

NC ACCESSIBILITY CODE

2009 NC Bldg Code Ch. 11

2003 ICC/ANSI A117.1

Effective date: 1 Jan 2010

REMEMBER: Until the 2004 ADA/ABA is adopted by the US Dept of Justice, designers have to comply with the more restrictive of the following codes:

- 2009 NCBC with 2003 ANSI A117.1
- ADA Standards (or you can use the 2004 NCAC which was certified as being equivalent on Nov. 28, 2005)

SIGN UP FOR THE E-MAIL DISTRIBUTION LIST AT:

www.ncdoi.com/OSFM/Engineering/CodeServices/engineering_codeservices/interpretations_accessibility.asp

See E-mail Updates at top of page.

Transition 04 NCAC-ANSI 2

Van Pkg ANSI 502.2 Exc. 2

NCBC 3409: R-3 to Grp B 2



Safe. Sensible. Simple.
NC Rehabilitation Code Online
Laying the Foundations for Community Revitalization

2009 NC Rehab Code

The 2009 NC Rehab Code is available at either of two locations:

- NCDOL:
http://www.ncdoi.com/osfm/engineering/bcc/engineering_bcc_codes_2009_approved.asp
- or
www.ncrehabcode.com

The 2009 NCRehab Code was updated as follows:

1. Reference the most recent year editions of the model codes.
2. Eliminate references to the 2004 NC Accessibility Code in 1.1.j and throughout the code.
3. Provide the correct accessibility code references in 1.1.j and throughout the code.

Revised NCBC 1007.3 + ARA Reqmts.

Code Change - Effective 1/1/2011. On Dec. 8, 2009, the Building Code Council passed a revision to NCBC 1007.3 (BCC Mtg. Min., Item D-2), approved by the Rules Review Committee on February 18, 2010, *may be used before then if the designer or his agent requests its use under NC Admin Code Section 102.5.* This section, when replacing NCBC Section 1007.3, will allow supervised sprinklered buildings that are protected throughout with an NFPA 13 or NFPA 13R sprinkler system to omit *areas of refuge*. The language reads as follows: [The major change is located in Exception 1.]

1007.3 Exit stairways. In order to be considered part of an accessible means of egress, an exit stairway shall have a clear width of 48 inches (1219 mm) minimum between handrails and shall either incorporate an area of refuge within an enlarged floor - level landing or shall be accessed from either an area of refuge complying with Section 1007.6 or a horizontal exit.

Exceptions:

1. The area of refuge is not required at unenclosed interior exit stairways as permitted by Section 1020.1 in buildings or facilities that are equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
2. The clear width of 48 inches (1219 mm) between handrails is not required at exit stairways in buildings or facilities equipped throughout with an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
3. Areas of refuge are not required at exit stairways in buildings or facilities equipped throughout by an automatic sprinkler system installed in accordance with Section 903.3.1.1 or 903.3.1.2.
4. The clear width of 48 inches (1219 mm) between handrails is not required for exit stairways accessed from a horizontal exit.
5. Areas of refuge are not required at exit stairways serving open parking garages.
6. Areas of refuge are not required for smoke protected seating areas complying with Section 1025.6.2.
7. The areas of refuge are not required in Group R-2 occupancies.



“Are you aware that the van accessible space is now required to be 132” wide (11’) plus a 5’ aisle? **ANSI 502.2 Exc.** permits the 96” minimum width with the 96” adjacent aisle width. Whether the line is included in the measurement of the aisle space or not depends on whether spaces are adjacent. [ANSI 502.3, 502.3 Exc.]

**NCBC 3409
R-3 to
Grp B**

Transition from 04 NCAC to 03 ANSI

In the past several weeks, there have been several calls from architects, designers and contractors with a single question. This week, answered below, is being answered consistently throughout the Department of Insurance.

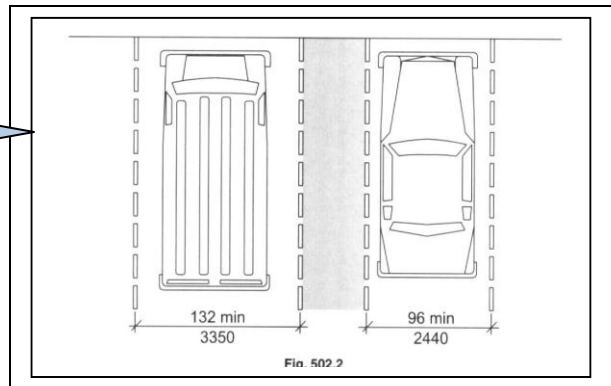
Q: May I continue to use the 2004 NC Accessibility Code for the project that we are designing because the project is so large/has been in the design process for so long, that changing over at this point would be very costly to the project?

A: No. At the June 2009 Building Code Council meeting, NC Building Code Council identified a transition period that extended from the date that the NC Legislature adjourned (on August 11, 2009) until December 31, 2009 during which a designer could choose which accessibility code to use on the project in question, either the 2004 NC Accessibility Code or the 2009 NC Building Code Ch. 11 with the 2003 edition of ANSI A117.1. [See BCC Mtg. Minutes, Item A-7 <http://www.ncdoi.com/OSFM/Engineering/BCC/Documents/Minutes/060809.pdf>] This decision was documented in a Transition Memo on the Access Update website. www.ncdoi.com/OSFM/Engineering/CodeServices/engineering_codeservices_interpretations_accessibility.asp] This memo was posted for a period of approximately five months prior to the December 31, 2009 end date, as well as having been distributed to architects and jurisdictions throughout the state upon request. Exceptions to it, as in the past, would be provided in writing from the local jurisdictions in agreements made prior to December 31, 2009 (typically because of some glitch in getting the permit out prior to that date).

Comments: Whenever the NC Code changes, the Building Code Council typically provides a transition period to allow designers to work to get smaller projects submitted and to let larger projects either be submitted prior to the deadline or be designed to the new code. This time is no different than any other time.

**Van
Accessible**

NCBC 1106.5 requires one space in six be a van accessible parking space



Change of Occupancy How to Use NCBC 3409

For any business opened in a private residence, the following will be the case:

1. 2009 NCBC addresses R-3 occupancies.
2. NCBC 3409.4 addresses the change of occupancy from the R-3 to the Group B use in the private residence.
3. NCBC 3409.4 contains a list of items below to be applied as to the residence as a change of occupancy in general. Where there are technical infeasibilities, then conform to the maximum extent feasible.
4. NCBC 3409.5 addresses any additions.
5. NCBC 3409.6 addresses any alterations.
6. After addressing all of the above, NCBC 3409.7 addresses disproportionality. While it does not list the six items covered originally in the 2004 NCAC 34.2.6.2, it really comes down to toilet facilities or drinking fountains, since the earlier items on the original list have already been addressed by NCBC 3409.4 Items 1 and 2.