003.9.1.3 and 1003.9.1.4.

1003.9.1.1 Receptacle outlets required in kitchens. In kitchens, receptacle outlets must be provided at the following locations:

1. A receptacle outlet must be provided over the work surface and comply with Section 308.2.2 (forward obstructed reach range).
2. A receptacle outlet must be provided on one side of the sink less than 12 inches horizontally from the inside face of the sink bowl and 44 inches maximum above the floor level. Receptacle outlets are permitted to be located over adjacent counters or cabinets that are 36 inches (915 mm) maximum.

1003.9.1.2 Receptacle outlets required in toilet and bathing facilities. In toilet and bathing facilities complying with Section 1003.11.2, a receptacle outlet shall be provided on one side of the lavatory complying with Section 1003.11.2.2, less than 12 inches horizontally from the inside face of the lavatory bowl.

1003.9.1.3 Other receptacle outlets. In kitchens, kitchenettes and toilet and bathing facilities, receptacle outlets shall be provided in accordance with the electrical code. Where outlets are provided over counter tops 18 inches or greater in length, at least one receptacle outlet per counter length shall be located a minimum of 12 inches horizontally away from cabinet return, perpendicular wall or refrigerator. Receptacle outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25 1/2 inches (650 mm) maximum in depth.

EXCEPTION: Receptacle outlets within 36 inches horizontally from an inside corner at intersecting countertop runs are not required to comply with this section.

1003.9.1.4 Switches. In kitchens, kitchenettes, and toilet and bathing facilities switches shall comply with the following as applicable:

1. Light switches are permitted to be located over cabinets or counter tops 36 inches (915 mm) maximum in height where the reach depth is 10 inches or less.
2. Switches for lights and for control of garbage disposals are permitted to be located in the same area as the outlets in Section 1003.9.1.1 Item 2.
3. Redundant controls for range hoods are permitted over the counter adjacent to the range or cooktops at a location where access to controls does not require reaching across burners.

1004.9 Operable Parts. Lighting controls, electrical switches and receptacle outlets, environmental controls, electrical panelboards, and user controls for security or intercom systems shall comply with Sections 309.2 and 309.3.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with Section 309. Outlets and switches in kitchens, kitchenettes and toilet and bathing facilities that comply with Section 1004.9.1.~~
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Controls or switches mounted on appliances.
7. Plumbing fixture controls. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
9. ~~Within kitchens and bathrooms, lighting controls, electrical switches and receptacle outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25 1/2 inches (650 mm) maximum in depth.~~

1004.9.1 Receptacle outlets and switches in kitchens, kitchenettes and toilet and bathing facilities. Receptacle outlets and switches in kitchen, kitchenettes and toilet and bathing facilities shall be provided as specified in Sections 1004.9.1.1 and 1004.9.1.2.

1004.9.1.1 Receptacle outlets. In kitchens, kitchenettes and toilet and bathing facilities, receptacle outlets shall be provided in accordance with the electrical code. Where receptacle outlets are provided over counter tops 18 inches or greater in length, at least one outlet per counter length shall be located a minimum of 12 inches horizontally away from cabinet return, perpendicular wall or refrigerator. Receptacle outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25 1/2 inches (650 mm) maximum in depth.

EXCEPTION: Receptacle outlets within 36 inches horizontally from an inside corner at intersecting countertop runs are not required to comply with this section.

1004.9.1.2 Switches. In kitchens, kitchenettes and toilet and bathing facilities switches are permitted to be located over cabinets or counter tops 36 inches (915 mm) maximum in height and 25 1/2 inches (650 mm) maximum in depth.

Reason: The Reach Range subgroup of the Wheeled Mobility Task Group examined the data provided by the Wheeled Mobility Research project and has attempted to use this data in conjunction with NEC requirements for outlets in kitchens and bathrooms to come up with standards that will provide the most usability as possible for outlets in Accessible, Type A and Type B units.

The reach range subgroup's goal is to take a different approach and call out those outlets that must be accessible, exempting the remaining outlets in kitchens and toilet/bathing rooms. From a construction standpoint, this approach is likely less restrictive than the current scoping in A117.1 and from a Usability perspective, we have used the data provided from the Wheeled Mobility Research Project, to identify those locations for receptacles that will benefit the largest number of wheelchair users while also working within the technical requirements of the NEC.

Several background issues the subgroup considered when constructing this language are as follows:

The most important issue which has not been solved to date regardless of the NEC i.e., even though Type B unit countertops are permitted to be 25½ inches deep and 36 inches high (ANSI 1004.9 Exception 10, which is in line with FHA) compliance with 1004.9, Exception 2 can never be achieved if appliances which project beyond the countertop edge "push back" the CFS and prevent it from being positioned for a side approach flush up against the countertop edge such that the reach depth to outlets at the backsplash does not exceed 24 inches recognizing the allowance for a 25½-inch deep countertop. The only time compliance with Exception 2 can be achieved is when base cabinet runs are no less than 48 inches such that the side approach can be positioned up against the base cabinet without obstruction by appliances. This is rare in many cases and certainly not expected, required or contemplated by any requirement. Practically speaking, appliances project beyond countertop edges so requiring that appliances do not project beyond countertops is not feasible.

All of the above is true for Type A units at 1003.9 (and all common area kitchens/kitchenettes) except outlets are not accessible when mounted above counters deeper than 24 inches (side approach) and higher than 34 inches. Achieving compliance with Exception 2 at 1003.9 is always challenging in the Type A unit; if compliance with Exception 2 is required in Type A units (and common area kitchens and kitchenettes), then shouldn't it be required that all countertops in Type A unit kitchens (and common area kitchens and kitchenettes) be no higher than 34 inches? We know this is not required. Because this is not required then all outlets over 36-inch high countertops, which are permitted in Type A units (such as those located above the dishwasher) are not accessible and are in violation of Exception 2, always. Bringing outlets to the front of base cabinets is not practical and draping chords are certainly dangerous. In addition, there is the issue of the loss of the drawer at that location and the additional costs for that type of outlet. Even adding outlets to a side wall where a countertop runs into a wall on one side is not a way to meet compliance when the countertop is higher than 34 inches.

If only one 30-inch wide section of counter in a Type A unit is required to serve as the accessible work area (fixed at 34 inches AFF or adjustable), then only outlets above this work counter should be required to be accessible. This is certainly practical and can always be achieved. Since a front approach must be provided below this work counter (open or removable base cabinet), the language in the attached proposal clarifies that no less than one outlet must be located above the 30-inch wide work counter; and, it must be no higher than 44 inches AFF. This would guarantee that at least one outlet over the required 30-inch wide work counter will be accessible when the base cabinet below the work surface is removed to provide the front approach. The same logic applies to the sink in Accessible and Type A units - hence the recommendation to provide an accessible outlet adjacent to the sink.

The attached proposal attempts to require that in Accessible and Type A kitchens, an outlet would be required at the work surface and immediately adjacent to the sink.

In Accessible and Type A bathrooms, an outlet would be required adjacent to the accessible lavatory.

Following are several examples of kitchens where the group looked at compliance with the new provisions.

1002.9-MARINELLI.doc

Committee Action

Disapproved

Committee Reason: The Committee had many concerns that the proposal would result in more outlets/receptacles than is really necessary in these rooms. It was suggested that the National Electric Code provides better language than that proposed. It would seem to require an outlet right adjacent to a sink which would be a problem. The Committee agreed with the idea of required outlets at accessible work surfaces, however the verbiage for the 12 inches from the corner over the non-accessible portions of the counter wasn't needed.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

BALLOT COMMENTS

10-7.1

Commenter: Gene Boecker, Representing NATO

Ballot: Negative with comment:

Revise as follows:

1002.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with 309. In kitchens, kitchenettes, toilet and bathing facilities, receptacle outlets and switches shall comply with Section 1002.9.1.~~
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
7. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Electrical panelboards shall not be required to comply with Section 309.4.

1002.9.1 Receptacle outlets and switches located over obstructions. Receptacle outlets and switches in toilet and bathing facilities complying with Section 1002.11.2 and kitchens shall comply with Sections 309.2 and 309.4 be provided as specified in Sections 1002.9.1.1 through 1002.9.1.4.

1002.9.1.1 Receptacle outlets required in kitchens. In kitchens, receptacle outlets shall be provided at the following locations:

1. At least one receptacle outlet shall comply with 309.3
2. At least one receptacle outlet shall be provided above the work surface no higher than 44 inches (1120 mm) maximum above the floor level to the highest outlet.
3. Additional receptacle outlets shall be no higher than 44 inches (1120 mm) maximum above the floor level to the highest outlet.
4. Receptacle outlets located over base cabinets shall be positioned at least 36 inches (915 mm) from any inside corner.

1002.9.1.2 Receptacle outlets required in toilet and bathing facilities. In toilet and bathing facilities complying with Section 1002.11.2, an outlet shall be provided on one side of the accessible lavatory no higher than 44 inches maximum above the floor level to the highest outlet.

1002.9.1.4 Switches. In kitchens, kitchenettes, and bathing and toilet facilities switches shall comply with the following as applicable:

1. Light switches are permitted to be located over cabinets or counter tops 36 inches (915 mm) maximum in height where the reach depth is 10 inches or less.
2. Switches for lights, for control of garbage disposals and redundant controls for range hood exhaust shall be no higher than 44 inches (1120 mm) maximum above the floor level to the highest outlet.

1003.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with Section 309. Receptacle outlets and switches in kitchens, kitchenettes and toilet and bathing facilities shall comply with Section 1002.9.1.~~

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
7. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Electrical panelboards shall not be required to comply with Section 309.4.

1004.9 Operable Parts. Lighting controls, electrical switches and receptacle outlets, environmental controls, electrical panelboards, and user controls for security or intercom systems shall comply with Sections 309.2 and 309.3.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with Section 309. Outlets and switches in kitchens, kitchenettes and toilet and bathing facilities that comply with Section 1002.9.1.~~
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Controls or switches mounted on appliances.
7. Plumbing fixture controls. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
9. ~~Within kitchens and bathrooms, lighting controls, electrical switches and receptacle outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25 1/2 inches (650 mm) maximum in depth.~~

Comment: There is currently no way to meet the requirement in the standard without either adding outlets to the face of the base cabinet or the top of the counter. Neither are viable solutions. The main concern is the allowable 24-inch reach depth due to the physical 25-1/2 inch counter depth. See attached sheet at the end of the ballot for a suggested amendment.

10-7.2

Commenter: Barbara Huelat, Representing ASID

Ballot: Negative with comment:

Comment: Agree with committee.

10-7.3

Commenter: Cheryl D. Kent, Representing HUD

Ballot: Negative with comment:

Comment: I believe the Committee did not give the proponent a sufficient opportunity to explain this proposal, section by section, as well as explain the full range of reasons that the proposal was submitted. I think the proponent should have another opportunity to walk the Committee through this proposal and/or through any changes the proponent chooses to make to the proposal.

10-7.4

Commenter: Dominic Marinelli, Representing USA

Ballot: Negative with comment:

Comment: Reconsider those sections that the committee did not have a problem with for Accessible and Type A units along with 10-8-12 proposal for Type B units.

1002.9.1.1 Receptacle outlets required in kitchens. In kitchens, receptacle outlets must be provided at the following locations:

1. A receptacle outlet must be provided over the work surface and comply with Section 308.2.2 (forward obstructed reach range).

1003.9.1.1 Receptacle outlets required in kitchens. In kitchens, receptacle outlets must be provided at the following locations:

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

1. A receptacle outlet must be provided over the work surface and comply with Section 308.2.2 (forward obstructed reach range).

1004.9 Operable Parts. Lighting controls, electrical switches and receptacle outlets, environmental controls, electrical panelboards, and user controls for security or intercom systems shall comply with Sections 309.2 and 309.3.

2. Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with Section 309. For each length of countertop, at least one receptacle outlet shall comply with Section 309.
9. Within kitchens and bathrooms, lighting controls, electrical switches and receptacles outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum and 25 ½ inches (650 mm) maximum in depth.
11. Electrical panelboards shall not be required to comply with Section 309.4.

10-7.5

Commenter: Kim Paarlberg, Representing ICC

Ballot: Negative with comment:

Comment: Electrical outlets over counters in kitchens was an issue identified during the last cycle. The committee wanted to wait for the information from Dr. Steinfeld for reach over obstructions. The data from Dr. Steinfeld does not include this information. Assumptions seem to be that it is not possible to reach over either a 34" or 36" high counter with an obstructed side reach. Options of putting the outlets in the counter or on the fronts of the cabinets are expensive and offer a safety hazard with the cord overhanging. The option of putting them under the upper cabinets was also discussed to decrease the reach, but that would be too high to be within the current reach range.

United Spinal tried to address both the idea of having outlets within the reach of someone using a wheelchair in and Accessible and Type A units, at the same time as placing other outlets where they would be acceptable to HUD for Type B units. This issue should be split to address each idea separately.

Really the only place to locate an outlet where you balance accessibility, safety and cost is at the accessible work surface. Placement of outlets over other counter surfaces is controlled by the Energy Code. Utilization of the outlets could be by leaving items plugged in, or using extension cords.

I would also like to limit this discussion to outlets. Switches can be addressed by other design methods.

Replace proposal as follows:

1002.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with 309. Receptacle outlets in kitchens except where required by Section 1002.9.1.~~
3. Receptacle outlets in kitchenettes, toilet and bathing facilities.
4. Floor receptacle outlets.
5. HVAC diffusers.
6. Controls mounted on ceiling fans.
7. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
8. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
9. Electrical panelboards shall not be required to comply with Section 309.4.

1002.9.1 Receptacle outlets in kitchens. At least one receptacle outlet shall be provided over the accessible work surface and the receptacle outlet shall comply with Section 308.2.2 (forward obstructed reach range).

1003.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with 309. Receptacle outlets in kitchens except where required by Section 1003.9.1.~~
3. Receptacle outlets in kitchenettes, toilet and bathing facilities.
4. Floor receptacle outlets.
5. HVAC diffusers.
6. Controls mounted on ceiling fans.
7. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
8. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
9. Electrical panelboards shall not be required to comply with Section 309.4.

1003.9.1 Receptacle outlets in kitchens. At least one receptacle outlet shall be provided over the accessible work surface and the receptacle outlet shall comply with Section 308.2.2 (forward obstructed reach range).

Proponent Comment

10-7.6

Proponent: Dominic Marinelli, representing United Spinal Association

Replace the proposal with the following:

Accessible units -

1002.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with 309. Receptacle outlets located over counters in kitchens, other than those required by Section 1002.9.1.~~
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
7. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Electrical panelboards shall not be required to comply with Section 309.4.

1002.9.1 Receptacle outlets required in kitchens. At least one receptacle outlet shall be provided over the accessible work surface and the receptacle outlet shall comply with Section 309.

Type A units –

1003.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with Section 309. Receptacle outlets located over counters in kitchens, other than those required by Section 1003.9.1.~~
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
7. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Electrical panelboards shall not be required to comply with Section 309.4.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

1003.9.1 Receptacle outlets required in kitchens. At least one receptacle outlet shall be provided over the accessible work surface and the receptacle outlet shall comply with Section 309.

Type B units -

1004.9 Operable Parts. Lighting controls, electrical switches and receptacle outlets, environmental controls, electrical panelboards, and user controls for security or intercom systems shall comply with Sections 309.2 and 309.3.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided~~ In a kitchen, where receptacles are located above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with ~~Section 309~~ Sections 309.2 and 309.3.
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Controls or switches mounted on appliances.
7. Plumbing fixture controls. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
9. Within kitchens, kitchenettes and bathrooms, lighting controls, electrical switches and receptacle outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25-1/2 inches (650 mm) maximum in depth.

Reason: Dr. Steinfeld's information did not provide us with technical information about reaches over obstruction. Dr. Steinfeld did suggest raising the knee and toe clearance to increase access for front approach, but the committee voted disapproval since they felt that raising the front approach counter to 36" would reduce access.

It is in the interest of cost effectiveness and the ability to buy stock appliances and cabinets it seems reasonable to allow for most of the kitchen lower cabinets to be at 36" high. With that assumption, the best location for accessible outlets is at the accessible work surface. The pop-up outlets or front of counter outlets reduce accessible storage, are expensive, and increase the chances of the electrical appliance being pulled off the counter (i.e., this is a safety issue). In addition, many counter top appliances are typically left plugged in in other locations (i.e., microwaves, toasters, coffee maker).

Therefore, the intent of this proposal is to require outlets at the accessible work surface in Accessible units and Type A units, and exempt other outlets in the kitchen.

In Type B units, Exception 2 matches the main text. In Exception 9, kitchenettes are common in dormitory and assisted living set ups.

10-7.7

Proponent: Dominic Marinelli, representing United Spinal Association

Replace the proposal with following:

Type B units only.

1004.9 Operable Parts. Lighting controls, electrical switches and receptacle outlets, environmental controls, electrical panelboards, and user controls for security or intercom systems shall comply with Sections 309.2 and 309.3.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with Section 309.~~ Outlets and switches in kitchens, kitchenettes and toilet and bathing facilities that comply with Section 1004.9.1.
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Controls or switches mounted on appliances.
7. Plumbing fixture controls. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
9. ~~Within kitchens and bathrooms, lighting controls, electrical switches and receptacle outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25-1/2 inches (650 mm) maximum in depth.~~

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

1004.9.1 Receptacle outlets and switches in kitchens, kitchenettes and toilet and bathing facilities. Receptacle outlets and switches in kitchen, kitchenettes and toilet and bathing facilities shall be provided as specified in Sections 1004.9.1.1 and 1004.9.1.2.

1004.9.1.1 Receptacle outlets. In kitchens, kitchenettes and toilet and bathing facilities, receptacle outlets shall be provided in accordance with the electrical code. Where receptacle outlets are provided over counter tops 18 inches or greater in length, at least one outlet per counter length shall be located a minimum of 12 inches horizontally away from cabinet return, perpendicular wall or refrigerator. Receptacle outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25 1/2 inches (650 mm) maximum in depth.

EXCEPTION: Receptacle outlets within 36 inches horizontally from an inside corner at intersecting countertop runs are not required to comply with this section.

1004.9.1.2 Switches. In kitchens, kitchenettes and toilet and bathing facilities switches are permitted to be located over cabinets or counter tops 36 inches (915 mm) maximum in height and 25 1/2 inches (650 mm) maximum in depth.

Reason: In Type B units (FHA units), USA has been reviewing projects that have been cited for issues regarding the location of outlets and switches. There is a concern that outlets do not meet the requirements in the Fair Housing Design Manual that requires outlets to be located at least 12" away from any vertical obstruction (such as a refrigerator, end wall, wall ovens).

The intent of this proposal is to locate outlets required by the electrical code in such a manner that they are reachable by a person using a side approach over a 36" high counter. The intent is to be consistent with FHA. This clarification will go a long way towards reducing complaints in Type B kitchens regarding outlet placement. It is not the intent to require additional outlets.

10-8– 12

1002.9, 1003.9, 1004.9

Proposed Change as Submitted

Proponent: Cheryl Kent, representing U.S. Department of Housing and Urban Development

Revise as follows:

1002.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with 309.~~ For each length of countertop, at least one receptacle outlet shall comply with Section 309.
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
7. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Electrical panelboards shall not be required to comply with Section 309.4.
9. Within kitchens and bathrooms, lighting controls, electrical switches and receptacles outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum and 25 1/2 inches (650 mm) maximum in depth.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

1003.9 Operable Parts. Lighting controls, electrical panel boards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with Section 309.~~ For each length of countertop, at least one receptacle outlet shall comply with Section 309.
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
7. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Electrical panelboards shall not be required to comply with Section 309.4.
9. Within kitchens and bathrooms, lighting controls, electrical switches and receptacles outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum and 25 ½ inches (650 mm) maximum in depth.

1004.9 Operable Parts. Lighting controls, electrical switches and receptacle outlets, environmental controls, electrical panelboards, and user controls for security or intercom systems shall comply with Sections 309.2 and 309.3.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with Section 309.~~ For each length of countertop, at least one receptacle outlet shall comply with Section 309.
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Controls or switches mounted on appliances.
7. Plumbing fixture controls.
8. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
9. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
10. Within kitchens and bathrooms, lighting controls, electrical switches and receptacle outlets are permitted to be located over cabinets with counter tops of 36-inch (915 mm) maximum in height and 25-1/2 inches (650 mm) maximum in depth.
11. Electrical panelboards shall not be required to comply with Section 309.4.

Reason: The Department believes that providing accessible switches and outlets in Accessible, Type A and Type B kitchens is problematic due to the depth of most of the appliances, as well as the standard overhang of the countertop, which typically creates a depth for the obstruction (countertop and cabinet) of 25 to 25 ½ inches. In addition, the location of the appliances and their related depth typically makes it difficult if not impossible to achieve a full 48-inch parallel approach at the electrical outlet and/or switch because the greater depth of the appliance makes it not possible to achieve a close parallel approach. This proposal attempts to address these problems. In addition, in the Type B Unit, the circuit breaker box/electrical panel board is not required to be accessible, and although it has not been identified as an exception for Type B units under Section 1004.9, and therefore, apparently

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

is currently required to be accessible for Type B units, we believe adding an exception that is consistent with the exception for Accessible and Type A units is appropriate.

Committee Action: AS AM D

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Committee Action

Disapproved

Committee Reason: The proposal doesn't improve the code. The proposed text is not clear.

BALLOT COMMENTS

10-8.1

Commenter: Gerald Gross, Representing AHLA

Ballot: Negative with comment:

Comment: Type A and B dwelling units have 36" high kitchen counters. The reach ranges now specified within the A and B dwelling units are flawed due to the fact that the required reach ranges of Section 308.3 as referenced within Sections 1003.9 and 1004.9 do not allow for an unobstructed side reach over any obstruction more than 34" above the finished floor. Because of this section no receptacle outlets maybe located above any kitchen counters over 34" in height.
In addition:

1. the electrical code requires receptacles within the kitchen, and
2. any placement of receptacles on the face of a counter or cabinets maybe hazardous.

The proposal should be approved.

10-8.2

Commenter: Cheryl D. Kent, Representing HUD

Ballot: Negative with comment:

Comment: I am voting negative as I would like the opportunity to have changes I am making to this proposal be considered by the Committee. My notes on the reasons for disapproval are limited as I cannot watch the sign language interpreters and take full notes at the same time, however, here are some of what I believe were reasons for disapproval, and how I am addressing them at this time. I am including a preliminary draft revised proposal below, but may want to offer other options during the July meeting.

Some of the reasons for disapproval were (1) that Exception 2 to 1002.9 and 1003.9 sends users to 309 and 309 sends the user to 308, which are the reach ranges provisions. My response to this: That is also true for Section 1004.9, however, the language I included in new Exception 9 to 1002.9 and 1003.9 is the same as language that is currently in Exception 10 to 1004.9. If this is not a problem under Section 1004.9, it is unclear why it is a problem under 1002.9 and 1003.9

(2) The language I offered for revised Exception 2 did not include the necessary triggering "where provided" language. My response: I have revised Exception 2 to include this triggering language. (3) New exception 11 to 1004.9 is not needed because the charging paragraph only requires compliance with 309.2 and 309.3. My response: I have deleted Exception 11.

Revise as follows:

309 Operable Parts

309.1 General. Operable parts required to be accessible shall comply with Section 309.

309.2 Clear Floor Space. A clear floor space complying with Section 305 shall be provided.

309.3 Height. Operable parts shall be placed within one or more of the reach ranges specified in Section 308.

309.4 Operation. Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate operable parts shall be 5.0 pounds (22.2 N) maximum.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

EXCEPTION: Gas pump nozzles shall not be required to provide operable parts that have an activating force of 5.0 pounds (22.2 N) maximum.

1002.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. Where two or more receptacle outlets are provided in a kitchen above a length of counter top ~~that is uninterrupted by a sink or appliance~~, one receptacle outlet shall not be required to comply with 309.
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
7. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Electrical panelboards shall not be required to comply with Section 309.4.
9. Within kitchens and bathrooms, lighting controls, electrical switches and receptacles outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25 ½ inches (650 mm) maximum in depth.

1003.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. Where two or more receptacle outlets are provided in a kitchen above a length of counter top ~~that is uninterrupted by a sink or appliance~~, one receptacle outlet shall not be required to comply with 309.
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
7. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Electrical panelboards shall not be required to comply with Section 309.4.
9. Within kitchens and bathrooms, lighting controls, electrical switches and receptacles outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25 ½ inches (650 mm) maximum in depth.

1004.9 Operable Parts. Lighting controls, electrical switches and receptacle outlets, environmental controls, electrical panelboards, and user controls for security or intercom systems shall comply with Section 309.2 and 309.3.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. Where two or more receptacle outlets are provided in a kitchen above a length of counter top ~~that is uninterrupted by a sink or appliance~~, one receptacle outlet shall not be required to comply with 309.
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Controls or switches mounted on appliances.
7. Plumbing fixture controls.
8. Reset buttons serving appliances, piping and plumbing fixtures.
9. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
10. ~~Within kitchens and bathrooms, lighting controls, electrical switches and receptacles outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25 ½ inches (650~~

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

mm) maximum in depth.

~~11. Electrical panelboards shall not be required to comply with 309.4.~~

Reason for the proposed change:

HUD believes that providing accessible switches and outlets in Accessible, Type A and Type B kitchens is problematic due to the depth of most of the appliances, as well as the standard overhang of the countertop, which typically creates a depth for the obstruction (countertop and cabinet) of 25 to 25 ½ inches. In addition, the location of the appliances and their related depth, as well as corners or walls, typically makes it difficult if not impossible to achieve a full 48-inch parallel approach at the electrical outlet because the greater depth of the appliance makes it not possible to achieve a close parallel approach. To address this concern, this proposal would require only one electrical receptacle that is located along a length of kitchen countertop to be accessible, irrespective of whether the countertop is interrupted by a sink or appliance. Further, the provisions for kitchen counter tops for accessible and Type A units makes it evident that counter tops other than the one that is the work surface and the one that includes the sink, may be higher than 34 inches, that is, at the standard height of 36 inches. This automatically creates a non-compliance issue for outlets located above the 36-inch high counter tops. The Type B Unit language includes an exception related to the counter top height, and this exception has been added to the Accessible and Type A Units to address this concern.

10-8.3

Commenter: Kim Paarlberg, Representing ICC

Ballot: Negative with comment:

Comment: It still is not possible to provide outlets that comply with Section 309 without have a counter at a maximum height of 34 inches. The proposal to 10-7 will address the issue of providing receptacle outlets for person using wheelchairs. This proposal will address what is required for Type B dwelling units. In order for there to be the sequential step down from Accessible to Type A to Type B, other outlets in the kitchen area and bathroom have to comply with the same provisions as Type B units.

The proposal to add Exception 10 is not needed since the main paragraph does not require 5 lbs. force (Section 309.4) for any element in Type B units.

Replace the proposal will the following. This will address Type B units requirements only (similar to the blocking in the walls even in non-accessible bathrooms)!

1002.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with 309.~~
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
7. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Electrical panelboards shall not be required to comply with Section 309.4.
9. Within kitchens and bathrooms, lighting controls, electrical switches and receptacles outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum and 25 ½ inches (650 mm) maximum in depth. For each length of counter top, at least one receptacle outlet shall be located adjacent to a clear floor space.

1003.9 Operable Parts. Lighting controls, electrical panel boards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with Section 309.~~
3. Floor receptacle outlets.
4. HVAC diffusers.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

5. Controls mounted on ceiling fans.
6. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
7. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Electrical panelboards shall not be required to comply with Section 309.4.
9. Within kitchens and bathrooms, lighting controls, electrical switches and receptacle outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum and 25 ½ inches (650 mm) maximum in depth. For each length of counter top, at least one receptacle outlet shall be located adjacent to a clear floor space.

1004.9 Operable Parts. Lighting controls, electrical switches and receptacle outlets, environmental controls, electrical panelboards, and user controls for security or intercom systems shall comply with Sections 309.2 and 309.3.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. ~~Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with Section 309.~~
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Controls or switches mounted on appliances.
7. Plumbing fixture controls.
8. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
9. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
10. Within kitchens and bathrooms, lighting controls, electrical switches and receptacle outlets are permitted to be located over cabinets with counter tops of 36-inch (915 mm) maximum in height and 25-1/2 inches (650 mm) maximum in depth. For each length of counter top, at least one receptacle outlet shall be located adjacent to a clear floor space.

10-8.4

Commenter: Dominic Marinelli, representing United Spinal Association

Ballot: Negative with comment:

Comment: Cheryl's proposal is to permit one (1) receptacle to comply per length of countertop; the current language permits only one exempt receptacle per length of countertop which is very difficult to do when balancing NEC requirements while allowing reach over a 36" high 25 ½" deep countertop that is permitted by the Fair Housing Accessibility Guidelines. Consider combining with sections of 10-7-12 that committee liked for Accessible and Type A units:

Type A units:

1002.9.1.1 Receptacle outlets required in kitchens. In kitchens, receptacle outlets must be provided at the following locations:

1. A receptacle outlet must be provided over the work surface and comply with Section 308.2.2 (forward obstructed reach range).

1003.9.1.1 Receptacle outlets required in kitchens. In kitchens, receptacle outlets must be provided at the following locations:

1. A receptacle outlet must be provided over the work surface and comply with Section 308.2.2 (forward obstructed reach range).

1004.9

2. Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with Section 309. For each length of countertop, at least one receptacle outlet shall comply with Section 309.

9. Within kitchens and bathrooms, lighting controls, electrical switches and receptacles outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum and 25 ½ inches (650 mm) maximum in depth.

11. Electrical panelboards shall not be required to comply with Section 309.4.

Ballot Comment and Proponent Comment Agenda- July 15-19, 2013: Proposals of 2012 submitted on the ICC A117.1-2009

Proponent Comment

10-8.5

Commenter: Cheryl D. Kent, Representing HUD

Revise the proposal as follows:

309 Operable Parts

309.1 General. Operable parts required to be accessible shall comply with Section 309.

309.2 Clear Floor Space. A clear floor space complying with Section 305 shall be provided.

309.3 Height. Operable parts shall be placed within one or more of the reach ranges specified in Section 308.

309.4 Operation. Operable parts shall be operable with one hand and shall not require tight grasping, pinching, or twisting of the wrist. The force required to activate operable parts shall be 5.0 pounds (22.2 N) maximum.

EXCEPTION: Gas pump nozzles shall not be required to provide operable parts that have an activating force of 5.0 pounds (22.2 N) maximum.

1002.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. Where two or more receptacle outlets are provided in a kitchen above a length of counter top ~~that is uninterrupted by a sink or appliance~~, one receptacle outlet shall not be required to comply with 309.
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
7. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Electrical panelboards shall not be required to comply with Section 309.4.
9. Within kitchens and bathrooms, lighting controls, electrical switches and receptacles outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25 ½ inches (650 mm) maximum in depth.

1003.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. Where two or more receptacle outlets are provided in a kitchen above a length of counter top ~~that is uninterrupted by a sink or appliance~~, one receptacle outlet shall not be required to comply with 309.
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
7. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
8. Electrical panelboards shall not be required to comply with Section 309.4.
9. Within kitchens and bathrooms, lighting controls, electrical switches and receptacles outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25 ½ inches (650 mm) maximum in depth.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

1004.9 Operable Parts. Lighting controls, electrical switches and receptacle outlets, environmental controls, electrical panelboards, and user controls for security or intercom systems shall comply with Section 309.2 and 309.3.

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. Where two or more receptacle outlets are provided in a kitchen above a length of counter top that is uninterrupted by a sink or appliance, one receptacle outlet shall not be required to comply with ~~309~~ 309.2 and 309.3.
3. Floor receptacle outlets.
4. HVAC diffusers.
5. Controls mounted on ceiling fans.
6. Controls or switches mounted on appliances.
7. Plumbing fixture controls.
8. Reset buttons serving appliances, piping and plumbing fixtures.
9. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
10. Within kitchens and bathrooms, lighting controls, electrical switches and receptacles outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25 ½ inches (650 mm) maximum in depth.
11. ~~Electrical panelboards shall not be required to comply with 309.4.~~

Reason:

HUD believes that providing accessible switches and outlets in Accessible, Type A and Type B kitchens is problematic due to the depth of most of the appliances, as well as the standard overhang of the countertop, which typically creates a depth for the obstruction (countertop and cabinet) of 25 to 25 ½ inches. In addition, the location of the appliances and their related depth, as well as corners or walls, typically makes it difficult if not impossible to achieve a full 48-inch parallel approach at the electrical outlet because the greater depth of the appliance makes it not possible to achieve a close parallel approach. To address this concern, this proposal would require only one electrical receptacle that is located along a length of kitchen countertop to be accessible, irrespective of whether the countertop is interrupted by a sink or appliance. Further, the provisions for kitchen counter tops for accessible and Type A units makes it evident that counter tops other than the one that is the work surface and the one that includes the sink, may be higher than 34 inches, that is, at the standard height of 36 inches. This automatically creates a non-compliance issue for outlets located above the 36-inch high counter tops. The Type B Unit language includes an exception related to the counter top height, and this exception has been added to the Accessible and Type A Units to address this concern.

10-9– 12

This proposal was disapproved by the committee. No ballot or proponent comments were received. No further action is needed.

10-10– 12

1002.9.1 (New)

Proposed Change as Submitted

Proponent: Hope Reed, New Mexico Governor's Commission on Disability (NMGCD)

Add new text as follows:

1002.9.1 Wheelchair Charging Area. A wheelchair charging area shall be provided adjacent to at least one electrical outlet. A clear floor space complying with Section 305 shall be provided adjacent to the outlet.

Reason: Add a new section for wheelchair charging area. Many times a person with disabilities must get the hotel staff to move furniture and make space to recharge their wheelchair. This is an important part of travelling and should always be required in Accessible Units.

1002.9.1 (New)-Reed.doc

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

Committee Action

Disapproved

Committee Reason: The Committee felt the proposal had more questions than solutions. The term 'wheelchair charging area' is undefined. Should the voltage be specified? Would this need to be a single outlet and not a duplex?

BALLOT COMMENTS

10-10.1

Commenter: Rick Lupton, Representing WABO

Ballot: Affirmative with comment:

Comment: There are a couple of proposals regarding wheelchair charging areas or stations. I think that while the language needs work in all of them, providing an adjacent clear floor space is critical to their function.

10-10.2

Commenter: Hope Reed, Representing NMGCD

Ballot: Negative with comment:

Comment: Accessible wheelchair charging outlets are a common problem in hotel rooms. One standard duplex outlet needs to provide a clear floor. Further work is needed on this proposal.

Proponent Comment

10-10.3

Commenter: Hope Reed, Representing NMGCD

Revise the Proposal as follows:

106 Definitions

Wheelchair Charging Area: A clear floor area where people with disabilities can recharge their wheelchair batteries.

1002.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 1002.9 and 309.

EXCEPTIONS: (remain unchanged)

1002.9.1 Wheelchair Charging Area. A wheelchair charging area shall be adjacent to one bed. A clear floor space complying with Section 305 shall be located between the bedside and a parallel wall. The parallel wall shall be 36 in. min. to 48 in. max. from the bed and provide a 110V duplex receptacle outlet located 24 in. to 48 in. from the head wall of the bed and complying with 1002.9.

Exception: Where there is no parallel wall within 36 in. min. to 48 in. max of the bedside, a clear floor space complying with Section 305 shall be along the wall at the head of one bed. A 110V duplex receptacle outlet complying with 1002.9 shall be located along the wall at the bed head and within 24" min. and 48 in. of the bedside.

Reason: Many people using electric wheelchairs and scooters will travel independently and need to re-charge their batteries while they rest or sleep. The duplex plug must be close enough to the head of the bed so they can plug-in and easily transfer onto the bed.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

10-11– 12

1002.11.2

Proposed Change as Submitted

Proponent: Ed Roether, representing the ADA/A117 Harmonization Task Group

Revise as follows:

1002.11.2 Accessible Toilet and Bathing Facility. At least one toilet and bathing facility shall comply with Section 603. At least one lavatory, one water closet and either a bathtub or shower within the unit shall comply with Sections 604 through 610. ~~The accessible toilet and bathing fixtures shall be in a single toilet/bathing area, such that travel between fixtures does not require travel through other parts of the unit.~~

Reason: The ADA/A117 Harmonization Task Group (HTG) was created as a task group of the A117.1 Committee to compare the 2010 ADA with the 2009 A117.1 Standard. The HTG has recommend a series of changes through a set of change proposals. The HTG is recommending changes, for the most part, address where the ADA was viewed as more stringent than the A117. Where the A117 contained provisions not addressed in the ADA, these were not considered a conflict needing action to amend the A117. In addition there are a number of places where the ADA and A117.1 are different as a result of specific actions, by the A117.1 Committee during the development of the 2009 edition, to remain or create a difference where, in the judgment of the committee the ADA was deficient.

Reason for 1002.11.2: ADA does not have the sentence which is shown as being deleted. The A117 text has proven confusing and difficult for compliance in hospital and nursing home design.

1002.11.2-ROETHER.doc

Committee Action

Disapproved

Committee Reason: While the text proposed for deletion isn't in the ADA, it isn't in conflict with the federal requirements. In this location the Standard provides an additional requirement for this accessible design.

BALLOT COMMENTS

10-11.1

Commenter: Edward Steinfeld, Representing RESNA

Ballot: Negative with comment:

Comment: The implications of the sentence were not well discussed. In addition to nursing homes and hospitals, residence halls in universities and hotels often have sinks in a different compartment than showers and toilets. The current requirement means that accessible units do not provide the same convenience as other units and is therefore discriminatory.

10-12– 12

This proposal was disapproved by the committee. No ballot or proponent comments were received. No further action is needed.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

10-13– 12

1002.15.3 (New)

Proposed Change as Submitted

Proponent: Dominic Marinelli, representing United Spinal Association

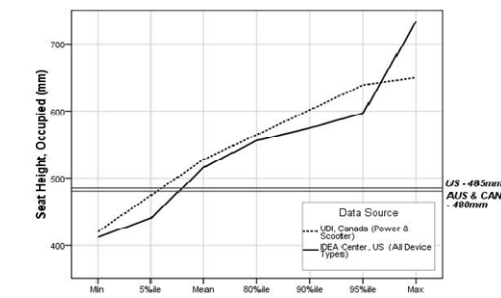
Revise as follows:

1002.15.3 Bed Height. At least one bed shall measure 19 to 23 inches high from the floor to the top of the mattress, whether or not the mattress is compressed.

Reason: This proposal is put forth as a response to numerous comments from our membership that cite the lack of accessible beds in places of transient lodging, which makes it very difficult for people with disabilities to transfer from their mobility device to beds that are becoming increasingly higher when measured to the top of the mattress. These complaints from our membership, combined with the data released in the Final Report of the Anthropometry of Wheeled Mobility Project - Prepared for the U.S. Access Board December 31st, 2010, substantiate the need to address the height of beds in accessible hotel rooms. Increasing bed heights also adversely impact persons of short stature that have difficulty accessing these beds – which can range from approximately 25 inches to 30 inches above the ground measured to the top of the mattress.

Due to the increased heights of hotel beds over the past approximately 8 years, rooms that were once considered accessible have become inaccessible. Our proposal would require at least one bed to provide a mattress height between 19 inches and 23 inches above the ground.

The Final Report - Anthropometry of Wheeled Mobility Project - Prepared for the U.S. Access Board December 31st, 2010, Center for Inclusive Design and Environmental Access (IDeA) contains research on seat heights for various types of mobility devices including manual wheelchairs, scooters and power chairs. The height range we propose for accessible bed heights is between 19-23 inches and accommodates the mean occupied seat heights of the Wheeled Mobility Project User groups which were as follows (see Section 3.3.5 of The Final Report - Anthropometry of Wheeled Mobility Project): 495 mm (19.5 in.) for manual chair users, 538 mm (21.2 inches) for power chair users and 549 mm (21.6 in.) for scooter users. Figures from the Wheeled Mobility research are included below for reference.



Data Source	Sample Size	Min	5%ile	Mean	80%ile	90%ile	95%ile	Max
UDI, Canada								
Power chairs and scooters*	50	420	-	528	-	-	639	650
IDeA Center, U.S.								
Manual chairs	276	414	434	496	530	547	567	608
Power chairs	189	412	465	539	574	599	628	734

Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009

Scooters	30	472	475	550	582	595	636	643
All Device Types*	495	412	440	516	556	575	597	734

1002.15.3 (NEW)-MARINELLI.doc

Committee Action

Approval as Modified

Modification

1002.15.3 Bed Height. At least one bed shall measure ~~49~~ 17 to ~~23~~ 25 inches high from the floor to the top of the mattress, whether or not the mattress is compressed.

Committee Reason: Beds in hotels seem to be getting higher and deeper making transfer to them harder and harder. Studies seem to be showing that transfer heights should be higher than currently provided in the Standard for the various transfer elements, however there is a wide range of needs in the community. Representatives of the lodging industry express concern that lower heights results in giving up comfort. But the 19 inch height is troublesome for little people. The Committee acknowledged that the height range chosen only require that a bed be able to be in that range, therefore adjustable height beds that adjust outside of the range would still be permitted so long as they can be adjusted to heights within the range.

BALLOT COMMENTS

10-13.1

Commenter: M. Bradley Gaskins, Representing NACS

Ballot: Negative with comment:

Comment: This is a needed requirement but inappropriate for a building code while perfectly suited to the ADA Standards as these are applied as a civil rights law. This provision will ultimately be unenforceable. Furnishings are generally not covered under a building code as they are not part of the building. Will this require that a complete furnishing plan be produced at permitting for approval? Will all furnishings be required to be placed prior to a C of O? Will a permit be required to replace furnishings? Further, if this should be deemed appropriate for a building code this should be applied to all beds. As allowed under 1002.15.1 EXCEPTION if a single clear floor space complying with Section 305 positioned for parallel approach is provided between two beds, a clear floor space shall not be required on both sides of the bed. This height limitation, as applied to only one of the beds, would create a situation that would contradict the purpose of the Exception.

10-13.2

Commenter: Gerald Gross, Representing AHLA

Ballot: Negative with comment:

Comment: The AHLA would like to challenge this proposal due to the lack of evidence that numerous complaints or comments have been received by the United Spinal Association or any other disability agency. Bed mattress comfort levels have become competitive within the lodging industry for providing the ultimate comfort for the hotel guest. Measuring or determining that the top of the bed mattress is 17" to 23" high from the floor whether or not the mattress is compressed is arbitrary and cannot be accurately measured. Mattresses are large pads for supporting the reclining body, used as or on a bed and change dimensionally over time due to the fact that mattresses consist of unique materials. (Such as: quilted or similarly fastened case, heavy cloth, that may contains cotton, foam rubber, etc., or a framework of metal springs, or they may be inflatable)

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

10-13.3

Commenter: Kim Paarlberg, Representing ICC

Ballot: Negative with comment:

Comment: The switching of mattresses in a hotel is done on a regular basis for health reasons. This is an operational issue that is impossible to enforce. Also, the actual text would require the measurement to be made at both a compressed and uncompressed state. Compressed with what load? And at what location?

This is an item that can be addressed in a best practice guideline, but not an enforceable code text.

10-14– 12

This proposal was disapproved by the committee. No ballot or proponent comments were received. No further action is needed.

10-15– 12

This proposal was disapproved by the committee. No ballot or proponent comments were received. No further action is needed.

10-16– 12

This proposal was approved by the committee. One ballot was an abstention with reason. No other ballot or proponent comments were received. The proposal will be included in the Public Draft.

10-17– 12

1003.11.2.3

Proposed Change as Submitted

Proponent: Robert D. Feibleman, HAND Construction, representing self

Revise as follows:

1003.11.2.3 Mirrors. Mirrors above accessible lavatories shall have the bottom edge of the reflecting surface 40 inches (1015 mm) maximum above the floor.

EXCEPTION: Where a mirror complying with this section is provided, medicine cabinet mirrors are exempt from Section 1003.11.2.3.

Reason: The medicine cabinet isn't addressed and its mirror surface could be secondary to other mirrors. It's not uncommon for the medicine cabinet installation height to be affected by electrical outlet and switch placement. Also, the lower it's mounted, the more countertop items are knocked over when it's opened.

1003.11.2.3-FEIBLEMAN.doc

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

Committee Action

Disapproved

Committee Reason: Where multiple mirrors are provided, only one needs to be in the accessible height range. Therefore this is already allowed and the exception proposed is unnecessary.

BALLOT COMMENTS

10-17.1

Commenter: Gene Boecker, Representing NATO

Ballot: Affirmative with comment:

Comment: The commentary should address this concern. There is still a carry-over from the years when the standard addressed medicine cabinets and people are often misapplying this requirement to all mirrors.

10-18– 12

1003.11.2.4.6

Proposed Change as Submitted

Proponent: Peter A. Stratton, Steven Winter Associates, Inc.

Revise as follows:

1003.11.2.4.6 Flush Controls. Flush controls shall be hand-operated or automatic. Hand operated flush controls shall comply with Section 309. Hand-operated flush controls shall be located on the open side of the water closet.

EXCEPTION: Dual flush controls are permitted to be centered on the top of the water closet tank and shall comply with Section 309.4.

Reason: Water saving requirements of the US Green Building Council's LEED® rating system, among other energy saving programs, including Enterprise Green Communities are addressed at toilet fixtures through the use of dual flush toilets which provide two (dual) push-button-controlled options for flushing; one of which dispenses more water during flushing. Dual flush toilets, especially residential models, include push button controls centered on the top of the toilet tank which are technically non-compliant with ANSI A117.1 604.6 and 1003.11.2.4.6, i.e., they are not located on the "wide side" of toilets. However, technically, ½ of the push button control when mounted on the top of the tank are located between the centerline of the toilet (center of the tank top) and the wide side, but they are not located fully between the centerline and the wide side of the toilet. The only readily available models have top centered controls. ANSI must recognize water savings offered by dual flush toilets while at the same time ensuring that they are accessible. To that end, the proposal suggested here is to allow controls mounted on the top of toilet tanks as long as the push button controls comply with 309.4, operation. When a clear floor space is positioned adjacent to toilets, controls mounted on the top of the tank are within reach from a side approach despite the fact that they are not located technical on the "wide side." See attached pdf standard dual flush control and its location.

1003.11.2.4.6-STRATTON.doc

Committee Action

Disapproved

Committee Reason: The Committee's action on Proposal 6-12-12 addresses this issue sufficiently.

Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009

BALLOT COMMENTS

10-18.1

Commenter: Edward Steinfeld, Representing RESNA

Ballot: Negative with comment:

Comment: I think that we disapproved the proposal without enough discussion and consideration. The standard should not conflict with the goals of sustainable design. Some committee members believe that without an exception the standard forces owners to provide toilets without the dual flush feature in accessible toilet stalls and single user toilet rooms. This creates the perception that the dual flush concept itself is not accessible and that there is a conflict between accessibility and sustainable design. There is no information on whether the centering of the flush valve is really a serious problem. Finally, we do not know if there are any products on the market that are both compliant with the A117 standard and water saving at the same time. Perhaps we can get some information on that before July before we completely take this off the table for this cycle. Our goal really should be to insure that both design goals can be met somehow rather than accept the status quo. We have approved other requirements in which the reach target is offset from the centerline of the CFS so why not allow it for dual flush valves?

10-19– 12

1003.11.2.5.2, 1004.11.3.1.3.3

Proposed Change as Submitted

Proponent: Kim Paarlberg, International Code Council

Revise as follows:

1003.11.2.5.2 Shower. Showers shall comply with Section 608.

EXCEPTIONS:

1. At standard roll-in shower compartments complying with Section 608.2.2, lavatories, counter tops and cabinetry shall be permitted at one end of the clearance, provided the following criteria are met:
 - a) The countertop and cabinetry can be removed;
 - b) The floor finish extends under the countertop and cabinetry; and
 - c) The walls behind and surrounding the countertop and cabinetry are finished.
2. A shower door shall be permitted where the door can be removed without replacement or repair of tile or other finish on the wall or floor.

1004.11.3.1.3.3 Shower Compartment. If a shower compartment is the only bathing facility, the shower compartment shall have dimensions of 36 inches (915 mm) minimum in width and 36 inches (915 mm) minimum in depth. A clearance of 48 inches (1220 mm) minimum in length, measured perpendicular from the shower head wall, and 30 inches (760 mm) minimum in depth, measured from the face of the shower compartment, shall be provided. Reinforcing for a shower seat is not required in shower compartments larger than 36 inches (915 mm) in width and 36 inches (915 mm) in depth.

EXCEPTION: A shower door shall be permitted where the door can be removed without replacement or repair of tile or other finish on the wall or floor.

Reason: The quantity of change proposals submitted by International Code Council is reflective of three elements of our work: 1. ICC is the Secretariat for the Standard and some changes reflect inconsistencies or improvements suggested by staff; 2. ICC

Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:

Proposals of 2012 submitted on the ICC A117.1-2009

develops and publishes a Commentary on the standard and writing the commentary illuminates issues of the text and figures; and
3. ICC provides an interpretation service for the standard which results in the observation of provisions the users find most confusing.

This allows for the type of shower door that can be attached in such a way that it is removable. Not everyone wants only the option of a shower curtain. Glass doors on the market cannot provide space for a transfer when in place.

Committee Action

Disapproved

Committee Reason: The Committee lacked sufficient consensus to approve this proposal. The concerns included whether replacing or repairing tiles should be the key criteria. It was noted such installations have been allowed under the Fair Housing provisions. While the proposals was amended to address 'shower door assemblies' rather than just the door, there remained too many concerns.

BALLOT COMMENTS

10-19.1

Commenter: Gene Boecker, Representing NATO

Ballot: Negative with comment:

Comment: Replace the exception language with the following:

Revise as follows:

A shower door assembly shall be permitted where the assembly can be removed without removal or replacement of the surrounding walls and floor to which it is affixed.

This borrows the same language from the removable base cabinets and avoids the word "repair" since all surfaces would need some type of treatment (e.g. paint, caulk, etc.). It also limits this application of this to the place where the shower door assembly is affixed whether by sealant, screws or a combination thereof.

10-19.2

Commenter: Dominic Marinelli, Representing USA

Ballot: Negative with comment:

Comment: Kim's proposal is essential for our Type A and Type B units. Whether we permit this or not many developers install shower doors to prevent the water from getting on the bathroom floor and this proposal codifies this practice.

10-19.3

Commenter: Kim Paarlberg, Representing ICC

Ballot: Negative with comment:

Comment: In looking at the option of allowing for doors on showers in Type A and Type B bathrooms, I have noticed that this issue is not addressed for accessible showers, but is addressed for accessible bathtubs. The issue of doors on showers or tubs should be addressed in all situations.

Type A units are adaptable. Therefore, there should be an allowance for shower doors to be removed, the same as adding grab bars. If FHA intended to allow for shower doors in all situations (as indicated by Cheryl Kent at the last meeting), that should also be included in the ICC A117.1 text.

Replace the proposal with the following:

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

(Bathtubs) 607.7 Bathtub Enclosures. Enclosures for bathtubs shall not obstruct controls, faucets, shower and spray units or obstruct transfer from wheelchairs onto bathtub seats or into bathtubs. Enclosures on bathtubs shall not have tracks installed on the rim of the bathtub.

(Transfer shower) 608.2.1.4 Shower enclosure. Enclosures for transfer showers shall not obstruct controls, faucets, shower and spray units or obstruct transfer from wheelchairs onto the shower seat or into the transfer shower. Enclosures on transfer showers shall not have tracks installed on the threshold of the transfer shower.

(Roll-in shower) 608.2.2.4 Shower enclosure. Enclosures for roll-in showers shall not obstruct controls, faucets, shower and spray units or obstruct transfer from wheelchairs onto the shower seat or into the roll-in shower. Enclosures on roll-in showers shall not have tracks installed on the threshold of the transfer shower.

(Alternate roll-in shower) 608.2.3.3 Shower enclosure. Enclosures for alternate roll-in showers shall not obstruct controls, faucets, shower and spray units or obstruct transfer from wheelchairs onto the shower seat or into the alternate roll-in shower. Enclosures on alternate roll-in showers shall not have tracks installed on the threshold of the transfer shower.

1003.11.2.5.2 Shower. Showers shall comply with Section 608.

EXCEPTIONS:

1. At standard roll-in shower compartments complying with Section 608.2.2, lavatories, counter tops and cabinetry shall be permitted at one end of the clearance, provided the following criteria are met:
 - d) The countertop and cabinetry can be removed;
 - e) The floor finish extends under the countertop and cabinetry; and
 - f) The walls behind and surrounding the countertop and cabinetry are finished.
2. An enclosure for a shower shall be permitted where the shower door assembly can be removed without removal or replacement of the surrounding walls and floor to which it is affixed.

1004.11.3.1.3.3 Shower Compartment. If a shower compartment is the only bathing facility, the shower compartment shall have dimensions of 36 inches (915 mm) minimum in width and 36 inches (915 mm) minimum in depth. A clearance of 48 inches (1220 mm) minimum in length, measured perpendicular from the shower head wall, and 30 inches (760 mm) minimum in depth, measured from the face of the shower compartment, shall be provided. Reinforcing for a shower seat is not required in shower compartments larger than 36 inches (915 mm) in width and 36 inches (915 mm) in depth. A shower door assembly shall be permitted at the shower entry.

PROPONENT COMMENT

10-19.4

Proponent: Kim Paarlberg, Representing ICC

Requests approval with revisions

Replace the proposal with the following:

(Bathtubs) 607.7 Bathtub Enclosures. Enclosures for bathtubs shall not obstruct controls, faucets, shower and spray units or obstruct transfer from wheelchairs onto bathtub seats or into bathtubs. Enclosures on bathtubs shall not have tracks installed on the rim of the bathtub.

(Transfer shower) 608.2.1.4 Shower enclosure. Enclosures for transfer showers shall not obstruct controls, faucets, shower and spray units or obstruct transfer from wheelchairs onto the shower seat or into the transfer shower. Enclosures on transfer showers shall not have tracks installed on the threshold of the transfer shower.

(Roll-in shower) 608.2.2.4 Shower enclosure. Enclosures for roll-in showers shall not obstruct controls, faucets, shower and spray units or obstruct transfer from wheelchairs onto the shower seat or into the roll-in shower. Enclosures on roll-in showers shall not have tracks installed on the threshold of the transfer shower.

(Alternate roll-in shower) 608.2.3.3 Shower enclosure. Enclosures for alternate roll-in showers shall not obstruct controls, faucets, shower and spray units or obstruct transfer from wheelchairs onto the shower seat or into the alternate roll-in shower. Enclosures on alternate roll-in showers shall not have tracks installed on the threshold of the transfer shower.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

1003.11.2.5.2 Shower. Showers shall comply with Section 608.

EXCEPTIONS:

2. At standard roll-in shower compartments complying with Section 608.2.2, lavatories, counter tops and cabinetry shall be permitted at one end of the clearance, provided the following criteria are met:
 - g) The countertop and cabinetry can be removed;
 - h) The floor finish extends under the countertop and cabinetry; and
 - i) The walls behind and surrounding the countertop and cabinetry are finished.
2. An enclosure for a shower shall be permitted where the shower door assembly can be removed without removal or replacement of the surrounding walls and floor to which it is affixed.

1004.11.3.1.3.3 Shower Compartment. If a shower compartment is the only bathing facility, the shower compartment shall have dimensions of 36 inches (915 mm) minimum in width and 36 inches (915 mm) minimum in depth. A clearance of 48 inches (1220 mm) minimum in length, measured perpendicular from the shower head wall, and 30 inches (760 mm) minimum in depth, measured from the face of the shower compartment, shall be provided. Reinforcing for a shower seat is not required in shower compartments larger than 36 inches (915 mm) in width and 36 inches (915 mm) in depth. A shower door assembly shall be permitted at the shower entry.

Reason: In looking at the option of allowing for doors on showers in Type A and Type B bathrooms, I have noticed that this issue is not addressed for accessible showers, but is addressed for accessible bathtubs. The issue of doors on showers or tubs should be addressed in all situations.

Type A units are adaptable. Therefore, there should be an allowance for shower doors to be removed, the same as adding grab bars. If FHA intended to allow for shower doors in all situations (as indicated by Cheryl Kent at the last meeting), that should also be included in the ICC A117.1 text.

10-20– 12

1003.12.3

Proposed Change as Submitted

Proponent: Kim Paarlberg, International Code Council

Revise as follows:

1003.12.3 Work Surface. At least one section of counter shall provide a work surface 30 inches (760 mm) minimum in length complying with Section 1003.12.3.

EXCEPTION: Spaces that do not provide a cooktop or conventional range are not required to be provided with an accessible work surface.

Reason: The quantity of change proposals submitted by International Code Council is reflective of three elements of our work: 1. ICC is the Secretariat for the Standard and some changes reflect inconsistencies or improvements suggested by staff; 2. ICC develops and publishes a Commentary on the standard and writing the commentary illuminates issues of the text and figures; and 3. ICC provides an interpretation service for the standard which results in the observation of provisions the users find most confusing.

Many homes have kitchenettes or wetbars in family rooms. Side approach should be permitted in these areas. This adds an exception similar to what is allowed for an Accessible unit (Section 1002.12, Exception) or for a general kitchen (Section 804.3, Exception). While the work surface required in Section 1003.12.3 is allowed to be adaptable/adjustable and is therefore different than what is required in an Accessible unit or a general kitchen, it still is more restrictive to require the work surface in the Type A unit if the Accessible units and general kitchens do not require them at all.

1003.12.3-PAARLBERG.doc

Committee Action

Disapproved

Committee Reason: For consistency with the action taken on Proposal 8-10-12.

Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:

Proposals of 2012 submitted on the ICC A117.1-2009

BALLOT COMMENTS

10-20.1

Commenter: Gene Boecker, Representing NATO

Ballot: Negative with comment:

Comment: The committee vote should have been for approval to be consistent with 8-10. For the record, approval or disapproval of this item will make no difference as long as 8-10 is approved as recommended by committee action. However, should 8-10 be not approved this would be necessary to get this part of the change into the standard.

Proponent Comment

10-20.2

Commenter: Kim Paarlberg, representing ICC

Ballot: Negative with comment:

Comment: Kim will address this issue in 8-10 and 8-13.

10-21– 12

1003.12.4.1

Proposed Change as Submitted

Proponent: Kim Paarlberg, International Code Council

Revise as follows:

1003.12.4.1 Clear Floor Space. A clear floor space, positioned for a forward approach to the sink, shall be provided. Knee and toe clearance complying with Section 306 shall be provided.

EXCEPTIONS:

1. The requirement for knee and toe clearance shall not apply to more than one bowl of a multi-bowl sink.
2. Cabinetry shall be permitted to be added under the sink, provided the following criteria are met:
 - (a) The cabinetry can be removed without removal or replacement of the sink,
 - (b) The floor finish extends under the cabinetry, and
 - (c) The walls behind and surrounding the cabinetry are finished.
3. A parallel approach complying with Section 305 and centered on the sink, shall be permitted to a kitchen sink in a space where a cook top or conventional range is not provided.
4. A parallel approach complying with Section 305 and centered on the sink, shall be permitted at wet bars.

Reason: The quantity of change proposals submitted by International Code Council is reflective of three elements of our work: 1. ICC is the Secretariat for the Standard and some changes reflect inconsistencies or improvements suggested by staff; 2. ICC develops and publishes a Commentary on the standard and writing the commentary illuminates issues of the text and figures; and 3. ICC provides an interpretation service for the standard which results in the observation of provisions the users find most confusing.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

When kitchenettes were added into Section 1003.12 of the 2009 standard, it created some inconsistencies between the Type A units and the Accessible units. This causes uncertainty for the Type A units and would appear to make them more restrictive than the Accessible units or general kitchens.

These two new exceptions are copied from Section 606.2, Exceptions 1 and 6. The intent of adding these exceptions into the Type A unit requirements is to coordinate with the arrangements that are allowed in an Accessible unit and for a general kitchen. The Accessible units (Section 1002.12) based on the reference to Section 804; and the general kitchens (Section 804.4) are allowed to install a sink that complies with Section 606. A parallel approach to the sink in a kitchenette (or wet bar) would be permitted versus the forward approach that would typically apply in the Accessible and Type A units. This is based on both Exceptions 1 and 6 in Section 606.2. This allowance for the parallel approach to the sink is clearly permitted for the Accessible units because of the reference from Section 1002.12 up to Section 804 and then from Section 804.4 to Section 606 and its subsection 606.2.

When dealing with the Type A units, however, the requirements are not as clear and, depending upon the interpretation, they may even result in those units being more restrictive than the Accessible units for certain requirements. As stated earlier, when dealing with an Accessible unit, Section 1002.12 clearly provides the reference to Section 804 that will result in the parallel approach to the sink in a kitchenette or wet bar. The Type A unit requirements of Section 1003.12 do not provide an equivalent reference or exception for allowing the sink to have a parallel approach. A similar problem also exists with the clearance requirements of Section 1003.12.1 and 1004.12.1, which do not contain an exception similar to that found in Section 804.2.

Because of these inconsistencies, users must decide to either be code literal and make the Type A units more restrictive and provide better access than required for the Accessible units, or they must use their judgment to permit the Type A units to use the exceptions that are allowed for an Accessible unit. Because an Accessible unit is considered as the higher level of accessibility, I believe it is appropriate to add these exceptions in the Type A requirements or provide some type of similar exception which allows compliance with Section 606. As an option, both of these exceptions could be replaced with a single exception stating "Sinks complying with Section 606" or a more specific exception which would only address the clear floor space saying "Sinks complying with Section 606.2."

Remember that Type B units already allow for a side approach to the sink, so there should not be the same issue for Type B units.

1003.12.4.1-PAARLBERG.doc

Committee Action

Approved

Committee Reason: The change provides consistency between Accessible and Type A units for their kitchenettes and wetbars. These two new exceptions are copied from Section 606.2, Exceptions 1 and 6. The intent of adding these exceptions into the Type A unit requirements is to coordinate with the arrangements that are allowed in an Accessible unit and for a general kitchen. The Accessible units (Section 1002.12) based on the reference to Section 804; and the general kitchens (Section 804.4) are allowed to install a sink that complies with Section 606.

BALLOT COMMENTS

10-21.1

Commenter: Christopher Bell, Representing ACB

Ballot: Negative with comment:

Comment: This proposal would remove a forward approach at two types of sinks. Accessibility requires a forward approach at sinks, in order to fully reach the controls and engage in the activities performed at the sink. Limiting access to a side approach reduces the level of independence and integration available to people with disabilities.

Your comment/reason: While the standard's current language is broken, this proposal does not fix it. We're honestly not sure of the best fix, but this is not it.

Simply saying that controls shall not require reaching across burners does not mean that controls will end up in the front -- just that they can't be on the far side of burners. These are two different things. It is our understanding that the so-called redundant text that is deleted is actually providing a different and important condition.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

10-21.2

Commenter: Marilyn Golden, Representing DREDF

Ballot: Negative with comment:

Comment: This proposal would remove a forward approach at two types of sinks. Accessibility requires a forward approach at sinks, in order to fully reach the controls and engage in the activities performed at the sink. Limiting access to a side approach reduces the level of independence and integration available to people with disabilities.

Proponent Comment

10-21.3

Commenter: Kim Paarlberg, representing ICC

Ballot: Negative with comment:

Comment: Kim will address this issue in 8-13.

10-22– 12

1003.12.5.5

Proposed Change as Submitted

Proponent: Kim Paarlberg, International Code Council

Revise as follows:

1003.12.5.5 Oven. Ovens shall comply with Section 1003.12.5.5. ~~Ovens shall have controls on front panels, on either side of the door.~~

Reason: The quantity of change proposals submitted by International Code Council is reflective of three elements of our work: 1. ICC is the Secretariat for the Standard and some changes reflect inconsistencies or improvements suggested by staff; 2. ICC develops and publishes a Commentary on the standard and writing the commentary illuminates issues of the text and figures; and 3. ICC provides an interpretation service for the standard which results in the observation of provisions the users find most confusing.

The intent of this change is to resolve a glitch that was created due to a processing error with code change #267 during the 2009 standard's development cycle. This will also eliminate the confusion which is created by having both Sections 1003.12.5.5 and 1003.12.5.5.4 address the location of the oven controls. Deleting this text will coordinate the Type A unit oven requirements with identical requirements for the Accessible unit and general kitchen requirements of Section 804.5.5.4. A similar requirement for the controls to be located on the front panel of the oven was located in Section 804.6.5.3 of the 2003 edition of the standard. That requirement was deleted from the general kitchen and Accessible unit requirements as a part of code change #267 in the previous cycle.

When code change #267 was originally approved the proposal showed the text for Section 1003.12.5.5 (1003.12.6.5 in the 2003 edition) incorrectly. (The sentence that is proposed for deletion was never shown with Section 1003.12.6.5 as existing text in the 2003 edition.) The editorial task group had originally proposed deleting this sentence as a part of a needed correlation change to accomplish the A117 committee's intent which was established by code change #267. The task group's review draft showed a correlation for the text so it would match what was shown in the first public comment draft and what the A117 committee saw when they approved code change #267. It seemed clear to the editorial task group that based on the revisions in Chapter 8 and the reason statements with the code change that a similar coordinating change was appropriate for the Type A units. Proposal #267 inserted the new control section into Section 1003.12.5.5.4 and made the format of the section consistent with the other units. Leaving this text within 1003.12.5.5 will conflict with the intent of the proponent of proposal #267 and the A117 committee's reason statement for approving that change. It will also lead to a possible confusion between the provisions of Sections 1003.12.5.5 and 1003.12.5.5.4 unless users understand the intent and history of code change #267.

Ultimately the editorial task group determined that the deletion of the text in Section 1003.12.5.5 was beyond the scope of an editorial change. Therefore the text was reinserted and the task group indicated they hoped the A117 committee would review this issue in this next development cycle.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

This proposal will create a technical change, but it is one which the committee had seemingly approved previously and it will coordinate with make the Type A units match the oven control requirements for the Accessible units and general kitchens.

If for some reason the committee decides to not approve this proposal, the sentence related to the oven controls should be moved from Section 1003.12.5.5 and be combined into Section 1003.12.5.5.4 so that all of the oven control requirements are in a single location.

1003.12.5.5-PAARLBERG.doc

Committee Action

Approved

Committee Reason: The change removes redundant text.

BALLOT COMMENTS

10-22.1

Commenter: Christopher Bell, Representing ACB

Ballot: Negative with comment:

Comment: While the standard's current language is broken, this proposal does not fix it. We're honestly not sure of the best fix, but this is not it.

Simply saying that controls shall not require reaching across burners does not mean that controls will end up in the front – – just that they can't be on the far side of burners. These are two different things. It is our understanding that the so-called redundant text that is deleted is actually providing a different and important condition.

10-22.2

Commenter: Marilyn Golden, Representing DREDF

Ballot: Negative with comment:

Comment: While the standard's current language may not be perfect, this proposal does not fix it. It does not remove redundancy, but does reduce accessibility.

Simply saying that controls shall not require reaching across burners does not mean that controls will end up in the front – – just that they can't be on the far side of burners. These are two different things. The so-called redundant text that is deleted actually provides a different and important condition.

10-22.3

Commenter: Gina Hilberry, representing United Cerebral Palsy

Ballot: Negative with comment:

Comment: This is not redundant text.

PROPONENT COMMENT

10-22.4

Proponent: Kim Paarlberg, Representing ICC

Requests approval as submitted.

Reason: The committee votes as submitted, but there are three negatives on this proposal. I wanted to remind everyone that the locations of the controls on ovens is in two locations (1003.12.5.5 and 1003.12.5.5.4) which leads to potential conflict. This proposal will match the requirements for Accessible units and shared accessible kitchens.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

10-23– 12

1003.13.3 (New)

Proposed Change as Submitted

Proponent: Hank Falstad, Access Technologies Services, Inc. representing self

Add new text as follows:

1003.13.3 Turning Spaces. A turning space complying with Section 304 shall be provided adjacent to at least one window, when the window or windows are operable the turning space shall be at one of the operable windows.

Reason: This will enable the wheelchair person to circulate throughout the guest room. ADA requirement of Section 12182(a).

1003.13.3 (New)-FALSTAD.doc

Committee Action

Disapproved

Committee Reason: The Standard already requires there to be a turning space within the room. This proposal tries to control placement of furniture beyond simply having a turning space in the room.

BALLOT COMMENTS

10-23.1

Commenter: Barbara Huelat, Representing ASID

Ballot: Negative with comment:

Comment: Agree with committee.

10-24– 12

1003.13.3 (New)

Proposed Change as Submitted

Proponent: Robert D. Feibleman, HAND Construction, representing self

Add new text as follows:

1003.13.3 Locking Devices. Where redundant locks are provided for a single window, only one shall be required to comply with Section 309.

Reason: On horizontal sliding windows over a certain size height, two locks are typically provided. The higher lock will be above 48 inches in most cases. The occupant has the option to not engage that lock if it's not within their reach range. If the higher lock was lowered, it would be so close to the lower lock it would be moot. If the higher lock was removed, it would not be of benefit to those who can reach it.

1003.13.3 (NEW)-FEIBLEMAN.doc

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

Committee Action

Disapproved

Committee Reason: The Standard only requires one feature to be accessible. Redundant locks are not prohibited, nor required to be accessible. This additional text is unneeded.

BALLOT COMMENTS

10-24.1

Commenter: Gene Boecker, Representing NATO

Ballot: Affirmative with comment:

Comment: The explanation should be in the commentary since it is obviously not clear.

10-25– 12

1003.14

Proposed Change as Submitted

Proponent: Robert D. Feibleman, HAND Construction, representing self

Revise as follows:

1003.14 Storage Facilities. Where storage facilities are provided at least one of each type shall comply with Section 905.

EXCEPTIONS:

1. Kitchen cabinets ~~shall not be required to comply with Section 1003.14.~~
2. Bathroom medicine cabinets.

Reason: The medicine cabinet isn't addressed and could be considered challenging to reach, as is the upper kitchen cabinetry which was exempted in the 2009 revision. Also, the strike through language in exception 1 is because it seems redundant, it's an exception under Section 1003.14, it doesn't need to be restated.

Staff note: See Photograph in Proposal 10-17-12

1003.14 (NEW)-FEIBLEMAN.doc

Committee Action

Disapproved

Committee Reason: If the medicine cabinet is the only storage in the bathroom, it is not appropriate to exempt it from the accessible storage requirement.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

BALLOT COMMENTS

10-25.1

Commenter: Barbara Huelat, Representing ASID

Ballot: Negative with comment:

Comment: Agree with committee.

10-26– 12

101, 202, 1004

Proposed Change as Submitted

Proponent: Larry Perry

Revise as follows:

101 Purpose. The technical criteria in Chapters 3 through 9, Sections 1002, 1003 and 1006 and Chapter 11 of this standard make sites, facilities, buildings and elements accessible to and usable by people with such physical disabilities as the inability to walk, difficulty walking, reliance on walking aids, blindness and visual impairment, deafness and hearing impairment, incoordination, reaching and manipulation disabilities, lack of stamina, difficulty interpreting and reacting to sensory information, and extremes of physical size. The intent of these sections is to allow a person with a physical disability to independently get to, enter, and use a site, facility, building, or element.

~~Section 1004 of this standard provides criteria for Type B units. These criteria are intended to be consistent with the intent of the criteria of the U.S. Department of Housing and Urban Development (HUD) Fair Housing Accessibility Guidelines. The Type B units are intended to supplement, not replace, Accessible units or Type A units as specified in this standard.~~

Section 1005 of this standard provides criteria for minimal accessibility features for one and two family dwelling units and townhouses which are not covered by the U.S. Department of Housing and Urban Development (HUD) Fair Housing Accessibility Guidelines.

This standard is intended for adoption by government agencies and by organizations setting model codes to achieve uniformity in the technical design criteria in building codes and other regulations.

Revise as follow:

202 Dwelling and Sleeping Units

Chapter 10 of this standard contains dwelling unit and sleeping unit criteria for Accessible units, Type A units, ~~Type B units~~, Type C (Visitable) dwelling units and units with accessible communication features. The administrative authority shall specify, in separate scoping provisions, the extent to which these technical criteria apply. These scoping provisions shall address the types and numbers of units required to comply with each set of unit criteria.

Delete without substitution as follows:

~~1004 Type B Units~~

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

Delete without substitution Sections 1004.1 through 1004.12.2.6

Reason: If Type B units are not intended to be consistent with the requirements of the Fair Housing Act, the purpose for their being included in the standard has been eliminated. By changing the Type B units where they exceed the Fair Housing provisions they are no longer "consistent" and the committee removes any limit to the extent of requirements that could/should be applied to Type B units. Doing so invalidates the entire approach used when Type B units were added to the standard.

Type B unit provisions were developed to establish a 'safe harbor' for compliance with the requirements of Fair Housing. By most accounts, the Fair Housing Guidelines were not in a form that easily facilitated their use for design and construction of compliant multi-family housing. When Type B unit provisions were added to the standard (and subsequently scoped in the model codes), Type A unit provisions were specifically maintained, recognizing that Type B (Fair Housing) units did not provide a level of access necessary for some people. If the direction of the committee is now going to be continually 'raising the bar' in Type B units, the two-tier approach of the standard and the codes no longer makes sense. Either Type B units should be removed, or alternatively, Type A units should be removed.

While some may point to the original Type B package and cite provisions that 'exceed' Fair Housing requirements, note that in the original development of the provisions this was done only where all affected interests agreed that there was no adverse impact on space, cost or functionality. Since the original package, there has been a consistent, incremental 'creep' to add additional requirements to the package. With the existing purpose statement, the standard at least provided a target that the committee was supposedly aiming for (although several changes already approved have clearly 'exceeded' Fair Housing requirements). By changing the purpose statement, the committee will now open the door towards adding any requirement at all to up to 100% of the units in a multi-family project, regardless of Fair Housing requirements, or the cost, space impact, or functionality.

1004-PERRY.doc

Committee Action

Disapproved

Committee Reason: The Committee acknowledges that the Type B standards have shown changes from strict adherence to the Fair Housing provisions. The later standard has not been updated since its inception and even HUD acknowledges that many of the differences in the A117.1 Standard are welcome improvements.

BALLOT COMMENTS

10-26.1

Commenter: Ron Burton, Representing BOMA

Ballot: Negative with comment:

Comment: As the proponent argues in his reason statement, either Type B is "equivalent" to Fair Housing or it isn't. If the Committee adds provisions that exceed Fair Housing, what further purpose is there to having a Type B unit in the standard. Because HUD failed to take any action to review/certify the 2009 edition of A117.1 as a safe harbor, the user is forced to comply with the 2003 edition to ensure they are in compliance with Fair Housing and also must comply with the 2009 and later editions where they are adopted into the code text. An example of this dilemma is a provision in the 2009 Standard that allows a designer to only provide clear floor space at one lavatory in an "Option A" bathroom with multiple lavatories.

10-26.2

Commenter: Steve Orlowski, Representing NAHB

Ballot: Negative with comment:

Comment: We agree with the proponent that the committee has forgotten that the purpose of the type B units provisions were to differentiate between those units that must be fully accessible and those units that would provide a limited level of access to some users. Over the past several cycles, the committee has continuously added provisions upon Type B units that exceed the requirements of the Fair Housing Act. If it is the committee's intent to continue to ignore the criteria of the FHA guidelines as the basis for the provisions of Type B units, then the committee should remove the requirements all together.

Ballot Comment and Proponent Comment Agenda- July 15-19, 2013: Proposals of 2012 submitted on the ICC A117.1-2009

10-27– 12

This proposal was disapproved by the committee. No ballot or proponent comments were received. No further action is needed.

10-28– 12

1004.10.1

Proposed Change as Submitted

Proponent: Kim Paarlberg, International Code Council

Revise as follows:

1004.10.1 Clear Floor Space. A clear floor space complying with Section 305.3, shall be provided for each washing machine and clothes dryer. A parallel approach shall be provided for a top loading machine. A forward or parallel approach shall be provided for a front loading machine.

Reason: The quantity of change proposals submitted by International Code Council is reflective of three elements of our work: 1. ICC is the Secretariat for the Standard and some changes reflect inconsistencies or improvements suggested by staff; 2. ICC develops and publishes a Commentary on the standard and writing the commentary illuminates issues of the text and figures; and 3. ICC provides an interpretation service for the standard which results in the observation of provisions the users find most confusing.

The purpose of this change is to simply clarify that “each” machine (washer and dryer) needs to be provided with its own separate clear floor space and that a single clear floor space is not adequate to serve the two appliances.

During the last cycle the following changes were approved for this section: (Editorial group’s revisions shown in blue font with double strikeout and double underline)

1004.10.1 Clear Floor Space. A clear floor space complying with Section 305.3, ~~positioned for parallel approach~~, shall be provided. ~~The clear floor space shall be centered on the appliance. A parallel approach shall be provided for a top loading machine. A front forward or parallel approach shall be provided for a front loading machine.~~

This issue came up in a discussion of the editorial group during the last revision cycle when the group was looking at changing the last word of the provision from “machines” to “machine.” The concern was that with the plural word someone could argue that a single clear floor space was acceptable for both the washer and the dryer. That would obviously make it easier to comply and eliminate the problem of the clear floor space extending beyond the edges of a machine (having to keep a machine 12 inches or so out of the corner) so a parallel approach can fit. The editorial group did believe that the intent was for each machine to have its own clear floor space and revised the text accordingly.

If the committee is concerned that a question may come up as to what to do if the unit has more than one washer or more than one dryer, then perhaps some alternate language is needed. If it really is a concern that units that do have multiple washers and dryers may be unfairly burdened, then perhaps we would need to provide some scoping language similar to the bathroom provisions and say “at least one” needs to provide the space. I personally do not believe such additional language is needed, but here is an alternate proposal if the committee does wish to provide further clarification of the provision.

1004.10 Laundry Equipment. Washing machines and clothes dryers shall comply with Section 1004.10.

1004.10.1 Clear Floor Space. Where a washing machine or a clothes dryer is provided a clear floor space complying with Section 305.3, shall be provided to at least one washer and one dryer. A parallel approach shall be provided for a top loading machine. A forward or parallel approach shall be provided for a front loading machine.

1004.10.1-PAARLBERG.doc

Committee Action

Approved

Committee Reason: This change was judged by the Committee as providing an appropriate clarification of the clear floor space requirement.

Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009

BALLOT COMMENTS

10-28.1

Commenter: Ronald G. Nickson, Representing NMHC

Ballot: Negative with comment:

Comment: The change would in most cases increase the area allotted to washers and driers. Increased space would be taken from other spaces within a dwelling unit making them less usable.

10-28.2

Commenter: Steve Orlowski, Representing NAHB

Ballot: Negative with comment:

Comment: The ramification of this proposed change goes beyond clarification and would significantly affect appliances installed in areas of hallways, kitchens or bathroom areas. As long as the clear floor space in front of the appliances is provided in a manner that places the controls of each appliance within the accessible reach ranges, why should the clear floor space be required on each appliance?

10-29– 12

1004.11.3.1.3.2

Proposed Change as Submitted

Proponent: Kim Paarlberg, International Code Council

Revise as follows:

Option 1

1004.11.3.1.3.2 Forward Approach Bathtubs. A clearance 60 inches (1525 mm) minimum in length and 48 inches (1220 mm) minimum in width shall be provided in front of bathtubs with a forward approach. Either a water closet or a lavatory or both a water closet and a lavatory shall be permitted in the clearance at one end of the bathtub.

Option 2

1004.11.3.1.3.2 Forward Approach Bathtubs. A clearance 60 inches (1525 mm) minimum in length and 48 inches (1220 mm) minimum in width shall be provided in front of bathtubs with a forward approach. A water closet, a lavatory, or both a water closet and a lavatory shall be permitted in the clearance at one end of the bathtub.

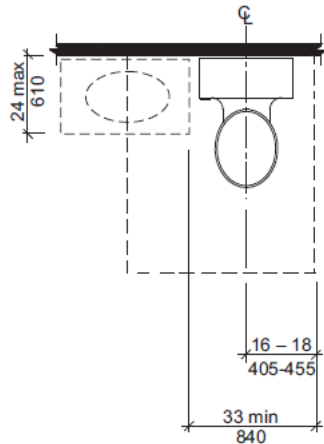
Reason: The quantity of change proposals submitted by International Code Council is reflective of three elements of our work: 1. ICC is the Secretariat for the Standard and some changes reflect inconsistencies or improvements suggested by staff; 2. ICC develops and publishes a Commentary on the standard and writing the commentary illuminates issues of the text and figures; and 3. ICC provides an interpretation service for the standard which results in the observation of provisions the users find most confusing.

This is simply a clarification that may be helpful given several changes that occurred in the 2009 edition and dealt with the way the word “and” was used for requirements. This perceived problem may be caused by being too code literal, but the use of the word “and” as the conjunction does raise the question as to whether the encroachment is only allowed for situations where both the water closet and lavatory exist or whether the encroachment is also allowed when only one of those fixtures is within the space.

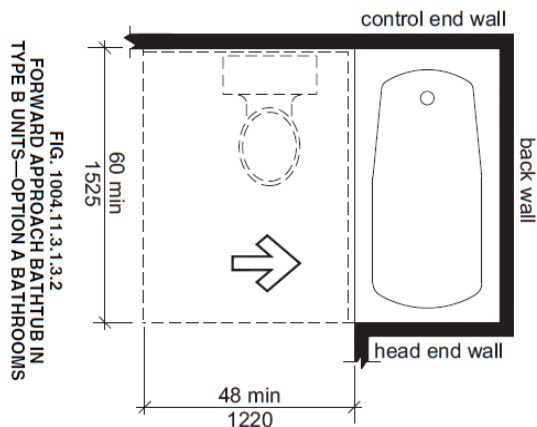
**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

Because of the word “and” in the phrase “a water closet and a lavatory” it may be assumed to require both fixtures and not allow a water closet OR a lavatory. The word “and” is good because if you provide both a WC and a lav along the end wall you could end up with both of them extending into the required clearance (the first would be in it completely and the second would encroach just a bit based on the clearance between fixtures). [See fig. 1004.11.3.1.2(d) below for example of how both fixtures may encroach.]

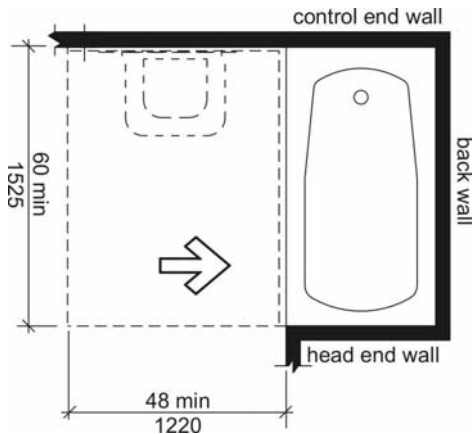
Changing the word “and” to be “or” would seem like a possibility but that would not accept the second fixture extending into the space as discussed above. Because the text needs to accept either one fixture or both fixtures in the space, it may need to be changed to something like what is shown in the two options.



(d) Clearance with lavatory overlap



**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**



1004.11.3.1.3.2-PAARLBERG.doc

Committee Action

Approved Option 2 as follows:

1004.11.3.1.3.2 Forward Approach Bathtubs. A clearance 60 inches (1525 mm) minimum in length and 48 inches (1220 mm) minimum in width shall be provided in front of bathtubs with a forward approach. A water closet, a lavatory, or both a water closet and a lavatory shall be permitted in the clearance at one end of the bathtub.

Committee Reason: The revision improves the language of the Standard allowing for easier compliance.

BALLOT COMMENTS

10-29.1

Commenter: Kim Paarlberg, Representing ICC

Ballot: Affirmative with comment:

Comment: The 2003 ICC A117.1 said the toilet should be at the control end of the tub. This allows someone to sit on the toilet to adjust the temperature of the water and then move into the tub. Having at the controls at the other end, away from the toilet has a clear floor space for a front approach, but since a person using a wheelchair cannot reach past their toes, it would not allow access to the controls.

The change to the change to the clearances was meant to allow for the sink, toilet and tub on the same wall. I believe the intent was just to stop the sink and toilet from being located across from each so that both were in front of the tub.

To correct this, the following additional modification should be proposed:

1004.11.3.1.3.2 Forward Approach Bathtubs. A clearance 60 inches (1525 mm) minimum in length and 48 inches (1220 mm) minimum in width shall be provided in front of bathtubs with a forward approach. A water closet, a lavatory, or both a water closet and a lavatory shall be permitted in the clearance at ~~one~~ the control end of the bathtub.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

10-30– 12

This proposal was approved by the committee. No ballot or proponent comments were received. It will be included in the Public Draft.

10-31– 12

1004.11.3.1.3.3

Proposed Change as Submitted

Proponent: Kim Paarlberg, International Code Council

Revise as follows:

1004.11.3.1.3.3 Shower Compartment. If a shower compartment is the only bathing facility, the shower compartment shall have dimensions of 36 inches (915 mm) minimum in width and 36 inches (915 mm) minimum in depth. A clearance of 48 inches (1220 mm) minimum in length, measured perpendicular from the shower head wall, and 30 inches (760 mm) minimum in depth, measured from the face of the shower compartment, shall be provided. Reinforcing for a shower seat is not required in shower compartments larger than 36 inches (915 mm) in width and 36 inches (915 mm) in depth.

EXCEPTION: A shower shall be permitted to have dimensions of 30 inches minimum in depth and 60 inches minimum in width. A clearance of 60 inches (1525 mm) minimum in length adjacent to the 60-inch (1525 mm) width of the open face of the shower compartment, and 30 inches (760 mm) minimum in depth, shall be provided. A lavatory complying with Section 606 shall be permitted at the end of the clearance.

Reason: The quantity of change proposals submitted by International Code Council is reflective of three elements of our work: 1. ICC is the Secretariat for the Standard and some changes reflect inconsistencies or improvements suggested by staff; 2. ICC develops and publishes a Commentary on the standard and writing the commentary illuminates issues of the text and figures; and 3. ICC provides an interpretation service for the standard which results in the observation of provisions the users find most confusing.

Type B units should be permitted the option of the bathroom that allows for either a roll-in shower or a tub, or the new style of walk-in tub/shower. The size and clearance are taken from roll-in showers that are permitted in Accessible and Type A units.



1004.11.3.1.3.3-PAARLBERG.doc

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

Committee Action

Disapproved

Committee Reason: The representative of HUD acknowledged that there is flexibility in the Fair Housing standard that isn't reflected in the A117.1 Standard, however the proposed text is more limiting than the flexibility allowed by HUD. Improved language is sought, but this proposal isn't the solution.

BALLOT COMMENTS

10-31.1

Commenter: Dominic Marinelli, Representing USA

Ballot: Negative with comment:

Comment: Necessary to revisit as committee for disapproving was that proposal was more limiting than the options provided by the Fair Housing Act Accessibility Guidelines, however the guidelines mandate a 36 inch min by 36 inch min shower dimensions in many instances. Kim's proposal permits a roll-in shower that would be permitted in Accessible and Type A units. A lavatory complying with Section 606 shall be permitted at the end of the clearance will have to be augmented to indicate location of shower controls in relation to position of lavatory (i.e., A117.1 Commentary Figure C608.2.2(b)).

10-31.2

Commenter: Kim Paarlberg, Representing ICC

Ballot: Negative with comment:

Comment: Cheryl Kent stated during the last meeting that HUD would accept any shower size larger than 9 sq.ft. The original intent of the proposal was to clarify that a roll-in shower compartment was acceptable because one dimension is 36 inches. The original proposal is too restrictive, but just saying 9 sq.ft. would not work because it would allow something way too narrow. A 30" x 44" shower stall provides greater than 9 sq.ft. in area.

Replace the proposal with the following:

1004.11.3.1.3.3 Shower Compartment. If a shower compartment is the only bathing facility, the shower compartment shall have dimensions of 36 inches (915 mm) minimum in width and 36 inches (915 mm) minimum in depth. A clearance of 48 inches (1220 mm) minimum in length, measured perpendicular from the shower head wall, and 30 inches (760 mm) minimum in depth, measured from the face of the shower compartment, shall be provided. Reinforcing for a shower seat is not required in shower compartments larger than 36 inches (915 mm) in width and 36 inches (915 mm) in depth.

EXCEPTION: A shower compartment with dimensions of 30 inches (760 mm) minimum in depth and 44 inches (1120 mm) minimum in width shall be permitted.

PROPONENT COMMENT

10-31.3

Proponent: Kim Paarlberg, Representing ICC

Replace the proposal with the following:

1004.11.3.1.3.3 Shower Compartment. If a shower compartment is the only bathing facility, the shower compartment shall have dimensions of 36 inches (915 mm) minimum in width and 36 inches (915 mm) minimum in depth. A clearance of 48 inches (1220 mm) minimum in length, measured perpendicular from the shower head wall, and 30 inches (760 mm) minimum in depth, measured from the face of the shower compartment, shall be provided. Reinforcing for a shower seat is not required in shower compartments larger than 36 inches (915 mm) in width and 36 inches (915 mm) in depth.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

EXCEPTION: A shower compartment with dimensions of 30 inches (760 mm) minimum in depth and 44 inches (1120 mm) minimum in width shall be permitted.

Reason: Cheryl Kent stated during the last meeting that HUD would accept any shower size larger than 9 sq.ft. The original intent of the proposal was to clarify that a roll-in shower compartment was acceptable because one dimension is 36 inches. The original proposal is too restrictive, but just saying 9 sq.ft. would not work because it would allow something way too narrow. A 30" x 44" shower stall provides greater than 9 sq.ft. in area.

10-32– 12

This proposal was disapproved by the committee. No ballot or proponent comments were received. No further action is needed.

10-33– 12

This proposal was disapproved by the committee. No ballot or proponent comments were received. No further action is needed.

10-34– 12

1004.12.1.2

Proposed Change as Submitted

Proponent: Kim Paarlberg, International Code Council

Revise as follows:

1004.12.1.2 U-Shaped Kitchens. In kitchens with counters, appliances, or cabinets on three contiguous sides, clearance between all opposing base cabinets, countertops, appliances, or walls within kitchen work areas shall be 60 inches (1525 mm) minimum.

EXCEPTION: Spaces that do not provide a cooktop or conventional range shall not be required to comply with Section 1004.12.1.2 provided there is a 40-inch (1015 mm) minimum clearance between all opposing base cabinets, counter tops, appliances, or walls within work areas.

Reason: The quantity of change proposals submitted by International Code Council is reflective of three elements of our work: 1. ICC is the Secretariat for the Standard and some changes reflect inconsistencies or improvements suggested by staff; 2. ICC develops and publishes a Commentary on the standard and writing the commentary illuminates issues of the text and figures; and 3. ICC provides an interpretation service for the standard which results in the observation of provisions the users find most confusing.

When kitchenettes were added into Section 1004.12 of the 2009 standard, it created some inconsistencies between the Type B units and the Accessible units. This causes uncertainty for the Type B units and would appear to make them more restrictive than the Accessible units or general kitchens.

This new exception is copied from Section 804.2. (The reference within the exception has been changed from Section 804.2 to Section 1004.12.1.2.) The intent of adding this exception into the Type B unit requirements is to coordinate with the arrangements that are allowed in an Accessible unit and for a general kitchen. The Accessible units (Section 1002.12) based on the reference to Section 804; and the general kitchens (Section 804.2) are allowed to provide a minimum clearance of 40 inches where a cooktop or conventional range is not provided.

When dealing with the Type B units, however, the requirements are not as clear and, depending upon the interpretation, they may even result in those units being more restrictive than the Accessible units for certain requirements. As stated earlier, when dealing with an Accessible unit, Section 1002.12 clearly provides the reference to Section 804 that will result in the acceptance of the 40 inch clearance. The Type B unit requirements of Section 1004.12 do not provide an equivalent reference or exception.

Because of these inconsistencies, users must decide to either be code literal and make the Type B units more restrictive and provide better access than required for the Accessible units and general kitchens, or they must use their judgment to permit the

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

Type B units to use the exceptions that are allowed for an Accessible unit. Because an Accessible unit is considered as the higher level of accessibility, I believe it is appropriate to add this exception in the Type B requirements or provide some type of similar exception which allows compliance with Sections 1002.12 or 804.

For the format to be consistent with Section 804.2 the exception should probably be placed directly under Section 1004.12.1. However, because the exception will only affect the U-shaped kitchenettes (that would initially require a 60 inch clearance) built using Section 1004.12.1.2, I felt it was more appropriate to place the exception in Section 1003.12.1.2.

I know that the argument will be made the U-shaped requirements only apply to "kitchens" based on the fact that "kitchenettes" are not mentioned in Section 1004.12.1.2. Sounds great until you look at previous section (for minimum clearance and it also says "kitchen work areas." So we are either stuck saying the 60 inches does apply to kitchenettes or we have to say the 40 inches does not apply. If we say the clearance requirements only apply to "kitchens" (because kitchenettes are not mentioned in those two paragraphs) that would seem to mean that a kitchenette could go back to using simply a 36 inch accessible route between the cabinet and any obstruction. That clearly was not the intent and because we wanted the Accessible and Type A units to meet the 40 inch requirement from Fair Housing that led us to revising the exception in 804.2 and including "kitchenettes" in both the Accessible and Type A unit provisions.

1004.12.1.2-PAARLBERG.doc

Committee Action

Disapproved

Committee Reason: Consistent with the decision on Proposal 8-8-12.

BALLOT COMMENTS

10-34.1

Commenter: Gene Boecker, Representing NATO

Ballot: Negative with comment:

Comment: The rationale for the vote is flawed. This item has nothing to do with the proposal in 8-8. Proposal 8-8 relates to fully accessible kitchens as the standard addresses them in Chapter 8. This proposal limits the application to only Type B units and is an attempt to address kitchenettes. According to the HUD guidelines U-shaped kitchens with sink or range or cooktop at the base of the "U" require the turning space within the kitchen. Because the sink aspect was not included in the original text; two options exist for a solution - 1) use the specific allowance from the Guidelines; or, 2) modify the provisions slightly based on the original proposal.

These result in:

1. EXCEPTION: Spaces that do not provide a without a sink or cooktop or conventional range at the base of the "U" shall not be required to comply with Section 1004.12.1.2 provided there is a 40-inch (1015 mm) minimum clearance between all opposing base cabinets, countertops, appliances, or walls within work areas.

-or-

2. EXCEPTION: Spaces without a sink at the base of the "U" and that do not provide a cooktop or conventional range shall not be required to comply with Section 1004.12.1.2 provided there is a 40-inch (1015 mm) minimum clearance between all opposing base cabinets, countertops, appliances, or walls within work areas.

In both cases the sink cannot be at the base on the "U" in the kitchen. In the first option, no cooktop or no conventional range is allowed anyway in the kitchen whereas the second option allows the cooktop/range as long as it is not at the base of the "U."

Proponent Comment

10-34.2

Commenter: Kim Paarlberg, representing ICC

Ballot: Negative with comment:

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

10-35– 12

1004.12.2.5, 1004.12.2.5.1 (New), 1004.12.2.5.2 (New), 1004.12.2.5.3 (New)

Proposed Change as Submitted

Proponent: Cheryl Kent, representing U.S. Department of Housing and Urban Development

Revise as follows:

1004.12.2.5 Refrigerator/Freezer. ~~A clear floor space, positioned for a parallel approach to the refrigerator/freezer, shall be provided. The centerline of the clear floor space shall be offset 24 inches (610 mm) maximum from the centerline of the appliance. The refrigerator/freezer shall comply with Section 1004.12.2.5.~~

1004.12.2.5.1 Approach. A clear floor space positioned for a parallel or forward approach to the refrigerator/freezer shall be provided.

1004.12.2.5.2 Forward Approach. Where the clear floor space is positioned for a forward approach, the centerline of the clear floor space shall be offset 15 inches (380 mm) maximum from the centerline of the appliance.

1004.12.2.5.3 Parallel Approach. Where the clear floor space is positioned for a parallel approach, the centerline of the clear floor space shall be offset 24 inches (610 mm) maximum from the centerline of the appliance.

Reason: HUD's Fair Housing Accessibility Guidelines permit either a parallel or a forward approach at the refrigerator. In the past, HUD has submitted proposals for centering of the clear floor space, and those proposals were rejected; however, the language that is currently in Section 1004.12.2.5 was accepted. HUD wishes to provide greater flexibility for designers and builders and permit either a parallel or forward approach, and the above revised language is intended to address the forward approach, and uses the same format as what is currently shown for Section 1004.12.2.3 Cooktop.

1004.12.2.5-KENT.doc

Committee Action

Approved

Committee Reason: The proposal adds flexibility to compliance with this requirement.

BALLOT COMMENTS

10-35.1

Commenter: Gina Hilberry, Representing UCP

Ballot: Negative with comment:

Comment: An offset of 24 inches maximum from the centerline of the appliance to the centerline of a clear floor space positioned for parallel approach could result in the clear floor space being completely offset from the refrigerator space. Side-by-side units are becoming more common as universal design principles gain support.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

10-36– 12

This proposal was approved by the committee. No ballot or proponent comments were received. It will be included in the Public Draft.

10-37– 12

This proposal was approved by the committee. No ballot or proponent comments were received. It will be included in the Public Draft.

10-38– 12

Proposed Change as Submitted

Proponent: Cheryl Kent, representing U.S. Department of Housing and Urban Development

Revise as follows:

1003.11.2.5 Bathing Fixtures. The accessible bathing fixture shall be a bathtub complying with Section 1003.11.2.5.1 or a shower compartment complying with Section 1003.11.2.5.2.

1003.11.2.5.1 Bathtub. Bathtubs shall comply with Section 607.

EXCEPTIONS:

1. The ~~removable in-tub~~ seat required by Section 607.3 is not required.
2. Counter tops and cabinetry shall be permitted at one end of the clearance, provided the following criteria are met:
 - (a) The countertop and cabinetry can be removed;
 - (b) The floor finish extends under the countertop and cabinetry; and
 - (c) The walls behind and surrounding the countertop and cabinetry are finished.

Reason: The plain language of Exception 1 to 1003.2.5.1 is not clear; it makes no sense to state that the removable in-tub seat required by Section 607.3 is not required, if the permanent seat also is not required. Based on the plain language of Section 1003.11.2.5.1 Bathtub, it says, bathtubs shall comply with Section 607. Section 607.3 is part of Section 607, and states, "Seat. A permanent seat at the head end of the bathtub or a removable in-tub seat shall be provided. Seats shall comply with Section 610." Going back to 1003.11.2.5.1, Exception 1 only exempts the in-tub seat; with no exception for the permanent seat, the language is saying you must have a permanent seat, but you do not have to provide a removable seat. In discussing this issue with ICC staff and other members of the A117 Committee, HUD was advised the permanent seat also is not required. Based on these discussions, we believe the language is not clear and offer this revision to clear up the ambiguity in the text.

Committee Action

Disapproved

Committee Reason: The removable seat is an adaptive feature. It can be acquired by a resident of the unit at a later time. Providing a head end seat isn't adaptive.

**Ballot Comment and Proponent Comment Agenda- July 15-19, 2013:
Proposals of 2012 submitted on the ICC A117.1-2009**

BALLOT COMMENTS

10-38.1

Commenter: Barbara Huelat, Representing ASID

Ballot: Negative with comment:

Comment: Agree with committee.

10-38.2

Commenter: Cheryl D. Kent, Representing HUD

Ballot: Negative with comment:

Comment: I disagree with the Committee's action as the language in Section 1003.11.2.5 as currently written is confusing. I misinterpreted this language to be saying a seat is not required altogether. It is now my understanding the permanent seat is required. I am offering a modification of this proposal which will instead delete Exception 1, as shown below. This change will make the language for bathtub seats consistent with what is in the 2010 ADA Standards.

Revise as follows:

1003.11.2.5 Bathing Fixtures. The accessible bathing fixture shall be a bathtub complying with Section 1003.11.2.5.1 or a shower compartment complying with Section 1003.11.2.5.2.

1003.11.2.5.1 Bathtub. Bathtubs shall comply with Section 607.

EXCEPTIONS:

- ~~1. The removable in-tub seat required by Section 607.3 is not required.~~
- 2 1. Counter tops and cabinetry shall be permitted at one end of the clearance, provided the following criteria are met:
 - (a) The countertop and cabinetry can be removed;
 - (b) The floor finish extends under the countertop and cabinetry; and
 - (c) The walls behind and surrounding the countertop and cabinetry are finished.

10-39– 12

This proposal was disapproved by the committee. No ballot or proponent comments were received. No further action is needed.
