



DSA CODE AMENDMENT DEVELOPMENT

TRACKING:

Date Received:
DSA Tracking Number: Item 2.01
Date Reviewed: 05/03/2021
Status: CAC Review

APPLICABLE CODE:

Applicable Code Section(s): Chapter 1, Section 202
Topic: Definition for ACCESS AISLE

CURRENT CODE LANGUAGE:

ACCESS AISLE. [DSA-AC] *An accessible pedestrian space adjacent to or between parking spaces that provides clearances in compliance with this code.*

SUGGESTED TEXT OF PROPOSED AMENDMENT:

ACCESS AISLE. [DSA-AC] *An accessible pedestrian space adjacent to or between parking vehicle spaces that provides clearances in compliance with this code.*

CODE TEXT IF ADOPTED

ACCESS AISLE. [DSA-AC] *An accessible space adjacent to or between vehicle spaces that provides clearances in compliance with this code.*

STATEMENT OF REASONS

DSA-AC is proposing to amend the definition of ACCESS AISLE for clarity by repealing the word “pedestrian” and replacing the word “parking” with “vehicle.”

Comments received by the Division of the State Architect indicate the word “pedestrian” in the definition is confusing to code users and creates questions about locating detectable warnings in compliance with Chapter 11B where access aisles are approached from walks or sidewalks via perpendicular curb ramps, parallel curb ramps, or blended transitions. Despite existing code provisions that specify the location of detectable warnings at curb ramps and blended transitions, and that prohibit detectable warnings within access aisles and at driveway and drive aisle crossings, commenters question the need for detectable warnings where a pedestrian crosses from one pedestrian area (i.e. walks, sidewalks, curb ramps or blended transitions) to another pedestrian area (i.e. access aisles).

Access aisles accommodate the needs of pedestrians – movement through the access aisle and as an approach to accessible parking, electric vehicle spaces, and accessible passenger drop-off and loading zones. Access aisles also accommodate the spatial requirements for the use of vehicle-mounted wheelchair lifts; in this regard, access aisles also serve as vehicle areas. In practical use, access aisles are both pedestrian and vehicle areas. The Division of the State Architect believes repealing the word “pedestrian” will alleviate this confusion.

The second change to the definition replaces the word “parking” with the word “vehicle.” This change acknowledges that access aisles are required not only at accessible parking, but also at accessible electric vehicle spaces, and accessible passenger drop-off and loading zones.

DSA COMMENTS

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DSA CODE AMENDMENT DEVELOPMENT

TRACKING:

Date Received:
DSA Tracking Number: Item 11B.01
Date Reviewed: 05/03/2021
Status: CAC Review

APPLICABLE CODE:

Applicable Code Section(s): Chapter 11B, Section 11B-108
Topic: Technical Provisions for Maintenance of Accessible Features

CURRENT CODE LANGUAGE:

11B-108 Maintenance of accessible features.

A public accommodation shall maintain in operable working condition those features of facilities and equipment that are required to be accessible to and useable by persons with disabilities. Isolated or temporary interruptions in service or accessibility due to maintenance or repairs shall be permitted.

SUGGESTED TEXT OF PROPOSED AMENDMENT:

11B-108 Maintenance of accessible features.

A public accommodation shall maintain in operable working condition those features of facilities and equipment that are required to be accessible to and useable by persons with disabilities. Features, facilities and equipment required by Chapter 11B to be accessible to and useable by persons with disabilities shall be maintained in operable working condition. Isolated or temporary interruptions in service or accessibility due to maintenance or repairs shall be permitted.

CODE TEXT IF ADOPTED

11B-108 Maintenance of accessible features.

Features, facilities and equipment required by Chapter 11B to be accessible to and useable by persons with disabilities shall be maintained in operable working condition. Isolated or temporary interruptions in service or accessibility due to maintenance or repairs shall be permitted.

STATEMENT OF REASONS

The Division of the State Architect is proposing to amend this section to include the various types of facilities regulated by Chapter 11B; public buildings, public accommodations, commercial buildings and public housing. Currently the only public accommodations are required to comply.

DSA COMMENTS

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DSA CODE AMENDMENT DEVELOPMENT

TRACKING:

Date Received:
DSA Tracking Number: Item 11B.02
Date Reviewed: 05/03/2021
Status: CAC Review

APPLICABLE CODE:

Applicable Code Section(s): Chapter 11B, Section 11B-206.4
Topic: Scoping for Entrances

CURRENT CODE LANGUAGE:

11B-206.4 Entrances. Entrances shall be provided in accordance with Section 11B-206.4. Entrance doors, doorways, and gates shall comply with Section 11B-404 and shall be on an accessible route complying with Section 11B-402.

Exceptions:

1. *Reserved.*
2. *Reserved.*

11B-206.4.1 Entrances and exterior ground floor exits. All entrances and exterior ground-floor exits to buildings and facilities shall comply with Section 11B-404.

Exceptions:

1. *Exterior ground floor exits serving smoke-proof enclosures, stairwells, and exit doors serving stairs only shall not be required to comply with Section 11B-404.*
2. *Exits in excess of those required by Chapter 10, and which are more than 24 inches (610 mm) above grade shall not be required to comply with Section 11B-404. Directional signs shall comply with Chapter 10, Section 1009.10.*

SUGGESTED TEXT OF PROPOSED AMENDMENT:

11B-206.4 Entrances. Entrances shall be provided in accordance with Section 11B-206.4. Entrance doors, doorways, and gates shall comply with Section 11B-404 and shall be on an accessible route complying with Section 11B-402.

Exceptions:

1. *Reserved.*
2. *Reserved.*

11B-206.4.1 Entrances. ~~and exterior ground floor exits.~~ All entrances ~~and exterior ground-floor exits to buildings and facilities~~ shall comply with Section 11B-404.

Exceptions:

- ~~1. Exterior ground floor exits serving smoke-proof enclosures, stairwells, and exit doors serving stairs only shall not be required to comply with Section 11B-404.~~
- ~~2. Exits in excess of those required by Chapter 10, and which are more than 24 inches (610 mm) above grade shall not be required to comply with Section 11B-404. Directional signs shall comply with Chapter 10, Section 1009.10.~~

CODE TEXT IF ADOPTED

11B-206.4 Entrances. Entrances shall be provided in accordance with Section 11B-206.4. Entrance doors, doorways, and gates shall comply with Section 11B-404 and shall be on an accessible route complying with Section 11B-402.

Exceptions:

- 1. Reserved.**
- 2. Reserved.**

11B-206.4.1 Entrances. All entrances shall comply with Section 11B-404.

STATEMENT OF REASONS

The Division of the State Architect is proposing to amend this section to relocate provisions from Section 11B-206.4 to Section 11B-207. This proposed amendment would include exits under accessible means of egress rather than inclusion in the section for entrances.

This proposed amendment is in response to code users who stated that the requirements for exits is overlooked because of the current provisions that place exits in the scoping sections for accessible routes and entrances.

DSA COMMENTS

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DSA CODE AMENDMENT DEVELOPMENT

TRACKING:

Date Received:
DSA Tracking Number: Item 11B.03
Date Reviewed: 05/03/2021
Status: CAC Review

APPLICABLE CODE:

Applicable Code Section(s): Chapter 11B, Section 11B-207
Topic: Scoping for Accessible Means of Egress

CURRENT CODE LANGUAGE:

11B-207 Accessible means of egress

11B-207.1 General. Means of egress shall comply with *Chapter 10, Section 1009*.

Exceptions:

1. Where means of egress are permitted by local building or life safety codes to share a common path of egress travel, accessible means of egress shall be permitted to share a common path of egress travel.
2. Areas of refuge shall not be required in detention and correctional facilities.
3. *Accessible means of egress are not required to be provided in existing buildings.*

SUGGESTED TEXT OF PROPOSED AMENDMENT:

11B-207 Accessible means of egress

11B-207.1 General. Means of egress shall comply with *Chapter 10, Section 1009 and Section 11B-207. Means of egress shall provide an accessible route complying with Section 11B-402 to a public way. Means of egress doors from the exit access to the public way at the level of exit discharge shall be on accessible route and comply with Section 11B-404.*

Exceptions:

1. Where means of egress are permitted by local building or life safety codes to share a common path of egress travel, accessible means of egress shall be permitted to share a common path of egress travel.
2. Areas of refuge shall not be required in detention and correctional facilities.
3. *Accessible means of egress are not required to be provided in existing buildings.*
4. *Means of egress doors that provide access only to interior or exterior stairways shall not be required to comply with Section 11B-404.*

5. At exits in excess of those required by Chapter 10, exit only doors, shall not be required to comply with Section 11B-404. Directional signs shall be provided at these exits in compliance with Chapter 10, Section 1009.10.

CODE TEXT IF ADOPTED

11B-207 Accessible means of egress

11B-207.1 General. Means of egress shall comply with *Chapter 10, Section 1009 and Section 11B-207. Means of egress shall provide an accessible route complying with Section 11B-402 to a public way. Means of egress doors from the exit access to the public way at the level of exit discharge shall be on accessible route and comply with Section 11B-404.*

Exceptions:

1. Where means of egress are permitted by local building or life safety codes to share a common path of egress travel, accessible means of egress shall be permitted to share a common path of egress travel.
2. Areas of refuge shall not be required in detention and correctional facilities.
3. *Accessible means of egress are not required to be provided in existing buildings.*
4. *Means of egress doors that provide access only to interior or exterior stairways shall not be required to comply with Section 11B-404.*
5. *At exits in excess of those required by Chapter 10, exit only doors, shall not be required to comply with Section 11B-404. Directional signs shall be provided at these exits in compliance with Chapter 10, Section 1009.10.*

STATEMENT OF REASONS

The Division of the State Architect is proposing to amend this section to relocate provisions from Section 11B-206.4 to Section 11B-207. This proposed amendment would include exits under accessible means of egress rather than inclusion in the section for entrances.

This proposed amendment is in response to code users who stated that the requirements for exits is overlooked because of the current provisions that place exits in the scoping sections for accessible routes and entrances.

The proposed amendment restores language from prior Chapter 11B editions that required an accessible means of egress from the level of exit discharge to the public way.

Elements that provide for accessible means of egress such as areas of safe refuge, assisted rescue and safe dispersal are regulated in Chapter 10.

At the exit doors to stairways that are not required to comply with Section 404 the provisions for door hardware, and door opening width are regulated in Chapter 10 as a means of egress. These are consistent with the provision in Chapter 11B.

The reference to a smoke proof enclosure has been repealed and not carried forward in this section because a smoke proof enclosure can include a ramp that is accessible.

DSA COMMENTS

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DSA CODE AMENDMENT DEVELOPMENT

TRACKING:

Date Received:
DSA Tracking Number: Item 11B.04
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Status: CAC Review

APPLICABLE CODE:

Applicable Code Section(s): Chapter 11B, Section 11B-224.7
Topic: Scoping for Housing at a Place of Education

CURRENT CODE LANGUAGE:

11B-224.7 Housing at a place of education. *Housing at a place of education subject to this section shall comply with Sections 11B-224.1 through 11B-224.6 and 11B-806 for transient lodging guest rooms. For the purposes of the application of this section, the term “sleeping room” is interchangeable with “guest room” as used in the transient lodging standards.*

Exception: *Housing facilities that are provided by or on behalf of a place of education, with residential dwelling units leased on a year round basis exclusively to graduate students or faculty, and that do not contain any public use or common use areas available for educational programming, are not subject to Section 11B-224 and shall comply with Section 11B-233.*

11B-224.7.1 Multi-bedroom housing units with mobility features. *Multi-bedroom housing units containing accessible sleeping rooms with mobility features shall have an accessible route throughout the unit in compliance with Section 11B-809.2. Kitchens, when provided, within housing units containing accessible sleeping rooms with mobility features shall comply with Section 11B-804.*

11B-224.7.2 Multi-bedroom housing units with adaptable features. *Multi-bedroom housing units with adaptable features shall be provided as required by Section 11B-233.3.1.2. The number of required multi-bedroom housing units with adaptable features shall be reduced by the number of multi-bedroom housing units with mobility features required by Section 11B-224.2.*

SUGGESTED TEXT OF PROPOSED AMENDMENT:

11B-224.7 Housing at a place of education. *Housing at a place of education subject to this section shall comply with Sections 11B-224.1 through 11B-224.6 and 11B-806 for transient lodging guest rooms. For the purposes of the application of this section, the term “sleeping room” is interchangeable with “guest room” as used in the transient lodging standards.*

Exception: *Housing facilities that are provided by or on behalf of a place of education, with residential dwelling units leased on a year round basis exclusively to graduate students or faculty, and that do not contain any public use or common use areas available for educational programming, are not subject to Section 11B-224 and shall comply with Section 11B-233.*

11B-224.7.1 Multi-bedroom housing units with mobility features. Multi-bedroom housing units containing accessible sleeping rooms with mobility features shall have an accessible route throughout the unit in compliance with Section 11B-809.2. Kitchens, when provided, within housing units containing accessible sleeping rooms with mobility features shall comply with Section 11B-804.

11B-224.7.2 ~~Multi-bedroom housing units with adaptable features.~~ Accessible units with adaptable features. ~~Multi-bedroom housing~~ Accessible units with adaptable features shall be provided as required by Section 11B-233.3.1.2. The number of required ~~multi-bedroom housing accessible~~ units with adaptable features shall be reduced by the number of ~~multi-bedroom housing units with mobility features~~ required by Section 11B-224.2.

CODE TEXT IF ADOPTED

11B-224.7 Housing at a place of education. Housing at a place of education subject to this section shall comply with Sections 11B-224.1 through 11B-224.6 and 11B-806 for transient lodging guest rooms. For the purposes of the application of this section, the term “sleeping room” is interchangeable with “guest room” as used in the transient lodging standards.

Exception: Housing facilities that are provided by or on behalf of a place of education, with residential dwelling units leased on a year round basis exclusively to graduate students or faculty, and that do not contain any public use or common use areas available for educational programming, are not subject to Section 11B-224 and shall comply with Section 11B-233.

11B-224.7.1 Multi-bedroom housing units with mobility features. Multi-bedroom housing units containing accessible sleeping rooms with mobility features shall have an accessible route throughout the unit in compliance with Section 11B-809.2. Kitchens, when provided, within housing units containing accessible sleeping rooms with mobility features shall comply with Section 11B-804.

11B-224.7.2 Accessible units with adaptable features. Accessible units with adaptable features shall be provided as required by Section 11B-233.3.1.2. The number of required accessible units with adaptable features shall be reduced by the number of units with mobility features required by Section 11B-224.2.

STATEMENT OF REASONS

The Division of the State Architect is proposing to amend the title and repeal the reference to multi-bedroom housing units in Section 11B-224.7.2.

The requirement for an accessible route throughout the unit with mobility features is a requirement of the 2010 ADA Standards for Accessible Design not the Fair Housing Act.

As read Section 11B-224.72 would not be applicable to efficiency, studio or one-bedroom units that are accessible with adaptable features. These types of units are regulated by the Fair Housing Act (FHA) and Fair Housing Accessibility Guidelines (FHAG). Amending this section will ensure consistency with federal regulations and provide clarity for code users.

Chapter 11B in Section 11B-233.3.1.2 provides scoping that aligns with the FHA and FHAG.

The requirements for an accessible route in accessible units with adaptable features is in Sections 11B-809.6 through 11B-809.12.

DSA COMMENTS

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