

NC ACCESSIBILITY CODE

2012 NC Bldg Code Ch. 11

2009 ICC/ANSI A117.1

Mandatory: 1 Jun 2012

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2010 ADA STANDARDS:

- Mandatory 3/15/12
- Copy available: www.ada.gov

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Alternate Transfer Showers – Y or N?

Over the past year, there have been several requests to install a transfer shower with 2 sides only rather than the 3-sided shower shown in **ANSI Fig. 608.2.1**. This alternate design is proposed in order to permit sufficient space for persons to assist the shower user in the showering process.

In some cases, the request concerns allowance of a removable seat rather than the permanent seat required by **ANSI 608.2.2.3**. In other cases, the alternate involves relocating the shower controls to the back wall of the shower adjacent to the shower seat, as is permitted for a roll-in shower in **ANSI 608.4.2**.

In discussions with **USDOJ** regarding potential alternates, the conclusion each time is as follows:

1. The seat required by **ANSI 608.2.2.3** is required to be permanent, not removable.
2. All 3 sides of the transfer shower are required in order to maintain the distance between the individual on the shower seat and the controls. Providing controls along the back wall of the shower adjacent to the seat is not an acceptable alternative because it is not possible to turn the water on and adjust the temperature prior to getting in the shower.
3. In order to permit sufficient space for care givers to assist in the showering process, a roll-in shower should be used.

The 3rd item above is the basic conclusion. Both **ANSI** and the **2010 ADA Standards** have a shower type which resolves the design dilemma without the need of any alternate arrangements.

NCBC 1109.14 Exception – R2/R3 Pools

Several questions have come in recently regarding the amended language to **NCBC 1109.14** (below), which became enforceable on 1/1/17. This language is applicable to any **Group R-2 or R-3** occupancy, including apartment buildings, condominiums, townhomes, or single family developments. [\[Click here to go to Item D-4 on 9/15/15 BCC Mtg Minutes.\]](#)

Exception: Pools for single or multiple Group R-2 and Group R-3 occupancy buildings intended for residents only.

Correct application of the new exception is dependent on the pool in question not being considered a 'public accommodation'. In order to determine whether a newly constructed or altered pool is a 'public accommodation', questions should be asked of the developer or designer as there are several situations where a pool considered to be 'used only by the residents' may be a 'public accommodation' and would have to be designed to be accessible per **ANSI 1109**. The list below may not be all-inclusive, but does list typical situations.

1. Prior to rental/sale of all dwelling units, the pool memberships are sold to adjacent neighborhoods.
2. Dwellers may rent the pool to be used for parties or events where people from outside the complex attend.
3. Classes held in the pool include participants from outside the complex who have paid to attend the class.

If situations like the above do not occur, the pool is not required to be designed per **ANSI 1109**.



INTERPRETATION
REQUEST

Typo

CORRECTED JUN 2016 V714
NEWSLETTER:

- PARKING SIGN MOUNTING HEIGHTS – ANSI 502.7, NOT 507.2

2003 ANSI 804.5 Storage - Deleted

If you remember, **ANSI 804.5 (2003 edition)** had a specific requirement that at least 50% of the shelf space in cabinets in a kitchen or kitchenette (think: break room) have storage space that complied with **ANSI 905**. **ANSI 905** addressed clear floor space, height (within **ANSI 308** reach ranges) and compliance with **ANSI 309** for operable parts. The end result was that either one of each type of upper cabinet had a lower shelf at 48" AFF, or that a floor-to-ceiling cabinet was installed within the kitchen area. This was required even in locations where a cooktop or stove did not exist.

The **2009 Edition of ANSI A117.1** deleted the **ANSI 804.5 Storage** section, renumbering the remaining sections so that **ANSI 804.5** now refers to Ovens. What happened? ICC's **Significant Changes to the A117.1 Accessibility Standard, 2009 Edition** tells the story. The change was made

...in recognition that kitchen cabinets are extremely difficult to make fully accessible...If the counters were all set at a 34-inch height, at best only one of the three shelves in the upper cabinet would be accessible, but then the counter space under the cabinets would be too low for most countertop appliances...The elimination of the kitchen storage requirements is the "specific requirement," and that should take precedence over the "general: storage provisions of IBC Section 1109.8 and A117.1 Section 905.

So, kitchens and kitchenettes may have a more straightforward and usable appearance...yay!

Requests for Interpretation

Often when an email **Request for Interpretation [RFI]** comes in, the requesting individual cites various code sections. This may or may not involve a number of different code references. Sometimes, a specific question is asked while referring to different code requirements but no specific code reference is provided.

For example, there was a recent phone conversation where five different codes were referenced, including the **2010 ADA Standard**, the **NC Plumbing Code**, the **NC Building Code**, the **NC Existing Building Code** and **ANSI A117.1**. Each code and standard uses the same numbering framework for its code requirements. When a follow-up email was received citing Section 410, there was no indication regarding which of the five codes and standards was being referenced. It is necessary for me to determine, 'Does the writer mean **ADA Std. 410**, **NFPC 410**, **NCBC 410**, **NCEBC 410** or **ANSI 410**?

It is true that generally the remaining text of the message gives me a clue as to which code or standard is being referenced. But until that occurs, every **RFI** I get becomes an instant pop-quiz to see if I can 1) find the section being referenced in the right code or standard, or 2) guess the section being referenced.

It would be very helpful when an **RFI** is sent to, at the very least, identify the code section and the document being referenced. This will allow more time to be spent answering your request rather than trying to figure out what is being referenced. Thank you!

NC Admin 105.1- Equivalent Facilitation

Many designers have suggested that **NCBC 1108.2.1**, which permits relocation of equivalent services in an alternate location, may be used for other code-related accessibility features that are inconvenient to their design at the time.

It may help to remember that this section is applicable only to assembly area seating with fixed seats, or dining areas of lawn seating, since that is what **NCBC 1108.2** addresses.

If this code section were intended to be applicable for any design item, the language would have been located in a more generic section of the code, not applied to a specific circumstance. However, there is always the ability to request use of an alternate method under **NC Admin Code 105.1**. Approval of an alternate method is up to the local AHJ.