

Chapter 9

9-1– 12

Revise as follows:

901.1 Scope. ~~Built-in~~ furnishings and equipment required to be accessible by the scoping provisions adopted by the administrative authority shall comply with the applicable provisions of Chapter 9.

905.1 General. Accessible built-in storage facilities shall comply with Section 905.

9-1-12 PC1

Meg Haley, representing self

Revise Title of Chapter as follows:

Chapter 9. ~~Built-in~~ Furnishings and Equipment

Reason: Consistent with accepted revisions in body of chapter and intent of the code to provide that all furnishings, whether fixed or not, should be accessible based on the scoping of IBC Section 1108.2.9 Deletion accepted to strike “built-in” from “901.1 Scope” per revision 9-1-12.

9-2– 12

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.

1003.12.3.1 Clear Floor Space. A clear floor space, positioned for a forward approach to the work surface, shall be provided. Knee and toe clearance complying with Section 306 shall be provided. ~~The clear floor space shall be centered on the work surface.~~

EXCEPTION: Cabinetry shall be permitted under the work surface, provided the following criteria are met:

- (a) the cabinetry can be removed without removal or replacement of the work surface,
- (b) the floor finish extends under such cabinetry, and the walls behind and surrounding cabinetry are finished.

9-2-12 PC1

Harold Kiewel, representing self

Further revise as follow:

1003.12.3.1 Clear Floor Space. A clear floor space, positioned for a forward approach to the work surface, shall be provided. Knee and toe clearance complying with Section 306 shall be provided.

EXCEPTION: Cabinetry shall be permitted under the work surface, provided that the following criteria are met:

- (a) The cabinetry can be removed without removal or replacement of the work surface,

- (b) The floor finish extends the full depth under such cabinetry, and
- (c) The walls ~~behind and surrounding~~ cabinetry surfaces exposed by such removal are finished to match equivalent adjoining surfaces.

Reason: I am opposed to changing dimensions to non-modular (odd) numbers. I believe that dimensional requirements of the Standard should, to the maximum extent practicable, be modular in both Imperial and metric (SI) systems. Imperial dimensions should be multiples of 4-inches, and conversion to metric measure should use 4-inches = 100 mm.

As a professional technical writer, I take exception to the modern practice of wasting the first Article of every major sub-part with the phrase "[this work] shall comply with this Standard." If the Standard has a purpose, and the Article has title, the phrase is superfluous. You could save a couple of pages by deleting those lines.

I have not pointed out spelling, tense, or minor grammatical errors. There are some, but I presume that the committee has access to editors who will, in due course, correct those items.

9-4– 12

Revise as follows:

903.2 Clear Floor Space. A clear floor space complying with Section 305, positioned ~~for a parallel approach to the bench seat, shall be provided.~~ at the end of the bench seat and parallel to the short axis of the bench.

Exception. A clear floor space positioned for a parallel approach to the front of the bench seat, shall be permitted where a clear floor space is also positioned at the end the bench seat.

9-4-12 PC1

Kim Paarlberg, representing ICC

Further revise as follow:

903.2 Clear Floor Space. A clear floor space complying with Section 305, positioned at the end of the bench seat and parallel to the short axis of the bench.

Exception. ~~A clear floor space positioned for a parallel approach to the front of the bench seat, shall be permitted where a clear floor space is also positioned at the end the bench seat.~~

Reason: There is no need for an exception that says you can exceed the minimum requirement. At a minimum the exception has to be deleted. If the committee believes that someone can transfer to a bench from the front vs. the end, then the original text should be restored.

9-4-12 PC2

Larry Perry, representing self

Further revise as follow:

903.2 Clear Floor Space. A clear floor space complying with Section 305, positioned at the end of the bench seat and parallel to the short axis of the bench.

Exception. ~~A clear floor space positioned for a parallel approach to the front of the bench seat, shall be permitted where a clear floor space is also positioned at the end the bench seat.~~

Reason: The proposed exception is either meaningless or is unclear and needs to be re-written. As written, it appears to state that you can provide additional space at the bench, as long as you provide the clear floor space as specified in the base paragraph. If that is the intent, the exception is meaningless and should be deleted.

If the intent is that by providing additional clear floor space in front of the bench, the orientation or position of the clear floor space at the end of the bench can change, that needs to be more clearly stated.

9-4-12 PC3

Curt Wiehle, Minnesota Construction Codes and Licensing, representing self

Disapprove the change. Return the text to that found in existing standard.

Reason: Do not make the proposed change shown above. This change only serves to provide compliance with a provision of the 2010 ADA standard that is nonfunctional. A non-ambulatory, non-weight bearing wheelchair user is not able to transfer from a clear floor space at the end of the bench (see comment to Proposal 6-46-12) unless the wheelchair is positioned facing the back of the bench which, after transferring, will put the person sitting sideways on the end of the bench.

At the very least, delete the pointless exception.

9-6- 12

Revise as follows:

904.3 Sales and Service Counters. Sales and service counters shall comply with Section 904.3.1 or 904.3.2. The accessible portion of the countertop shall extend the same depth as the sales and service countertop.

EXCEPTION: In alterations, when the provision of a counter complying with Section 904.4 would result in a reduction of the number of existing counters at work stations or a reduction of the number of existing mail boxes, the counter shall be permitted to have a portion which is 24 inches (610 mm) long minimum complying with Section 904.4.1 provided that the required clear floor space is centered on the accessible length of the counter.

9-6-12 PC1

Harold Kiewel, representing self

Comment: The exception is too broadly written and could permit some owners or operators to side-step the intention of the regulations.

In the ADA, this provision is intended to prevent financial hardship among small retailers, who may, if required to bring their existing facility into full compliance with the Standard, trim their profit margin to a point that risks their very viability.

The opening phrase of the Exception, "In alterations," is a wide door, open to any owner making any change. It does not differentiate between the Owner fitting up an abandoned or empty shell space and the Owner of a small, long-standing business trying to modernize its layout. The former should not have access to this provision, where the later, with the concurrence of administrative authority, is more likely to pass this hardship test. This language belongs in the Administrative rules (IBC Chapter 11) that control application of the Standard, where it can be set among other building modernization regulations and be thereby constrained by concepts like change-of-use, existing facilities, historic properties, etc.

9-10- 12

Revise as follows:

904.3 Sales and Service Counters. Sales and service counters and windows shall comply with Sections 904.3.1 ~~or~~ and 904.3.2 or 904.3.3. Where a counter is provided, the accessible portion of the countertop shall extend the same depth as the sales and service countertop provided for standing customers.

904.3.1 Vertical separation. At service windows or service counters, any vertical separation shall be at a height of 43 inches (1090 mm) maximum above the floor.

Exception: Transparent security glazing is permitted above the 43 inches (1090 mm) maximum height.

904.3.1 904.3.2 Parallel Approach. A portion of the counter surface 36 inches (915 mm) minimum in length and 26 inches (660 mm) minimum to 36 inches (915 mm) maximum in height above the floor shall be provided. Where the counter surface is less than 36 inches (915 mm) in length, the entire counter surface shall be 26 inches (660 mm) minimum to 36 inches (915 mm) maximum in height above the floor. A clear floor space complying with Section 305, positioned for a parallel approach adjacent to the accessible counter, shall be provided. The space between the accessible counter surface and any projecting objects above the accessible counter shall be 12 inches (305 mm) minimum.

904.3.2 904.3.3 Forward Approach. A portion of the counter surface 30 inches (760 mm) minimum in length and 36 inches (915 mm) maximum in height above the floor shall be provided. A clear floor space complying with Section 305, positioned for a forward approach to the accessible counter, shall be provided. Knee and toe clearance complying with Section 306 shall be provided under the accessible counter. The space between the accessible counter surface and any projecting objects above the accessible counter shall be 12 inches (305 mm) minimum.

9-10-12 PC1

Karen Gridley, representing Target Corporation

Further revise as follow:

904.3.2 Parallel Approach. A portion of the public side of the counter surface ~~36 inches (915 mm)~~ 24 inches (610 mm) minimum in length and 26 inches (660 mm) minimum to 36 inches (915 mm) maximum in height above the floor shall be provided. ~~Where the counter surface is less than 36 inches (915 mm) in length, the entire counter surface shall be 26 inches (660 mm) minimum to 36 inches (915 mm) maximum in height above the floor.~~ A clear floor space complying with Section 305, positioned for a parallel approach adjacent to the accessible counter, shall be provided. The space between the accessible counter surface and any projecting objects above the accessible counter shall be 12 inches (305 mm) minimum.

904.3.3 Forward Approach. A portion of the public side of the counter surface 30 inches (760 mm) minimum in length and 36 inches (915 mm) maximum in height above the floor shall be provided. A clear floor space complying with Section 305, positioned for a forward approach to the accessible counter, shall be provided. Knee and toe clearance complying with Section 306 shall be provided under the accessible counter. The space between the accessible counter surface and any projecting objects above the accessible counter shall be 12 inches (305 mm) minimum.

Balance of 9-10-12 remains unchanged

Reason: For reference, we have submitted an additional and separate comment with alternate language changes for consideration on this item.

This code change proposal is to remove the ambiguous language over the 36 inch length provided for public use. In one sentence the requirement states the counter *shall* be 36 inches in length. But in a following sentence it states "...*where the counter surface is less than 36 inches...*", which implies it is OK to have a length less than 36, and seems to provide an allowance or exception to the length. The language in the two sentences conflict with each other and are confusing because there is no clear exception stated.

Considering that the implication is that it is ok to have a length less than 36 inches, this proposal provides clear criteria on the dimension allowance for a shorter length of 24 inches. Effective lengths could vary depending on the purpose for which a counter is in place.

For example:

In current real world applications we see a variety of existing counters where the pass-through portion of the counter is clearly less than 36 inches in length; some as narrow as 12 inches, and they work extremely well in their intended application. Counters where this would be beneficial are food & beverage hand-off counters, pass-through windows, quick service style counters, teller windows and ticket windows, to name a few, where the only action occurring is to hand off or pass through small items such as food or beverages, tickets, or payment.

9-10-12 PC2

Karen Gridley, representing Target Corporation

Further revise as follow:

904.3.2 Parallel Approach. A portion of the public side of the counter surface 36 inches (915 mm) minimum in length and 26 inches (660 mm) minimum to 36 inches (915 mm) maximum in height above the floor shall be provided. At pass-through or hand-off portions of counters, the counter surface shall be 12 inches minimum in length. Where the counter surface at pass-through or hand-off elements of a counter is less than 36 inches (915 mm) in length, the entire pass-through or hand-off element of the counter surface shall be 26 inches (660 mm) minimum to 36 inches (915 mm) maximum in height above the floor. A clear floor space complying with Section 305, positioned for a parallel approach adjacent to the accessible counter, shall be provided. The space between the accessible counter surface and any projecting objects above the accessible counter shall be 12 inches (305 mm) minimum.

904.3.3 Forward Approach. A portion of the public side of the counter surface 30 inches (760 mm) minimum in length and 36 inches (915 mm) maximum in height above the floor shall be provided. A clear floor space complying with Section 305, positioned for a forward approach to the accessible counter, shall be provided. Knee and toe clearance complying with Section 306 shall be provided under the accessible counter. The space between the accessible counter surface and any projecting objects above the accessible counter shall be 12 inches (305 mm) minimum.

Balance of 9-10-12 remains unchanged

Reason: For reference, we have submitted an additional and separate comment with alternate language changes for consideration on this item.

This code change proposal is the second of two comments we have submitted for this item. It is an attempt to remove the ambiguous language over the 36 inch length provided for public use. In one sentence the requirement states the counter *shall* be 36 inches in length. But in a following sentence it states "...*where the counter surface is less than 36 inches...*", which implies it is OK to have a length less than 36, and seems to provide an allowance or exception to the length. The language in the two sentences conflict with each other and are confusing because there is no clear exception stated.

Considering the implication is that it is ok to have a length less than 36 inches, this proposal provides clear criteria on the dimension allowance for a shorter length of 12 inches at pass-through or hand-off elements of counters. Effective lengths could vary depending on the purpose for which a counter is in place.

For example:

In current real world applications we see a variety of existing counters where the pass-through portion of the counter is clearly less than 36 inches in length; some as narrow as 12 inches, and they work extremely well in their intended application. Counters where this would be beneficial are food & beverage hand-off counters, pass-through windows, quick service style counters, teller windows and ticket windows, to name a few, where the only action occurring is to hand off or pass through small items such as food or beverages, tickets, or payment.

This comment also introduces the idea of identifying different elements of counters that might have different length requirements, such as the pass-through portion of the counter versus the front public side, and which widths are appropriate at those different counter elements.

9-10-12 PC3

Kim Paarlberg, representing ICC

Further revise as follow:

904.3 Sales and Service Counters. Sales and service counters and windows shall comply with Sections 904.3.1 and either 904.3.2 or Section 904.3.3. Where a counter is provided, the accessible portion of the countertop shall extend the same depth as the sales and service countertop provided for standing customers.

904.3.1 Vertical separation. At service windows or service counters, any vertical separation shall be at a height of 43 inches (1090 mm) maximum above the floor.

Exception: Transparent security glazing is permitted above the 43 inches (1090 mm) maximum height.

904.3.2 Parallel Approach. A portion of the counter surface 36 inches (915 mm) minimum in length and 26 inches (660 mm) minimum to 36 inches (915 mm) maximum in height above the floor shall be

provided. Where the counter surface is less than 36 inches (915 mm) in length, the entire counter surface shall be 26 inches (660 mm) minimum to 36 inches (915 mm) maximum in height above the floor. A clear floor space complying with Section 305, positioned for a parallel approach adjacent to the accessible counter, shall be provided. The space between the accessible counter surface and any projecting objects above the accessible counter shall be 12 inches (305 mm) minimum.

904.3.3 Forward Approach. A portion of the counter surface 30 inches (760 mm) minimum in length and 36 inches (915 mm) maximum in height above the floor shall be provided. A clear floor space complying with Section 305, positioned for a forward approach to the accessible counter, shall be provided. Knee and toe clearance complying with Section 306 shall be provided under the accessible counter. The space between the accessible counter surface and any projecting objects above the accessible counter shall be 12 inches (305 mm) minimum.

Reason: Clarification to show that the counters have to allow for visual interaction between the customer and employee over the counter, but can do either a parallel or forward approach.

**The following is the combined section:
904 Sales and Service Counters**

904.3 Sales and Service Counters and Windows. Sales and service counters and windows shall comply with Sections 904.3.1 and either 904.3.2 or Section 904.3.3. . Where counters are provided, the accessible portion of the countertop shall extend the same depth as the public portion of the sales and service countertop provided for standing customers. (9-7-12) (9-9-12)(9-10-12)

EXCEPTION: In *alterations*, when the provision of a counter complying with Section 904.4 would result in a reduction of the number of existing counters at work stations or a reduction of the number of existing *mail boxes*, the counter shall be permitted to have a portion which is 24 inches (610 mm) long minimum complying with Section 904.4.1 provided that the required clear floor *space* is centered on the *accessible* length of the counter. (9-6-12)

904.3.1 Vertical separation. At service windows or service counters, any vertical separation shall be at a height of 43 inches (1090 mm) maximum above the floor. (9-10-12)

Exception: Transparent security glazing is permitted above the 43 inches (1090 mm) maximum height. (9-10-12)

904.3.2 Parallel Approach. A portion of the counter surface 36 inches (915 mm) minimum in length and 26 inches (660 mm) minimum to 36 inches (915 mm) maximum in height above the floor shall be provided. Where the counter surface is less than 36 inches (915 mm) in length, the entire counter surface shall be 26 inches (660 mm) minimum to 36 inches (915 mm) maximum in height above the floor. A clear floor space complying with Section 305, positioned for a parallel approach adjacent to the accessible. The space between the accessible counter surface and any projecting objects above the accessible counter shall be 12 inches (305 mm) minimum. (9-10-12)

904.3.3 Forward Approach. A portion of the counter surface 30 inches (760 mm) minimum in length and 36 inches (915 mm) maximum in height above the floor shall be provided. A clear floor space complying with Section 305, positioned for a forward approach to the accessible counter, shall be provided. Knee and toe clearance complying with Section 306 shall be provided under the accessible counter. The space between the accessible counter surface and any projecting objects above the accessible counter shall be 12 inches (305 mm) minimum. (9-10-12)
