

10-1– 12

Chapter 10, Chapter 11

Proposed Change as Submitted

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

Revise as follows:

Chapters 10 and 11:

Renumber all sections the standard to exchange the order of these 2 chapters.

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 Chapter 10 and 11: ADA's Chapter 10 is Chapter 11 in the A117.1. ADA doesn't have the equivalent of the A117.1 Chapter 10 because it has less focus on dwelling and sleeping units. Changing the order will allow ease of communication for people trying to compare ADA and A117.1 requirements.

Chapter 10-ROETHER.doc

Committee Action

Approved

Committee Reason: Providing consistent numbering in the Standard with the ADA 2010 will be helpful to users of both documents.

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.

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 bathing areas which are not required to comply with Section 1002.11.2

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'.

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.

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.

10-5– 12

1002.5

Proposed Change as Submitted

Proponent: Francine Wai, Executive Director, Disability & Communication Access Board

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.~~

Reason: Accessible units apply to Group I occupancies, similar to “transient lodging” in the 2010 ADA Standards. Section 806.2.3 of the 2010 ADA Standards requires “Exterior Spaces”, which would include balconies, to be accessible. For harmonization with the 2010 ADA Standards, exception #6 should be deleted.

1002.5-WAI.doc

Committee Action

Disapproved

Committee Reason: The exception is allowed by the 2010 ADA in Section 809.2.2. Removing the exception would make the Standard more stringent than the ADA, which the Committee found unnecessary.

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.

Committee Action

Disapproved

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

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:

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 no 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.
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 25 1/2 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 25 1/2-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.

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.

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 ½ inches (650 mm) maximum in depth.

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 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.

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 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

1002.9-KENT.doc

Committee Action

Disapproved

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

10-9– 12
1002.9, 1003.9, 1004.9

Proposed Change as Submitted

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

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 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.~~ Controls for 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. Clock, timer and light controls (non-cooking controls) on kitchen ranges and cooktops.

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 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.~~ Controls for 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. Clock, timer and light controls (non-cooking controls) on kitchen ranges and cooktops.

1004.9 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 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 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.~~ Controls for 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 36 inches (915 mm) maximum in height and 25 ½ inches (650 mm) maximum in depth.
11. Clock, timer and light controls (non-cooking controls) on kitchen ranges and cooktops.

Reason: To state that controls mounted on ceiling fans do not need to be reachable is kind of stating something that is already deemed impossible without a ladder, thus moot. Presumably the issue is whether or not ceiling fan controls need to be accessible. If the intent is that they don't need to be, the revised text is more definitive. If the intent is to provide accessible ceiling fan controls, then remove the exception all together and let the designer figure out how. We have provided wall mounted ceiling fan controls. However when you purchase a switch (see attached photo) that controls the on/off, speed, direction, and light you end up with a device that's almost impossible to use. Another option would be to provide for separate switches, thus all functions available. A four gang box can be challenging to locate. There's always the handheld remote control option, which probably makes the most sense for all unit types.



Ranges with front controls come in very limited models, presumably because the market for these is small. They are considered a major safety hazard around children, thus seldom used. The ADA compliant models do not have controls on the back panel due to reach compliance with 1003.12.5.4.4. So the net affect is that no one gets the upgrade of the clock, timer, and light control. If those options were available, it would be nice to offer them to those that can reach them.



1002.9-FEIBLEMAN.doc

Committee Action

Disapproved

Committee Reason: The Committee believes these features can be, and should be accessible and therefore do not agree with the proponent that they should be exempt.

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

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?

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.

*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.

10-12– 12
1002.15.3 (New)

Proposed Change as Submitted

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

Add new text as follows:

1002.15.3 Bed Height. The top of the bed shall be 17 inches (430 mm) minimum and 19 inches (485 mm) maximum above the floor, measured to the top of the mattress.

Reason: Bed mattresses are getting too high to transfer up from a wheelchair. Provide a similar height requirement as for toilet seats and benches.

1002.15.3 (New)-REED.doc

*Committee Action***Disapproved**

Committee Reason: The Committee preferred the action on Proposal 10-13-12.

10-13– 12
1002.15.3 (New)

Proposed Change as Submitted

Proponent: Dominic Marinelli, representing United Spinal Association

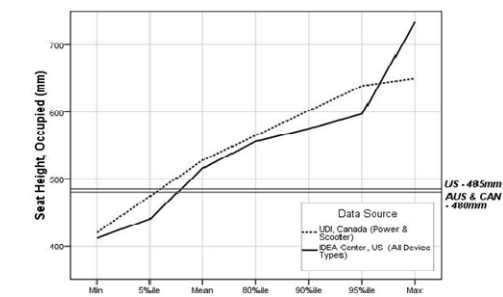
Revise as follows:

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
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 ~~19~~ 17 to 23 ~~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.

10-14– 12
1002.15.3 (New)

Proposed Change as Submitted

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

Add new text as follows:

1002.15.3 Height. The top of the bed shall be between 17 inches minimum and 19 inches maximum above the floor.

Reason: This will enable the wheelchair person to make a transfer onto the bed. The bed is an element in the building that is required to be accessible. The standard height is 17 inches to 19 inches where a transfer is necessary.

1002.15.3 (New)-FALSTAD.doc

Committee Action

Disapproved

Committee Reason: The Committee preferred the action on Proposal 10-13-12.

10-15– 12
1002.16 (NEW), 905.5 (NEW)

Proposed Change as Submitted

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

Add new text as follows:

1002.16 Privacy Safe. Privacy safes provided in accessible units shall comply with Sections 1002.16.1 and 1002.16.2.

1002.16.1 Clear floor safe. A clear floor space complying with Section 305 shall be provided. The clear floor space shall be positioned for a forward approach to the safe.

1002.16.2 Height. The key pad shall be located with the eye level between 43 inches minimum and 48 inches maximum above the floor.

905.5 Privacy Safes. Where provided, privacy safes shall be provided with a clear floor space complying with Section 305 positioned for a forward approach. Key pads shall be located between 43 inches minimum and 48 inches maximum above the floor.

Reason: All rooms now being equipped with a privacy safe, so there needs to be some direction on how to make it wheelchair accessible.

1002.16 (NEW)-FALSTAD.doc

Committee Action

Disapproved

Committee Reason: The Committee did not feel that adding specific standards for safes was needed. There was also concern regarding the height range for key pads of 43 to 48 wasn't justified in light of a greater reach range allowed in the Standard.

10-16– 12

1003.5

Proposed Change as Submitted

Proponent: Francine Wai, Executive Director, Disability & Communication Access Board

Revise as follows:

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.

EXCEPTIONS:

- ~~1. Thresholds at exterior sliding doors shall be permitted to be 3/4 inch (19 mm) maximum in height, provided they are beveled with a slope not greater than 1:2.~~
- ~~2. 1.~~ 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. 2.~~ A turning space between doors in a series as required by Section 404.2.5 is not required.
- ~~4. 3.~~ Storm and screen doors are not required to comply with Section 404.2.5.
- ~~5. 4.~~ Communicating doors between individual sleeping units are not required to comply with Section 404.2.5.
- ~~6. 5.~~ 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.

Reason: The "type A units" apply to residential units. The 2010 ADA Standards requires all doors and doorways providing user passage to be accessible in the accessible residential units. The 2010 ADA Standard do not allow thresholds required to be accessible to be higher than ½ inches, even at exterior sliding doors. Doors designed per exception #1 of A117.1 Section 1003.5 can be found not in compliance with the 2010 Standards. For harmonization with the 2010 ADA Standards, exception #1 should be deleted.

1003.5-WAI.doc

Committee Action

Approved

Committee Reason: The Committee concurred with the proponent that the ADA doesn't allow this exception for this category of dwelling/sleeping units.

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

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.

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.

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 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.

1003.11.2.5.2-PAARLBERG.doc

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.

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.

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.

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.

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.

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.

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.

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

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.

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.

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~~

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 be updated since its inception and even HUD acknowledges that many of the differences in the A117.1 Standard are welcome improvements.

10-27– 12 1004.9

Proposed Change as Submitted

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

Revise as follows:

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 36 inches (915 mm) maximum in height and 25 ½ inches (650 mm) maximum in depth.
11. Thermostats.

Reason: Locating thermostats at 48" is too low for the majority of people that are not in wheelchairs. The height requires hunching over and craning of the neck, which can be problematic for many people. The height of the thermostat is more for the readability of the LED readout, not button controls. Many thermostats have a small display and the angle you read them is best straight on at eye level. Fifty four inches would be more reasonable (accessible for the eye). UFAS 4.2.6 allows for 54 inches.

1004.9 #1-FEIBLEMAN.doc

Committee Action

Disapproved

Committee Reason: Thermostats are regulated under the HUD standards for the Fair Housing Act. Exempting them in the A117.1 standard would be inconsistent.

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.

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

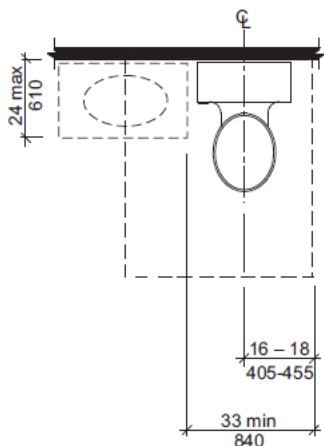
1004.11.3.1.3.2 Forward Approach Bathtubs. A clearance 60 inches (1525 mm) minimum in length and 48 inches (1220 mm) minimum in width shall be provided in front of bathtubs with a forward approach. A water closet, a lavatory, or both a water closet and a lavatory shall be permitted in the clearance at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

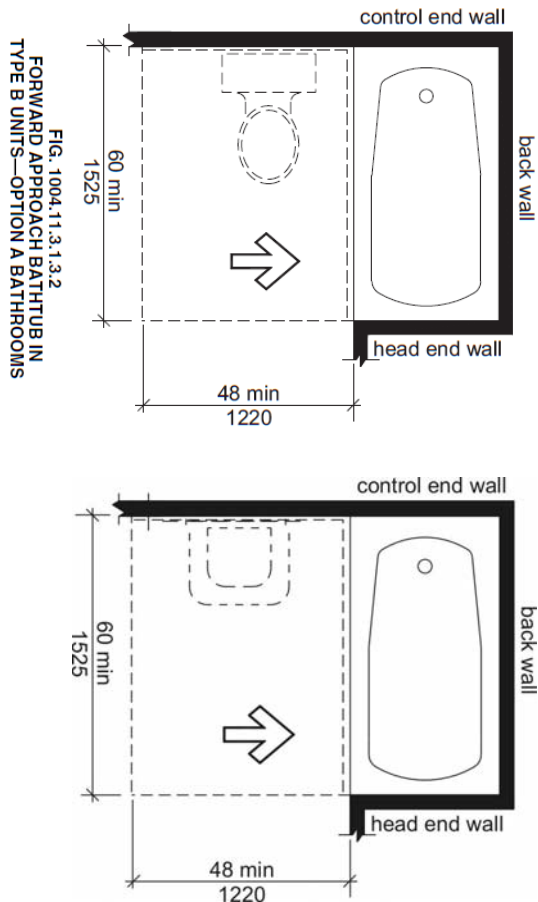
This is simply a clarification that may be helpful given several changes that occurred in the 2009 edition and dealt with the way the word “and” was used for requirements. This perceived problem may be caused by being too code literal, but the use of the word “and” as the conjunction does raise the question 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.

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



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.

10-30– 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.~~

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 text is redundant with Exception 7 in Section 1004.11.1. It is better to keep all of the reinforcement requirements in a single section as opposed to scattered throughout the document. Here is the comparable text to show that the text proposed for deletion is adequately addressed.

1004.11.1 Grab Bar and Shower Seat Reinforcement. Reinforcement shall be provided for the future installation of grab bars and shower seats at water closets, bathtubs, and shower compartments. Where walls are located to permit the installation of grab bars and seats complying with Section 604.5 at water closets; grab bars complying with Section 607.4 at bathtubs; and for grab bars and shower seats complying with Sections, 608.3, 608.2.1.3, 608.2.2.3 and 608.2.3.2 at shower compartments; reinforcement shall be provided for the future installation of grab bars and seats complying with those requirements.

7. In shower compartments larger than 36 inches (915 mm) in width and 36 inches (915 mm) in depth reinforcement for a shower seat is not required

1004.11.3.1.3.3 #1-PAARLBERG.doc

Committee Action

Approved

Committee Reason: The change was approved because it removes redundant text.

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

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.

10-32– 12
1004.11.3.1.3.3

Proposed Change as Submitted

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

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 a nominal 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.

Shower stalls of larger sizes and configurations are permitted, even when the shower stall is the only bathing fixture in the covered unit.

Reason: As previously written, a shower was required to have a dimension of not less than 36". The inclusion of the word "minimum" inadvertently required showers to have a dimension of not less than 36". This conflicted with the recognized option of switching out tubs and showers in the typical 30" x 60" space. By removing the words minimal and adding nominal, the provider gains and acceptable construction tolerance, whereas the 36" minimum was absolute.

1004.11.3.1.3.3 #1-FEIBLEMAN.doc

Committee Action

Disapproved

Committee Reason: While trying to fix the dimensions, the proposal eliminates the clear floor space. Such change should not be made.

10-33– 12 1004.11.3.1.3.3

Proposed Change as Submitted

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

Revise as follows:

1004.11.3.1.3.3 Shower Compartment. If a shower compartment is the only bathing facility, the a square 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.

Shower stalls of larger sizes and configurations are permitted, even where the shower stall is the only bathing fixture in the covered unit, and no minimum dimension of width or depth is required provided the pan area of the shower is not less than 1296 square inches. A shower stall with a dimension of 60 inches in width and 30 inches in depth is allowed.

Reason: As previously written, a shower was required to have a dimension of not less than 36 inches in both directions. The inclusion of the words “minimum” inadvertently required larger rectangular showers to have a dimension of not less than 36”, whereas the size should also be relative to size in total square inches of pan area, e.g. 36x36=1296sq. This also conflicted with the recognized option of switching out tubs and showers in the typical 30” x 60” space. By removing the words minimal and adding nominal, the provider gains an acceptable construction tolerance, whereas the 36” minimum is absolute. By adding 1004.11.3.1.3.4 non square shower sizes can be allowed with a minimum of less than a 36 inch depth dimension. Chapter 10 needs to be clearer regarding roll-in and transfer showers, and when if ever neither is required. There are lots of water containment issues related to both 0” and ½” dam heights. These requirements are forcing knowledgeable builders to provide tubs in-lieu of showers to not be bound to the dam height requirements. Thus users in need of showers because of mobility issues related to stepping over tub dams are disadvantaged. Water intrusion issues need to be considered when reviewing these issues, and define how shower doors can be allowed. Anyone thinking you can have 0” and ½” dam heights without shower doors, and no leaks, is kidding themselves. Piecing together shower size, dam heights, seats, and closures is a big puzzle that we believe is forcing us to use tubs which are less accessible than showers, and the shower requirements can’t be met without water problems in the near and long term.

1004.11.3.1.3.3 #2-FEIBLEMAN.doc

Committee Action

Disapproved

Committee Reason: Consistent with the action taken on Proposal 10-32-12, the Committee also disapproves this proposal. The proposed text was found to be not clear or understandable.

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 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.

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.

10-36– 12
1005.7

Proposed Change as Submitted

Proponent: Kim Paarlberg, International Code Council

Revise as follows:

1005.7 Food Preparation Area. At a minimum, the food preparation area shall include a sink, a cooking appliance, and a refrigerator. Clearances between all opposing base cabinets, counter tops, appliances or walls within the food preparation area shall be 40 inches (1015 mm) minimum ~~in width~~.

EXCEPTION: Spaces that do not provide a cooktop or conventional range shall be permitted to provide a clearance of 36 inches (915 mm) minimum ~~in width~~.

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 simply as a coordination of the text with similar text other sections. Sections 804.2, 1003.12, and 1004.12 and their subsections do not have "in width" with either the pass through or U-shaped kitchen provisions. Deleting the wording here in Section 1005.7 will make the text consistent with the provisions for Accessible, Type A and Type B units.

If the committee does not agree with the deletion of the wording "in width" in Section 1005.7, then that phrasing should be added in the other sections to make all of the sections consistent.

Committee Action

Approved

Committee Reason: The change provides consistency of the Standard's text in sections addressing the same topic.

10-37– 12**1006.5.1***Proposed Change as Submitted*

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

Revise as follows:

1006.5.1 Notification. A hard-wired electric doorbell shall be provided. A button or switch shall be provided on the public side of the unit primary entrance. Activation of the button or switch shall initiate an audible tone within the unit. Where visible doorbell signals are located in sleeping areas, controls shall be provided to deactivate the signal.

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 1006.5.1: ADA provides the text similar to that shown underlined in Section 809.5.5.1. It is part of the ADA residential dwelling unit requirements.

1006.5.1-ROETHER.doc

Committee Action

Approved

Committee Reason: The change provides consistency between the Standard and the 2010 ADA.

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.

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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.

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Proposed Change as Submitted

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

Revise as follows:

1004.11.3.1.2 Water Closet. The water closet shall comply with Section 1004.11.3.1.2.

1004.11.3.1.2.1 Location. The centerline of the water closet shall be ~~16 inches (405 mm) minimum and~~ 18 inches (455 mm) ~~minimum maximum~~ from one side of the required clearance, and 15 inches minimum on the other side of the required clearance.

1004.11.3.1.2.2 Clearance. Clearance around the water closet shall comply with Sections 1004.11.3.1.2.2.1 through 1004.11.3.1.2.2.3.

EXCEPTION: Clearance complying with Sections 1003.11.2.4.2 through 1003.11.2.4.4.

1004.11.3.1.2.2.1 Clearance Width. Clearance around the water closet shall be 48 inches (1220 mm) minimum in width, measured perpendicular from the side of the clearance that ~~16 inches (405 mm) minimum and~~ 18 inches (455 mm) ~~minimum maximum~~ from the water closet centerline.

1004.11.3.1.2.2.2 Clearance Depth. Clearance around the water closet shall be 56 inches (1420 mm) minimum in depth, measured perpendicular from the rear wall.

1004.11.3.1.2.2.3 Increased Clearance Depth at Forward Approach. Where a forward approach is provided, the clearance shall be 66 inches (1675 mm) minimum in depth, measured perpendicular from the rear wall.

1004.11.3.1.2.2.4 Clearance Overlap. A vanity or other obstruction 24 inches (610 mm) maximum in depth, measured perpendicular from the rear wall, shall be permitted to overlap the required clearance, provided the width of the remaining clearance at the water closet is 33 inches (840 mm) minimum.

Reason: We are submitting this proposed change because there appears to be a conflict in the specifications for grab bars for the Type B Unit in the 2009 A117.1. In Section 1004.11.1.1 Swing Up Grab Bar, it states "A clearance of 18 inches minimum from the centerline of the water closet to any side wall or obstruction shall be provided where reinforcement for swing-up grab bars is provided." The exception under this section specifically deals with when a wall is located to one side of the water closet, and we believe it is appropriate in this case to state the range of 16 inches minimum and 18 inches maximum.

However, in Section 1004.11.3.1.2.1 Location, it states, "The centerline of the water closet shall be 16 inches minimum and 18 inches maximum from one side of the required clearance." [As a side note, this language is also rather confusing and may be clearer if we stated, "The centerline of the water closet shall be 16 inches minimum and 18 inches maximum from one side of the required clearance around the water closet."] It is our interpretation that we want this clearance on the side where reinforcement for either a permanent or swing-up grab bar would be located, typically between the water closet and the bathtub. The conflict is with the 18 inches minimum language in Section 1004.11.1.1., and the range of 16 inches minimum and 18 inches maximum in Section 1004.11.3.1.2.1; and repeated in Section 1004.11.3.1.2.2.1, Clearance Width. With a range, it is our understanding that you cannot go a fraction over the higher number, e.g., 18 ¼ inches or 18 ½ inches, would be too much, so it seems contradictory to say 18 inches minimum in Section 1004.11.1.1, and then a range in Section 1004.11.3.1.2.1, as well as Section 1004.11.3.1.2.2.1.

In addition, it is also unclear where the required clearance on the other side of the water closet has been located, that is, the required clearance of 15 inches minimum from the centerline of the water closet on the other side from where the 18 inches minimum clearance is located. While this may be addressed by Section 1004.11.2.1.2.2.4 Clearance Overlap, we are not sure that is sufficient.

It is HUD's understanding that we decided to permit the "range" type dimension for Type B units, but does this range requirement only apply when the water closet is adjacent a side wall? For the Option B bathroom, for example, the water closet cannot be immediately adjacent to the bathtub, and must be further over to allow for the 30" x 48" clear floor space parallel to the bathtub, measured from the control wall; so it does not make sense to state the range of 16 inches minimum and 18 inches maximum when you actually can have more than 18 inches between the water closet and the bathtub. We are not sure how to resolve this seeming conflict, but offer the above as one option and for discussion purposes.

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Committee Action

Disapproved

Committee Reason: The Committee believes that current text more clearly states the requirement of where the water closet is to be located with respect to the wall and the clearances.
