

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.

BALLOT COMMENTS

10-1.1

Commenter: Cheryl D. Kent, Representing HUD

Ballot: Negative with comment:

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

Revise as follows:

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

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

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

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

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

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

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

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

Additional background information:

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

Committee Review of Comments and Action – July 2013

Approval with Modifications based on Comment.

Committee Reason: The committee discussed addressing mail box requirements based on comment 10-1.1. The proposal provides an improvement over the original proposal. The proposal can be further refined through this cycle. The proposed language for ‘other occupancies’ under section 1001.2.2 was deleted as this is outside the scope of Chapter 10.

Modification.

Replace the proposal as follows:

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

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

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

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

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

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

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

Ballot Comments on July 2013 Committee Action Report

ICC – Kim Paarlberg

Affirmative with Comment: Ballot:

Comment: This allowance may need to be coordinated with 3-24. There is an exception for the reach for mailboxes, but which mailboxes does it apply too?

NATO – Gene Boecker

Negative Ballot:

Comment/reason: Conceptually, I agree with the approach but a bit more work must be done. In Section 1001.1.1.1.2, an additional set of mailboxes is required. As written, this additional set of mailboxes is required even if all the mailboxes for all the units are fully accessible. As I understand it, the intent was to provide an additional set of mailboxes because only 50 percent are required to be accessible, resulting in a total of 60 percent accessible mailboxes. But, as written, it is possible that 110 percent would be required if mailboxes are provided within reach range. Below is one possible solution:

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

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.

BALLOT COMMENTS

10-4.1

Commenter: Edward Steinfeld, Representing RESNA
Ballot: Negative with comment:

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

Committee Review of Comments and Action – July 2013

Approved.

Committee Reason: The committee considered the information provided by the comments and decided to take no action to change its original approval of this proposal.

10-6– 12

1002.9, 1003.9

Proposed Change as Submitted

Proponent: Kim Paarlberg, International Code Council

Revise as follows:

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

EXCEPTIONS: (no change to exceptions)

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

EXCEPTIONS: (no change to exceptions)

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

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

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

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

1002.9-PAARLBERG.doc

Committee Action

Disapproved

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

BALLOT COMMENTS

10-6.1

Commenter: Kim Paarlberg, Representing ICC

Ballot: Affirmative with comment:

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

10-6.2

Commenter: Gene Boecker, Representing NATO

Ballot: Negative with comment:

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

PROPONENT COMMENT

10-6.3

Proponent: Kim Paarlberg, Representing ICC

Requests the proposal be Approved as Submitted

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

Committee Review of Comments and Action – July 2013

Approved.

Committee Reason: Window hardware is now covered in other provisions of the standard. Referencing it in these provisions is no longer appropriate.

10-6– 12
1002.9, 1003.9

Proposed Change as Submitted

Proponent: Kim Paarlberg, International Code Council

Revise as follows:

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

EXCEPTIONS: (no change to exceptions)

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

EXCEPTIONS: (no change to exceptions)

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

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

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

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

1002.9-PAARLBERG.doc

Committee Action

Disapproved

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

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 receptacles outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum and 25 ½ inches (650 mm) maximum in depth.

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

EXCEPTIONS:

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

5. Controls mounted on ceiling fans.
6. Controls or switches mounted on appliances.
7. Plumbing fixture controls.
8. Reset buttons and shut-offs serving appliances, piping and plumbing fixtures.
9. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
10. Within kitchens and bathrooms, lighting controls, electrical switches and receptacle outlets are permitted to be located over cabinets with counter tops of 36-inch (915 mm) maximum in height and 25-1/2 inches (650 mm) maximum in depth.
11. Electrical panelboards shall not be required to comply with Section 309.4.

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

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AM

1002.9-KENT.doc

Committee Action

Disapproved

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

BALLOT COMMENTS

10-8.1

Commenter: Gerald Gross, Representing AHLA

Ballot: Negative with comment:

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

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

The proposal should be approved.

10-8.2

Commenter: Cheryl D. Kent, Representing HUD

Ballot: Negative with comment:

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

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

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

Revise as follows:

309 Operable Parts

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

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

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

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

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

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

EXCEPTIONS:

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

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

EXCEPTIONS:

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

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

EXCEPTIONS:

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

7. Plumbing fixture controls.
8. Reset buttons serving appliances, piping and plumbing fixtures.
9. Where redundant controls other than light switches are provided for a single element, one control in each space shall not be required to be accessible.
- 40- Within kitchens and bathrooms, lighting controls, electrical switches and receptacles outlets are permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25 ½ inches (650 mm) maximum in depth.
- 41- ~~Electrical panelboards shall not be required to comply with 309.4.~~

Reason for the proposed change:

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

10-8.3

Commenter: Kim Paarlberg, Representing ICC

Ballot: Negative with comment:

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

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

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

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

EXCEPTIONS:

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

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

EXCEPTIONS:

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

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

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

EXCEPTIONS:

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

10-8.4

Commenter: Dominic Marinelli, representing United Spinal Association

Ballot: Negative with comment:

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

Type A units:

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

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

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

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

1004.9

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

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

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

Proponent Comment

10-8.5

Commenter: Cheryl D. Kent, Representing HUD

Revise the proposal as follows:

309 Operable Parts

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

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

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

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

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

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

EXCEPTIONS:

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

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

EXCEPTIONS:

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

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

EXCEPTIONS:

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

permitted to be located over cabinets with counter tops 36 inches (915 mm) maximum in height and 25 ½ inches (650 mm) maximum in depth.

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

Reason:

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

Committee Review of Comments and Action – July 2013

Approval with Modifications based on Comments.

Committee Reason: Committee members considered the various proposals to address the issue of receptacle access in kitchens. A consensus proposal developed around limited counter space versus where more access is available.

Modification:

Replace the original proposal as follows:

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

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. In a kitchen, 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, only one receptacle outlet shall not be required to comply with Section 309.
3. In a kitchen, where a clear floor space for a parallel approach cannot be located at a counter top in a corner between appliances, receptacle outlets over the counter top shall not be required to comply with Section 309 provided that the counter top is 7 square feet (0.65 m²) maximum.

[re-number remaining exceptions]

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. In a kitchen, 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, only one receptacle outlet shall not be required to comply with Section 309.
3. In a kitchen, where a clear floor space for a parallel approach cannot be located at a counter top in a corner between appliances, receptacle outlets over the counter top shall not be required to comply with Section 309 provided that the counter top is 7 square feet (0.65 m²) maximum.

[re-number remaining exceptions]

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

EXCEPTIONS:

1. Receptacle outlets serving a dedicated use.
2. In a kitchen, 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, only one receptacle outlet shall not be required to comply with Sections 309.2 and 309.3.
3. In a kitchen, where a clear floor space for a parallel approach cannot be located at a counter top in a corner between appliances, receptacle outlets over the counter top shall not be required to comply with Sections 309.2 and 309.3 provided that the counter top is 7 square feet (0.65 m²) maximum.

[re-number remaining exceptions]

Ballot Comments on July 2013 Committee Action Report

RESNA – Edward Steinfeld

Affirmative with Comment: Ballot:

Comment: A harmonization committee is need with the NEC code.

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?

BALLOT COMMENTS

10-10.1

Commenter: Rick Lupton, Representing WABO

Ballot: Affirmative with comment:

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

10-10.2

Commenter: Hope Reed, Representing NMGCD

Ballot: Negative with comment:

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

Proponent Comment

10-10.3

Commenter: Hope Reed, Representing NMGCD

Revise the Proposal as follows:

106 Definitions

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

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

EXCEPTIONS: (remain unchanged)

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

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

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

Committee Review of Comments and Action – July 2013

Approval with Modifications based on Comments.

Committee Reason: The committee wished to be able to continue work on this topic through the cycle. There are issues with respect to the text. It is not clear to all what 'parallel wall' means. The text needs other clarifications.

Modification.

Replace the proposal as follows:

106 Definitions

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

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

EXCEPTIONS: (remain unchanged)

1002.9.1 Wheelchair Charging Area. A wheelchair charging area shall be adjacent to one bed. A clear floor space complying with Section 305 shall be located between the bedside and a parallel wall. The parallel wall shall be 36 inches (915 mm) minimum to 48 inches (1220 mm) maximum from the bed and provide a 110V duplex receptacle outlet located 24 inches minimum and 48 inches maximum from the head wall of the bed and complying with Section 1002.9.

Exception: Where there is no parallel wall within 36 inches (915 mm) minimum to 48 inches (1220 mm) maximum of the bedside, a clear floor space complying with Section 305 shall be along the wall at the head of one bed. A 110V duplex receptacle outlet complying with Section 1002.9 shall be located along the wall at the bed head and within 24 inches minimum and 48 inches maximum of the bedside.

Ballot Comments on July 2013 Committee Action Report

NMGCD – Hope Reed

Affirmative with Comment: Ballot:

Comments:

#1 Provide improved description of parallel wall.

Proposed Revision:**106 Definitions**

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

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

EXCEPTIONS: (remain unchanged)

1002.9.1 Wheelchair Charging Area. A wheelchair charging area shall be adjacent to one bed. A clear floor space complying with Section 305 shall be located between the bedside and a wall that is parallel to the bedside. ~~The parallel wall.~~ The wall that is parallel to the bedside shall be 36 inches (915 mm) minimum to 48 inches (1220 mm) maximum from the bedside and provide a 110V duplex receptacle outlet located 24 inches minimum and 48 inches maximum from the head wall of the bed and complying with Section 1002.9.

Exception: Where there is no ~~parallel wall~~ parallel to the bedside and within 36 inches (915 mm) minimum to 48 inches (1220 mm) maximum of the bedside, a clear floor space complying with Section 305 shall be along the wall at the head of one bed. A 110V duplex receptacle outlet complying with Section 1002.9 shall be located along the wall at the bed head and within 24 inches minimum and 48 inches maximum of the bedside.

#2. Proposal 8-5- 12 includes “grounded” duplex outlet. This Proposal 10-10- 12 should provide the same language in two places.

Proposed Revision to include ‘grounded’ outlet:

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 Sections 1002.9 and 309.

EXCEPTIONS: (remain unchanged)

1002.9.1 Wheelchair Charging Area. A wheelchair charging area shall be adjacent to one bed. A clear floor space complying with Section 305 shall be located between the bedside and a parallel wall. The parallel wall shall be 36 inches (915 mm) minimum to 48 inches (1220 mm) maximum from the bedside and provide a grounded 110V duplex receptacle outlet located 24 inches minimum and 48 inches maximum from the head wall of the bed and complying with Section 1002.9.

Exception: Where there is no parallel wall and within 36 inches (915 mm) minimum to 48 inches (1220 mm) maximum of the bedside, a clear floor space complying with Section 305 shall be along the wall at the head of one bed. A grounded 110V duplex receptacle outlet complying with Section 1002.9 shall be located along the wall at the bed head and within 24 inches minimum and 48 inches maximum of the bedside.

Ed Roether

Negative: Ballot:

Comment/Reason: Including scoping here could raise confusion where it conflicts with the scoping requirements of the codes/standards that reference the A117.1. Whether the A117.1 also needs to include scoping versus just being a technical standard should be carefully considered. Harmonization with the ADA would be enhanced with the inclusion of scoping, but managing conflicts with the scoping provisions in the building code may be overwhelming.

ICC – Kim Paarlberg

Negative: Ballot:

Comment/Reason: While I agree that a wheelchair/scooter charging stations needs to be provided within an Accessible hotel room, the language needs some serious work. It should also be remembered that Accessible rooms are required in assisted living facilities, dorms, nursing homes and hospitals. While the standard does not address scoping, the need for this charging stations in all these types of rooms is not the same.

10-13– 12
1002.15.3 (New)

Proposed Change as Submitted

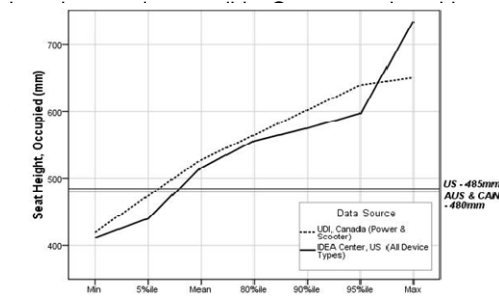
Proponent: Dominic Marinelli, representing United Spinal Association

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 require at least one bed to provide a mattress height between 19 inches and 23 inches.



Wheeled Mobility Project - Prepared for the U.S. Access Board
 International Environmental Access (IDEA) contains research on seat heights for various wheelchairs, scooters and power chairs. The height range we propose for accessible bed heights is based on the mean occupied seat heights of the Wheeled Mobility Project User groups (from the Final Report - Anthropometry of Wheeled Mobility Project): 495 mm (19.5 in.) for manual chair users and 549 mm (21.6 in.) for scooter users. Figures from the Wheeled

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

1002.15.3 (NEW)-MARINELLI.doc

Committee Action

Approval as Modified

Modification

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

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

Ballot Comments on July 2013 Committee Action Report

ICC – Kim Paarlberg

Negative: Ballot:

Comment/Reason: While I agree that a bed height limit needs to be provided within an Accessible hotel room, it should also be remembered that Accessible rooms are required in assisted living facilities, dorms, nursing homes and hospitals. While the standard does not address scoping, the need for bed height in all these types of rooms is not the same. I am concerned that applying this to nursing homes and hospitals may conflict with the new access to medical equipment from the Access Board.

NATO – Gene Boecker

Negative Ballot:

Comment/reason: This proposal is full of flaws and is unenforceable. How is the mattress height supposed to be measured? With bedding in place or without any bedding or sheets? What type of compression should be used and over what area? 220 pounds (100Kg) over a 20 inch by 20 inch (500mm x 500mm) area located at the edge of the mattress? Is that adequate? What is the rationale (besides that fact that they round up nicely in metric)? How does this work when an adjustable-firmness mattress is used (e.g. Sleep Number® bed)? Does it need to meet only one of the possible settings? Which one? When mattresses are replaced, how can an owner of a facility be assured with the next purchase that the replacement mattress will meet the same criteria without buying the mattress first and hiring someone to test it? There are many variables that need to be explored and rationale positions taken before this is ready to be applied.

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.

10-21– 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 at 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 wet bars. These two new exceptions are copied from Section 606.2, Exceptions 1 and 6. The intent of adding these exceptions into the Type A unit requirements is to coordinate with the arrangements that are allowed in an Accessible unit and for a general kitchen. The Accessible units (Section 1002.12) based on the reference to Section 804; and the general kitchens (Section 804.4) are allowed to install a sink that complies with Section 606.

BALLOT COMMENTS

10-21.1

Commenter: Christopher Bell, Representing ACB

Ballot: Negative with comment:

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

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

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

10-21.2

Commenter: Marilyn Golden, Representing DREDF
Ballot: Negative with comment:

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

Proponent Comment

10-21.3

Commenter: Kim Paarlberg, representing ICC
Ballot: Negative with comment:

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

Committee Review of Comments and Action – July 2013

Approved.

Committee Reason: The committee considered the information provided by the comments and decided to take no action to change its original approval of this proposal. Disapproval of this change would make Type A dwelling units more stringent for this feature than Accessible units.

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.

BALLOT COMMENTS

10-22.1

Commenter: Christopher Bell, Representing ACB

Ballot: Negative with comment:

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

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

10-22.2

Commenter: Marilyn Golden, Representing DREDF

Ballot: Negative with comment:

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

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

10-22.3

Commenter: Gina Hilberry, representing United Cerebral Palsy

Ballot: Negative with comment:

Comment: This is not redundant text.

PROPONENT COMMENT

10-22.4

Proponent: Kim Paarlberg, Representing ICC

Requests approval as submitted.

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

Committee Review of Comments and Action – July 2013

Approved.

Committee Reason: The committee considered the information provided by the comments and decided to take no action to change its original approval of this proposal. The committee discussed whether the control requirement was intended to apply to just wall ovens or ranges. Changes to the 2009 edition made the requirement universal, yet there is a limited supply of compliant ranges. The approval was maintained to all further revision this cycle.

10-28– 12

1004.10.1

Proposed Change as Submitted

Proponent: Kim Paarlberg, International Code Council

Revise as follows:

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

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

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

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

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

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

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

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

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

1004.10.1-PAARLBERG.doc

Committee Action

Approved

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

BALLOT COMMENTS

10-28.1

Commenter: Ronald G. Nickson, Representing NMHC
Ballot: Negative with comment:

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

10-28.2

Commenter: Steve Orlowski, Representing NAHB
Ballot: Negative with comment:

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

Committee Review of Comments and Action – July 2013

Approved.

Committee Reason: The committee considered the information provided by the comments and decided to take no action to change its original approval of this proposal.

Ballot Comments on July 2013 Committee Action Report

NAHB – Steven Orlowski

Negative: Ballot:

Comment/Reason: We continue to disagree with the committee's action and statement that this is a simple clarification of the existing language. As written, it could now be interpreted that each appliance must be provided with an independent and separate clear floor space. This language should not have been approved.

NMHC – Ron Nickson

Negative: Ballot:

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

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.

BALLOT COMMENTS

10-31.1

Commenter: Dominic Marinelli, Representing USA

Ballot: Negative with comment:

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

10-31.2

Commenter: Kim Paarlberg, Representing ICC

Ballot: Negative with comment:

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

Replace the proposal with the following:

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

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

PROPONENT COMMENT

10-31.3

Proponent: Kim Paarlberg, Representing ICC

Replace the proposal with the following:

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

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

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

Committee Review of Comments and Action – July 2013

Approval with Modifications based on Comment.

Committee Reason: The intent is to allow the flexibility of shower design that HUD allows under the Fair Housing Act guidelines. The 44 inch dimension is the minimum needed to create a shower of 9 square feet.

Modification.

Replace the proposal with the following:

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

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

10-35– 12

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

Proposed Change as Submitted

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

Revise as follows:

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

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

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

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

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

1004.12.2.5-KENT.doc

Committee Action

Approved

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

BALLOT COMMENTS

10-35.1

Commenter: Gina Hilberry, Representing UCP

Ballot: Negative with comment:

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

Committee Review of Comments and Action – July 2013

Approved.

Committee Reason: The committee considered the information provided by the comments and decided to take no action to change its original approval of this proposal.

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.

1005.7-PAARLBERG.doc

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.

Committee Action

Disapproved

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

BALLOT COMMENTS

10-38.1

Comment rescinded

10-38.2

Commenter: Cheryl D. Kent, Representing HUD

Ballot: Negative with comment:

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

Revise as follows:

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

1003.11.2.5.1 Bathtub. Bathtubs shall comply with Section 607.

EXCEPTIONS:

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

Committee Review of Comments and Action – July 2013

Approval with Modifications based on Comment.

Committee Reason: The proponent requested the committee to consider comment 10-38.2 which totally strikes the exception. The standard does require a seat in Section 607 and provides the option of a removable in-tub seat.

Modification:

Replace the proposal as follows:

1003.11.2.5.1 Bathtub. Bathtubs shall comply with Section 607.

EXCEPTIONS:

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

Ballot Comments on July 2013 Committee Action Report

RESNA – Edward Steinfeld

Negative Ballot:

Comment/reason: The reason given for the Committee's decision actually does not address the proposal. Perhaps a mistake was made that needs to be corrected?