

## 9-1 – 12

### 901.1, 905.1

**Proponent:** Kim Paarlberg, International Code Council

**Revise as follows:**

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

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

**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 provisions for dining and work surfaces and benches (when required) are applicable to loose and 'built-in' elements. Sales and service counters are typically furnishings that are permanent during the life of the store; built-in is not the issue. There is an argument for storage facilities to be limited to built-in, just so you pick up cabinets and closets and not file cabinets and desks.

Committee Action:           AS                   AM                   D

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901.1-PAARLBERG.doc

## 9-2- 12

### 902.2

**Proponent:** Kim Paarlberg, International Code Council

**Revise as follows:**

**902.2 Clear Floor Space.** A clear floor space complying with Section 305, positioned for a forward approach, shall be provided. Knee and toe clearance complying with Section 306 shall be provided. The clear floor space shall be centered on the work surface.

**EXCEPTIONS:**

1. At drink surfaces 12 inches (305 mm) or less in depth, knee and toe space shall not be required to extend beneath the surface beyond the depth of the drink surface provided.
2. Dining surfaces that are 15 inches (380 mm) minimum and 24 inches (610 mm) maximum in height are permitted to have a clear floor space complying with Section 305 positioned for a parallel approach.

**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.

Section 1003.12.3.1 requires that the clear floor space at the kitchen work surface be centered. Section 1003.12.3. applies to Type A kitchens. For kitchens in Accessible units, the work surface is regulated by Section 902. 902 doesn't require then centering. For consistency the centering should be added to the Accessible units or removed from the Type A requirements.

Committee Action:           AS                   AM                   D

902.2-PAARLBERG.doc

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## 9-3 – 12

### 902.2

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

**Revise as follows:**

**902.2 Clear Floor Space.** A clear floor space complying with Section 305, positioned for a forward approach, shall be provided. Knee and toe clearance complying with Section 306 shall be provided.

**EXCEPTIONS:**

1. ~~At drink surfaces 12 inches (305 mm) or less in depth, knee and toe space shall not be required to extend beneath the surface beyond the depth of the drink surface provided.~~
2. ~~Dining surfaces that are 15 inches (380 mm) minimum and 24 inches (610 mm) maximum in height are permitted to have a clear floor space complying with Section 305 positioned for a parallel approach.~~

**Reason:** The only exception in the 2010 Standards that would allow a side approach is in 902.4 Dining Surfaces and Work Surfaces for Children's Use.

As written, the dining and work surfaces that meet exception #1 and #2 are not exclusively for children's use. Dining and work surfaces designed to the exceptions in A117.1's 902.2 can be found not in compliance with the 2010 ADA Standards. For harmonization with the 2010 ADA Standards, exceptions #1 & #2 should be deleted.

Committee Action:           AS                   AM                   D

902.2-WAI.doc

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## 9-4 – 12

### 903.2

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

**Revise as follows:**

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

**Exception.** A clear floor space positioned for a parallel approach to the bench seat, shall be permitted where it provides equivalent or greater accessibility.

**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 903.2:** A117.1 specifically states a parallel approach. ADA specifically states a location at the end of the bench. The HTG believes that the A117.1 provides better access, but recognizes that the ADA has a very specific requirement here. The amendment places the ADA language as the requirement and allows a parallel approach as an exception where equivalent or greater accessibility is provided. While the latter phrasing is redundant with Section 103, it is important to state it in this exception.

Committee Action:      AS                      AM                      D

903.2-ROETHER.doc

## 9-5 – 12

### 903.5, Figure 903

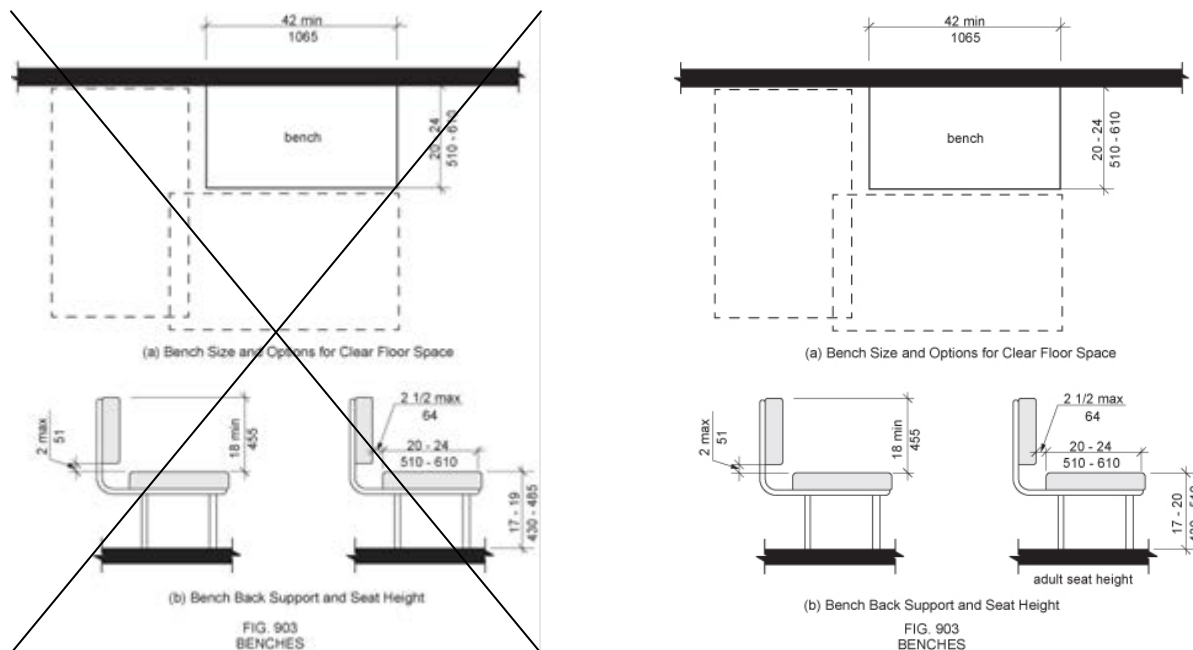
**Proponent:** Edward Steinfeld, IDEA Center, School of Architecture and Planning, University at Buffalo, State University of New York

**Revise as follows:**

**903.5 Height.** The top of the bench seat shall be 17 inches (430 mm) minimum and ~~19~~ 20 inches (485 510 mm) maximum above the floor, measured to the top of the seat.

#### **EXCEPTIONS:**

1. Benches primarily for children's use shall be permitted to be 11 inches (280 mm) minimum and 17 inches (430 mm) maximum above the floor, measured to the top of the seat.
2. An accessible seat which is adjustable in height is permitted to provide adjustability within a range of 11 inches (280 mm) minimum to 25 inches (635 mm) maximum, provided that at least one adjustment setting provides a seat within the range specified in Section 903.5.



**Reason:** Many of the technical requirements of the ICC/ANSI A117.1 (2009) Accessible and Usable Buildings and Facilities (ICC/ANSI) designed to accommodate wheeled mobility users are based on research completed from 1974 to 1978 using a research sample that included about 60 individuals who used manual wheelchairs (Steinfeld et al., 1979).

The Center for Inclusive Design and Environmental Access (IDeA) at the University at Buffalo, SUNY recently completed an anthropometric study of 500 wheeled manual and powered mobility device users (Steinfeld, et al., 2010). Measurements of body and device size were captured in three dimensions. The functional anthropometric measurements required measuring reaching ability, grip strength and the minimum space needed for turning. It is the most extensive anthropometric study of wheeled mobility device users in the United States. Additional information about the study can be found at <http://www.udeworld.com/ansi-standards-review>. The proposed revisions are based on new anthropometric information that was generated from the database of anthropometric measurements developed as part of the study.

#### **Analysis**

In addition to the findings reported in Steinfeld, et al., 2010, the IDeA Center developed a Design Resource entitled, *Analysis of Seat Height for Wheeled Mobility Devices* that provides more detailed information about the study reported in Steinfeld, et al., 2010. *Analysis of Seat Height for Wheeled Mobility Devices* indicates that the current maximum height of 19 inches (485 mm) accommodates 51% of female manual wheelchair users, 30% of manual wheelchair users, and fewer than 20% of power and

scooter users. The report indicates a seat height of 25 inches (635 mm) would accommodate over 95% of all wheeled mobility device users (D'Souza and Steinfeld, 2011, pg. 5).

Increasing the maximum seat height to 20 inches (510 mm) would allow 75% of female manual wheelchair and 53% of male manual wheelchair users (D'Souza and Steinfeld, 2011, pg. 5) to transfer comfortably. Comfort in this case is determined by how closely the height of the transfer surface matches the height of a wheelchair seat. Steinfeld, et. Al., 2010 (pg. 85) report that "keeping the height of a transfer surface close to the height of a wheelchair seat reduces the effort necessary to transfer and provides a safer environment."

However, a fixed seat any higher than 20 inches (510 mm) would likely disadvantage people of short stature, particularly if it was the *only* seat. Encouraging innovation would help to accommodate a greater number of wheeled mobility users without disadvantaging people of short stature. Adjustability is the best option to accommodate the widest population but in the meantime, the upper limit should be raised to 20 inches (Steinfeld, et al., 2010, pgs. 85-86).

NOTE: This change necessitates a change to Fig. 903 to ensure consistency. Thus, the proposed revised figure has been attached, along with the existing figure for comparison purposes.

**References** (See <http://www.udeworld.com/ansi-standards-review> for full text)

D'Souza, C. and Steinfeld, E. (2011). *Analysis of Seat Height for Wheeled Mobility Devices*. Buffalo, NY: University at Buffalo Center for Inclusive Design and Environmental Access.

Steinfeld, E., Paquet, V., D'Souza, C., Joseph, C., and Maisel, J. (2010). *Final Report: Anthropometry of Wheeled Mobility Project*. Washington, DC: U.S. Access Board.

Steinfeld, E. Schroeder, S. and Bishop, M. (1979). *Accessible buildings for people with walking and reaching limitations*. Washington, DC: U.S. Department of Housing and Urban Development.

Committee Action:           AS                   AM                   D

903.5-STEINFELD.doc

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## 9-6 – 12

### 904.3

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

**Revise as follows:**

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

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

#### **Add new Figure**

Figure 904.3 (Exception) Alteration of Sales and Service Counters

**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 904.3** ADA has added the exception. A117.1 does not have anything equivalent in this portion of the code..

Committee Action:      AS                      AM                      D

904.3-ROETHER.doc

**9-7 – 12**  
**904.3**

**Proponent:** M. Bradley Gaskins, AIA, CASp, The McIntosh Group, LLC, representing National Association of Convenience Stores

**Revise as follows:**

**904.3 Sales and Service Counters.** Sales and service counters shall comply with Section 904.3.1 or 904.3.2. The accessible portion of the countertop shall extend the same depth as the public side of the sales and service countertop or where a split-height public-side countertop is provided, the depth of the accessible portion shall be equivalent to the upper portion depth.

**Reason:** This section is constantly being misapplied such that the sales and service countertop is being required to extend from the front to the back edge at the same level. There are no height requirements for the non-public or employee side of the countertop and the language should be clarified. Reading from the DOJ 2010 ADA Standards Guidance we see "Where the counter is a split-height counter, this requirement applies only to the customer side of the counter top." Further discussion with the DOJ about the intent of a split height-counter is that the desire is not for the counter to extend the full depth of the public side either, but that the lower portion of the public side be equivalent to the upper portion of the public side.

Committee Action:           AS                   AM                   D

904.3-GASKINS.doc

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**9-8 – 12**  
**904.3**

**Proponent:** Gail Himes, City of Tacoma, Washington

**Revise as follows:**

**904.3 Sales and Service Counters.** Sales and service counters shall comply with Section 904.3.1 or 904.3.2. The accessible portion of the countertop shall extend the same depth as the sales and service countertop. The accessible countertop shall be the same height and the same length for the entire depth of the counter.

**Reason:** This change would clarify that the counter height must be consistent for the entire depth, and avoid 36" high "walls" and "reach over counters." The length must be uniform for the entire depth to avoid "trapezoidal" configurations where the service side is narrower than the customer side.

Committee Action:           AS                   AM                   D

904.3-HIMES.doc

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## 9-9 – 12

### 904.3

**Proponent:** Kim Paarlberg, International Code Council

**Revise as follows:**

**904.3 Sales and Service Counters.** Sales and service counters and windows shall comply with Section 904.3.1 or 904.3.2. Where counters are provided, the accessible portion of the countertop shall extend the same depth as the sales and service countertop.

**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 main text was changed last cycle to include windows, but there were no provisions in the technical requirements for what was applicable.

Committee Action:           AS                   AM                   D

904.3 #1-PAARLBERG.doc

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# 9-10 – 12

## 904.3

**Proponent:** Kim Paarlberg, International Code Council

**Revise as follows:**

**904.3 Sales and Service Counters.** Sales and service counters shall comply with Section 904.3.1 or 904.3.2. The accessible portion of the countertop shall extend the same depth as the sales and service countertop. The accessible portion of sales and service counter shall be located so that a person using a wheelchair is visible to the staff behind the counter.

**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 current text allows for obstructed counters so that you cannot have the interaction with the service personnel.



Committee Action:           AS                   AM                   D

904.3 #2-PAARLBERG.doc

## 9-11 – 12

### 904.3.1

**Proponent:** Gail Himes, City of Tacoma, Washington

**Revise as follows:**

**904.3.1 Parallel Approach.** A portion of the counter surface 36 inches (915 mm) minimum in length and 36 inches (915 mm) maximum in height above the floor shall be provided. Where the counter surface is less than 36 inches (915 mm) in length, the entire counter surface shall be 36 inches (915 mm) maximum in height above the floor. A clear floor space complying with Section 305, positioned for a parallel approach adjacent to and centered on the accessible counter, shall be provided.

**Reason:** This proposed change would ensure consistent access to a counter. Changes in direction of counters or other building obstructions such as walls or columns can create a condition where building designers want to offset the clear floor space from the accessible counter..

Committee Action:           AS                   AM                   D

904.3.1-HIMES.doc

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## 9-12 – 12

### 905 (New)

**Proponent:** Kim Paarlberg, International Code Council

**Add new text as follows:**

#### **905 Gaming machines and tables**

**905.1 Clear Floor Space.** Accessible gaming machines and tables shall have a clear floor space complying with Section 305 positioned for transfer or for use by an individual seated in a wheelchair. Clear floor spaces required at gaming machines and tables shall be permitted to overlap.

**EXCEPTION:** Gaming tables or machines complying with Section 902 are not required to comply with Section 905.1.

**905.2 Operable parts.** Operable parts on gaming machines and tables shall not be required to comply with Section 309.

**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.

A code change was passed in the IBC that requires one of each type of gaming machine or table to be accessible. The above is an attempt at providing appropriate technical criteria in A117.1. The options are providing a table with knee and toe clearances complying with the same provisions as a work surface, or providing the option of moving to the area of a table or machine and transferring to a seat.

Committee Action:           AS                   AM                   D

905 (New)-PAARLBERG.doc

# 9-13 – 12

## 905.1

**Proponent:** Kim Paarlberg, International Code Council

**Revise as follows:**

**905.1 General.** Accessible storage facilities shall comply with Section 905.

**EXCEPTION:** Kitchen cabinets are not required to comply with Section 905.

**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 as a coordination change related to revisions that were made in the 2009 edition of the standard. In the 2009 development cycle the requirements for kitchen storage in the general kitchens, Accessible units and Type A units were modified. See Sections 804.5, 1002.14, 1003.12.5 and 1003.14 from the 2003 standard; and compare to the 2009 edition where:

- (a) the general kitchen storage requirements were deleted,
- (b) the Accessible unit storage provisions were modified to exclude kitchen cabinets,
- (c) the Type A unit kitchen storage requirements were deleted, and
- (d) the Type A unit storage requirements were modified to exclude kitchen cabinets.

While the 2003 edition had a section to specifically address the storage in a general kitchen (Section 804.5 in 2003) there is no comparable section within the 2009 standard. This has caused users to now turn to the general storage requirements of Section 905 and to begin trying to apply them to the general kitchens that are constructed using Section 804.

While it is possible to point to the "intent" of the previous code change, (explaining that 804.5 was removed; plus pointing to the related changes in 1002.14 and 1003.14) there is no language within the standard that would indicate the kitchen cabinets in Section 804 are not required to meet the general storage provisions. Under the 2003 standard it could be argued that the kitchen storage requirements of Section 804.5 were a specific requirement and therefore the provisions of 905 did not apply. With the loss of Section 804.5 there is no longer a specific requirement and therefore it appears that the general requirements may be applicable.

The proposal shown above will really only affect the kitchens constructed under Section 804 since the Accessible units and Type A units already have a similar exception in Sections 1002.14 and 1003.14. The Type B units do not have a storage requirement but could also use this exception if someone did try to impose the general storage requirements on a Type B unit.

The only other option that I can see to clarify this issue is to add a new section into Section 804 and specifically state that kitchen cabinets are not required to comply with Section 905. That would be unusual from a format standpoint because it would simply say something was not required even though there is no longer a base paragraph which would indicate that element is regulated.

Committee Action:                    AS                    AM                    D

905.1-PAARLBERG.doc