

NC ACCESSIBILITY CODE

2012 NC Bldg Code Ch. 11

2009 ICC/ANSI A117.1

Mandatory: 1 Jun 2012

1/1/19: 2018 NCBC Effective
2009 ICC/ANSI A117.1

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2010 ADA STANDARDS:

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

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NCBC 1104.4 Exc. 1 – Elevator Reqmt.

Every time you turn around there is another elevator question that sheds a different light on the requirement and what is behind it. Here is the latest.

- Q:** I have a 2-story assembly occupancy with 5,040 square feet main level. A lower level with connecting stairs including 1,576 sf of non-public mechanical and storage space and 2,648 sf of public accessory space to the main level. Both levels have grade level access due to topography. Is an elevator required? I know the lower floor exceeds 3,000 feet but 1,576 is non-public. Just wondering if exception 1 to section 1104.4 could apply.
- A:** Yes, the elevator is required even though there is access from grade to both levels. The intent of the requirement is to provide an accessible route from within a building whenever the aggregate area of the floor levels above and below the entrance floor level exceed 3,000 sf. In this case, there are connecting stairs within the building. There is nothing in the language that would exclude mechanical areas. There is also no distinction in NCBC 1104.4 Exc. 1 between public and non-public areas. If able-bodied people have an interior route between floor levels, then NCBC 1105.4 would, along with NCBC 1104.4 Exc. 1, require an accessible route for persons with disabilities within the building, too.

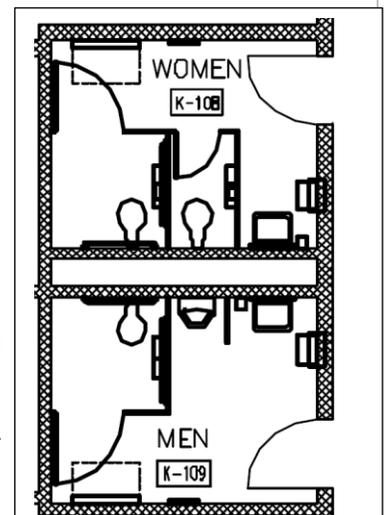
So, for this one, the key is not the use of the space, whether it is public or not, or the exterior access at grade at both levels. Instead, the intent goes back to the interior stair between levels for able-bodied people and the aggregate area above and below the entry level. Back to the basic requirements each time.

ANSI 603.5 – Baby-Changing Tables

The **ANSI 603.5** requirements concerning baby-changing stations [BCS] are short and to the point: *Diaper changing stations shall comply with Sections 309 and 902.* This refers to operable parts, reach ranges, clear floor areas for a forward approach with a 28" - 34" maximum height.

In the previous **1999/2002/2004 NC Accessibility Code**, there was language prohibiting the installation of BCS in any handicapped stall or compartment. After consideration, it was agreed that such an installation was acceptable provided the BCS was installed so that the BCS table, *in the down position*, was outside the clear floor area of any fixture and of the door swing.

Where the BCS is in the circulation space of a group toilet room, the BCS *in the down position*, shall not overlap the required 36" accessible route through the room. Remember, the route to the handicapped stall is required to be a minimum 42" per **ANSI Fig. 604.9.3.1(a)**.



THE BCS LOCATIONS SHOWN ABOVE DO NOT WORK. INSTEAD, PLACE WITHIN AN EXTENDED H/C STALL WITH THE BCS TURNED 90 DEGREES SO, IN THE DOWN POSITION, THEY ARE OUT OF THE DOOR SWING. SHOULD WORK!

ANSI 502.4.1 Location states Access aisles shall adjoin an accessible route. Two parking spaces shall be permitted to share a common access aisle. Access aisles shall not overlap the vehicular way.

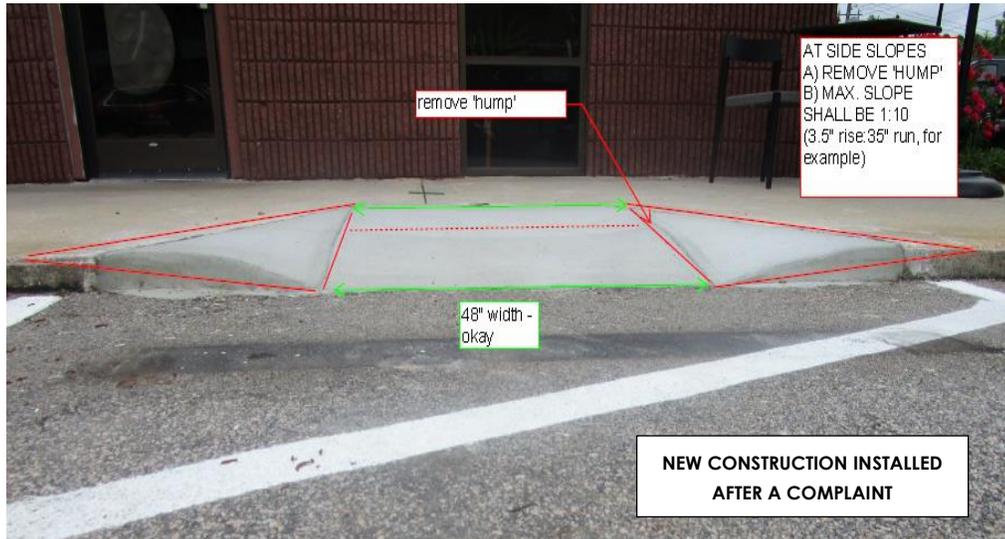
Did you ever stop to think why? Look at what is on the right. Parking, probably to accommodate a handicapped driver, effectively removed access for the other handicapped driver, plus the accessible route [AR] for everyone in the parking area to the right of the detectable warning on the sidewalk at the bottom of the page (minimum 12 cars and access from another portion of the shopping center).

Adjoining an accessible route does not mean using an access aisle as the accessible route. The accessible route should have been provided with a marked crosswalk where the red arrow is located.

ANSI 502.4.1 Access Aisles



ANSI 406 – Curb Ramp Insp



Just a **QUICK NOTE:**

When you construct, repair or inspect a curb ramp, please check to see that it complies.

Do not fall prey to the "everyone does it like this", "you see them everywhere", or other excuses. It simply opens you and your client to complaints and potential litigation.

It is so easy to do it wrong. It is just as easy to do it right.

Every time.

Thanks!

NFPA Emerg. Evac. Plng. Guide for People w/Disabilities

In June 2016, the **National Fire Protection Association (NFPA)** came out with an [Emergency Evacuation Planning Guide for People with Disabilities](#).

The 67-page document comes in very handy when you consider that many buildings are existing, non-sprinklered, constructed before the **ADA** went into effect and do not have either **Areas of Rescue Assistance** or **Exterior Areas of Assisted Rescue**. Alterations of existing buildings do not require that exits be upgraded when elevators are added to a building that may not have had elevators before. This means that persons with disabilities are provided with access into buildings and areas from which no accessible egress may be required by the code. Yet, there is an obligation when you provide access getting people into a building to also plan emergency evacuation plans allowing them to get out.

The Guide addresses developing Evacuation Plans for People with Mobility Impairments, People with Visual Impairments, People with Hearing Impairments, People with Speech Impairments and People with Cognitive Impairments.

NEXT NC BLDG CODE:

- ❖ **2018 NCBC (BASED ON THE 2012 + 2015 IBC)**
- ❖ **REFERENCES: 2009 ANSI A117.1.**
- ❖ **ENFORCEMENT DATE: 1/1/2019**

Since NC is currently on a 6-year code cycle, and since the first IBC referencing the **2017 edition of ANSI A117.1** is the **2021 edition of the IBC**, the earliest the NC will most likely be using **the 2017 ANSI A117.1** is when NC adopts the next code in its 6-year cycle in 2024. The **2017 ANSI** does address some new items (think NC Admin 105.1 + Alt. Methods for these).

NCBC 1109.8 -R-2 Storage Follow-Up

Q: Follow up question about the storage units on the garages from your **AU 2018V915** May newsletter. We have been showing all the storage units being on an accessible route for some time. However, in a recent **HUD** review, they came back and said that, if there is an accessible storage unit, it needs to have a proximate accessible space, just like a trash compactor or playground. Is this your interpretation as well that one (1) of each cluster of residential rental storage needs to be accessible and that this unit needs to be both on an accessible route and have an accessible parking space next to it?

A: While I cannot speak for **HUD** directly, what I can tell you is this: in conversations that I have had with the **HUD Construction Analysts** in Atlanta who review the plans for projects in NC, this is what I have been led to understand:

1. **HUD** goes by the language in the **Fair Act Housing Design Manual [FHADM]**.
2. The **FHADM** (see quote on page 2 of **AU 2018V915** newsletter) requires a 'sufficient' number of the facilities must be accessible to ensure an equitable opportunity for use by people with disabilities.
3. The **Construction Analysts** with whom I have spoken recommend a minimum of one (1) accessible parking space at each of the listed locations. Please note that the **FHADM**, page 2.24 also states "When use of a vehicle is the only means for a person with a mobility disability to reach a facility, it is recommended that more than one accessible parking space on an accessible route to the facility be provided. Since there is no accessible pedestrian route, it is important to provide ample parking at such public and common use facilities that may be accessed only via a vehicular route. If a person who uses a wheelchair must drive to a site facility, he or she should not be further inconvenienced and frustrated by finding the only accessible parking space already occupied."
4. That said, it would make sense to locate the space in proximity to the accessible whatever-it-is, e.g., storage unit and so forth.

The **NCBC** does not have any language specific to parking at storage units. Rather the **NCBC 1106** provisions address parking in terms of 'where parking is provided', accessible parking shall also be provided. In this case, we have overlapping federal (**HUD**) and state requirements, where the federal requirements are more restrictive than the state requirements, so they are the ones that take precedence. Since there is also no relationship between rental storage spaces and any adjacent rental garage spaces, the rental garage parking cannot be used to satisfy the accessible parking requirement at the storage units.

To answer your question, one storage unit in each cluster of rental residential storage buildings is required to be accessible; the accessible storage unit shall be on an accessible route and have an accessible parking space adjacent to it.

On page 2.23 and 2.24 of the **FHADM**, quantities of parking spaces are identified as follows:

- **PARKING AT PUBLIC AND COMMON USE FACILITIES:**
 - 'When the use of a vehicle is the only means for a person with a mobility disability to reach a facility, it is recommended that more than one accessible parking space on an accessible route to the facility be provided'
 - 'it is important to provide ample parking at such public and common use facilities'
- **VISITOR ACCESSIBLE PARKING:**
 - 'that such parking must be "sufficient" to provide access to grade level entrances'



Please note the phrases above underlined by **AU**. Although no numbers or percentages of spaces are identified as being *required* by the **FHADM**, and the language used is *recommended*, it is evident from reported **HUD** plan reviews that the additional parking is expected to be designed into the project. 'Sufficient' and 'ample' indicate different numbers ('one' and '2 or more'?), but that is a guess best confirmed with your **HUD** Construction Analyst.



"When use of a vehicle is the only means for a person with a mobility disability to reach a facility, it is recommended that more than one accessible parking space on an accessible route to the facility be provided. Since there is no accessible pedestrian route, it is important to provide ample parking at such public and common use facilities that may be accessed only via a vehicular route. If a person who uses a wheelchair must drive to a site facility, he or she should not be further inconvenienced and frustrated by finding the only accessible parking space already occupied."

FAIR HOUSING ACT DESIGN MANUAL, PG 2.24

