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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

PAGE 2 HIGHLIGHTS

NCBC 1103.2.3 Empl Work Areas	2
ANSI A117.1-2017	2

USAB on the Use of an Alternate ISA

Over the past year or two, there has been a slowly growing movement within the state to permit the use of an alternate International Symbol of Accessibility (ISA) in certain areas.

The original requirement for the application of the ISA in specific locations comes from the Americans with Disabilities Act and the 2010 ADA Guidelines.

NCBC 1110 identifies an extensive list of locations where the ISA is required to be located on signage. This

requirement is further enforced by the 2009 ANSI 703.6.3.1 which references ANSI Fig. 703.6.3.1.

The alternate symbol has a forward leaning more active appearance, but has not been approved at the federal level. On Monday, March 27, 2017, the US Access Board issued *Guidance on the International Symbol of Accessibility* (attached). For anyone wishing to use an alternate symbol, please consider that, based on the information in the attached handout, an

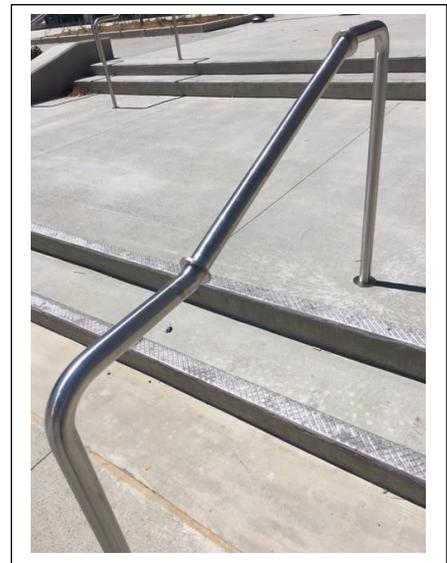
alternate may be added to the ISA but may not replace it without specific approval, as indicated in the document.



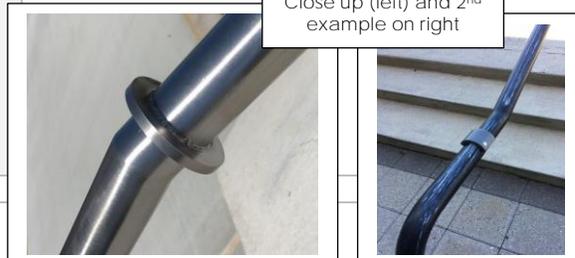
ANSI 505.6 Hand Rails + Skateboards

Q: ANSI 505.6 states *Gripping surfaces shall be continuous, without interruptions by newel posts, other construction elements, or obstructions.* When there is an exterior handrail on a site, is it possible to add something to the handrail to discourage skateboarders?

A: Unfortunately not. This issue has been discussed with the US Department of Justice/Office of Civil Rights, with examples provided, showing various resolutions. Anything added to the handrail that disrupts the continuity results in a non-compliant handrail, such as the one in the photo to the right and below.



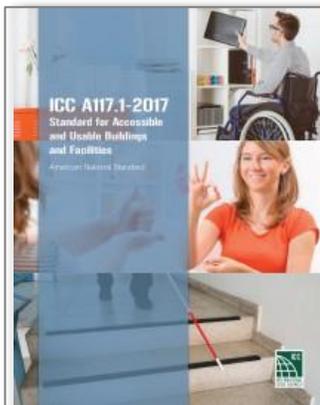
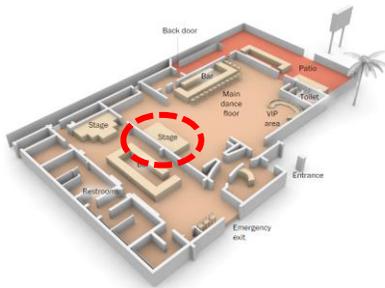
Close up (left) and 2nd example on right





Church Sound Booth

Nightclub Stage



ANSI A117.1-2017 edition is now available for pre-order through the ICC Bookstore. Approved by ANSI in March of this year, the intent is to publish the 2017 edition when the Commentary and the Significant Changes publications are also available. Both will be extremely helpful since there are many changes in the 2017 edition. [\[Click for ICC Bookstore\]](#)

So, when will the 2017 edition be adopted for use? The 2018 International Building Code did not reference it since it was not yet published when the vote for this edition occurred. The earliest potential IBC reference will be the 2021 IBC.

NCBC 1103.2.3 Employee Work Areas

In reading the *Guidance on the 2010 ADA Standards for Accessible Design* document, the section addressing Employee Work Areas clarifies many of the design issues that have been reoccurring over the years. The clarifications were often the result of comments received during the adoption process for the 2010 ADA Standards. NCBC 1103.2.3 also addresses Employee Work Areas. Designers are relatively familiar with the basic requirement:

Spaces and elements within employee work areas shall only be required to comply with Sections 907.5.2.3.2, 1007, and 1104.3.1 and shall be designed and constructed so that persons with disabilities can approach, enter and exit the work area.

Issues typically under review include when to apply the exception found in the latter portion of NCBC 1103.2.3:

Work areas, or portions of work areas, other than raised courtroom stations, that are less than 300 square feet in area and elevated 7 inches or more above the ground or finished floor where the elevation is essential to the function of the space shall be exempt from all requirements.

Let's think about the types of locations to which the exception would be applicable (assuming the square footage criteria are met):

- ✓ elevated manager offices overseeing grocery stores,
- ✓ elevated supervisor locations overseeing industrial or construction applications,
- ✓ checkout areas in convenience stores,
- ✓ performing platforms where bands contracted by the owner play,
- ✓ an elevated dancer's platform, and
- ✓ small sound booths in churches.

In each of these cases, the elevation is a requirement of the job, either to see or be seen.

Exceptions:

1. A sound booth in a school does not fall under the exception because program access obligations under the ADA will most likely require that, if sound booth operators are students, that all students have access to the booth.
2. If an event occurs where a platform is used for multiple bands to compete or provide entertainment, where the bands are not employed by the facility, then access is required to the platform. If the competition happens only a couple times a year, a temporary ramp that complies with current code requirements may be secured in place for use during the event

So long as the area in question is an employee work area (direct employment or contracted), the area is within 300 sf, and the **minimum 7"** elevation is essential to the function of the job in one form or another, NCBC 1103.2.3 and the exception in the last section are applicable. If the area exceeds 300 sf or the elevation difference is less than 7", either the conditions are required to be met or access is required to the area in question.

ANSI A117.1-2017 Avail. for Pre-Order

The 2018 NC Building Code currently being adopted by the Building Code Council will be based on the 2015 IBC, which also references the 2009 ANSI A117.1. Since North Carolina is on a 6-year code adoption cycle, the next IBC most likely to be reviewed for adoption will be the 2021 IBC as six years after the 2018 NCBC edition will be the 2024 NCBC.

Now, the dates above are guesses as the BCC may revise the length of the code cycle. If you design or build in NC, it is unlikely you will see the ANSI A117.1-2017 until 2024 at the earliest. If you design or build out of state, it will be sooner.



**Guidance on Use of the International Symbol of Accessibility
Under the Americans with Disabilities Act and the Architectural Barriers Act
March 27, 2017**

The U.S. Access Board provides the following guidance on use of the International Symbol of Accessibility (ISA) under the Americans with Disabilities Act (ADA) and the Architectural Barriers Act (ABA). This guidance explains how use of a symbol other than the ISA may impact compliance with standards issued under the ADA and the ABA.

The International Symbol of Accessibility (ISA)

Created in 1968 through a design competition by Rehabilitation International and adopted by the International Organization for Standardization (ISO), the ISA has served as a global icon for accessibility for almost 50 years. The ISO is an independent, non-governmental organization that represents over 160 national standard-setting entities and develops voluntary, consensus-based, international standards. As part of an ISO standard (ISO 7001 Graphic Symbols – Public Information Symbols), the ISA reflects considerable analysis by, and the consensus of, an international collection of technical experts.



ISA (1968)

The ISA continues to be recognized worldwide as a symbol identifying accessible elements and spaces. Standards issued under the ADA and ABA Standards reference and reproduce the ISA to ensure consistency in the designation of accessible elements and spaces. Uniform iconography promotes legibility, especially for people with low vision or cognitive disabilities. In addition, various codes and standards in the U.S. also require use of the ISA. They include the International Codes Council's *International Building Code* and *ICC A117.1 Standard for Accessible and Usable Buildings and Facilities*, the National Fire Protection Association's *NFPA 5000 Building Construction and Safety Code* and *NFPA 170 Standard for Fire Safety and Emergency Symbols*, and the Federal Highway Administration's *Manual on Uniform Traffic Control Devices for Streets and Highways*, among others.

Use of the ISA Under the ADA

The [ADA Standards](#) apply nationwide to places of public accommodation, commercial facilities, and state and local government facilities. Promulgated by the Department of Justice (28 CFR Parts 35 and 36) and the Department of Transportation (49 CFR Part 37), the ADA Standards require use of the ISA to label or provide direction to certain accessible spaces and elements, including parking spaces, entrances, toilet and bathing facilities, and check-out aisles (§216 and §703.7.2.1). In addition, [ADA Standards for Transportation Vehicles](#) (49 CFR Part 38)

implemented by the Department of Transportation (DOT) require that the ISA be used to designate accessible vehicles.

A symbol other than the ISA will not comply with the ADA Standards unless it satisfies the “equivalent facilitation” provision (§103). This provision allows alternatives to prescribed requirements if they result in “substantially equivalent or greater accessibility and usability.” The burden of proof in demonstrating equivalent facilitation rests with the covered entity in the event of a legal challenge. Under DOT’s ADA Standards, certain entities responsible for transportation facilities and systems, as well as manufacturers of products and vehicles used in transportation systems, can request a determination of equivalent facilitation from DOT as outlined in its [ADA regulations](#) (§37.7 and §37.9). If a court — or DOT, where DOT’s ADA Standards are being applied — determined that an alternate symbol did not provide “equivalent facilitation,” that symbol would not be permitted.

Use of the ISA Under the ABA

Standards issued under the ABA apply to facilities designed, built, or altered with federal funds or leased by federal agencies. The [ABA Standards](#) are implemented by the Department of Defense, the Department of Housing and Urban Development, the General Services Administration, and the U.S. Postal Service. Like the ADA Standards, these standards mandate use of the ISA to label or provide direction to certain accessible spaces and elements (§F216 and §703.7.2.1).

Any departure from the ABA Standards, including the referenced ISA, requires a waiver or modification (§F103). The agencies that implement the ABA Standards have authority to grant modifications and waivers on a case-by-case basis where “clearly necessary.” Modifications and waivers are rare and are usually considered only in unique circumstances that make compliance with certain provisions exceptionally problematic. The Access Board is responsible for making sure that modifications and waivers are based on findings of fact and are consistent with the ABA.

Summary

Use of a symbol other than the ISA is permitted under the ADA Standards only if it satisfies the equivalent facilitation provision and under the ABA Standards only if a waiver or modification is issued. Otherwise, where the ADA or ABA Standards require accessible spaces or elements to be identified by the ISA, the ISA must be used even where a state or local code or regulation specifies a different symbol. Those who are interested in implementing an alternative symbol of accessibility are encouraged to contact the ISO’s [Technical Committee 145 on Graphic Symbols](#) which maintains the graphic symbol standards.



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