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NC ACCESSIBILITY CODE

2018 NC Bldg Code Ch. 11

2009 ICC/ANSI A117.1

Mandatory: 1 Jan 2019

To use 2017 ICC/ANSI A117.1:

use 2018 NC Admin 105.1 as
Alternate Method

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2010 ADA STANDARDS:

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

Individual Highlights

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Public Beach Access Routes - Reminder

North Carolina coastal towns are entering the 'beach season' where tourists from across the US flock to NC beaches to revel in the wonderful sun-and-sand atmosphere we have to offer. Usually, the subject doesn't come up until post-hurricane season when AHJs and FEMA all phone in to query exactly how often and what beach access is required to be handicapped accessible. So, consider this an advance reminder: a shared passage from one of [USDOJ's Project Civic](#)

[Access Settlement Agreements](#) with [Fernandina Beach, FL](#), which states:

A. Public Beach Access Routes.

None of the current public access routes from City streets to public beaches are accessible. Establish at least one public accessible route from City streets to public beaches, and install conspicuous signage at all non-accessible public beach access routes indicating the locations of the nearest accessible public access routes, and signage at all accessible public beach access routes that include the international symbol of accessibility. §§ 4.1.2(7), 4.3, 4.5, 4.30.1, 4.30.2, 4.30.3, 4.30.5.

It might be a good thing to review your jurisdiction's accessible beach access routes to see if they comply or not. In previous years, FEMA has typically looked for accessible beach access routes every ½-mile, with signage to the next or previous one.

New Restroom in 1800s Church

Q: We have a church that was built in the 1800s that would like to add a bathroom to the interior part of the church. Are they required to build this to ADA requirements or are churches exempt or would the historical part come into any play.

A: Bottom line, yes, an accessible restroom is required but if the church is designated historic, then you may have to involve the **State Historic Preservation Office (SHPO)**.

There are a couple of items at play here:

1. Churches are not required to comply with the **ADA** regulations, however, they are required to comply with the **NC State Building Code**.
2. The church is old since it was built in the 1800s. But is it a designated historic building, either on the **STATE HISTORIC REGISTER** or the **FEDERAL REGISTER OF HISTORIC BUILDINGS**. If either is the case, or if the building is qualified to be designated as an historic building and does not wish to lose that historic potential, then any design is required to be reviewed by the **State Historic Preservation Office (SHPO)**.
3. Either of the following would be applicable:
 - a. If not designated as historic: the restroom is new construction and per **NCEBC 801.3** and **NCEBC 806.1** is required to be fully accessible.
 - b. If designated as historic:
 - i. Follow item 3a above unless, per **SHPO**, doing so would damage the historic fabric of the building. If that is the case, then go to Item 3bii below. [**NCEBC 1204.1**]
 - ii. Comply with **NCEBC 1204.1.4**, which requires *at least one accessible family or assisted use toilet room complying with Section 1109.2.1 of the International Building Code shall be provided.*

Being historic does not eliminate accessibility requirements.



NCBC 1109.13 - Thermostat Mount'g Ht

Q: What is the required mounting height for thermostats?

A: It depends. If it is a commercial occupancy, then **2018 NCBC 1109.13** and **NCBC 1109.13 Exc. 1** (below) are applicable.



1109.13 Controls, operating mechanisms and hardware.

Controls, operating mechanisms and hardware intended for operation by the occupant, including switches that control lighting and ventilation and electrical convenience outlets, in *accessible* spaces, along *accessible routes* or as parts of *accessible* elements shall be *accessible*.

Exceptions:

1. Operable parts that are intended for use only by service or maintenance personnel shall not be required to be *accessible*.

So it depends on who will be using the thermostat. If the building occupant is expected to operate and adjust the thermostat, then it is required to be mounted at an accessible height in accordance with **ANSI 309** and **308** (15"-48" measured to the highest operable portion of the thermostat).

If the thermostat is, as the **NCBC 1109.13 Exception** states, *intended for use only by service or maintenance personnel*, then it may be mounted at a height preferable to the designer or owner. In this latter case, consider that occasionally the intended user does change when a property is sold, or when, in other cases, service or maintenance personnel are occasionally reduced in number so that a small group may maintain several buildings on a site. To minimize any potential for later alteration requirements, it is recommended that the thermostat be mounted at an accessible height with a cover included that would limit control to service or maintenance personnel that can be removed if/when the intended operator changes.

If this is a commercial residential use containing dwelling units or sleeping units, including but not limited to hotels, motel, boarding houses, condominiums, or multifamily dwellings, the scoping in **NCBC 1107.2** is more specific than **NCBC 1109.13** and its

Exception, providing an overall reference to the appropriate section for the dwelling unit or sleeping unit in the **2009 ANSI A117.1**. The excerpt below is from a spread sheet ([located here](#)) which copied the 2009 ANSI A117.1 provisions for each dwelling unit type. In all cases (Accessible, Type A, and Type B), thermostats (or environmental controls) are required to be mounted at an accessible height since the thermostat will be controlled by the resident.

#	1002 ACCESSIBLE UNITS	1003 TYPE A DWELLING UNITS	1004 TYPE B DWELLING UNITS
9	1002.9 Operable Parts. Lighting controls, electrical panelboards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.	1003.9 Operable Parts. Lighting controls, electrical panel boards, electrical switches and receptacle outlets, environmental controls, appliance controls, operating hardware for operable windows, plumbing fixture controls, and user controls for security or intercom systems shall comply with Section 309.	1004.9 Operable Parts. Lighting controls, electrical switches and receptacle outlets, environmental controls, electrical panelboards, and user controls for security or intercom systems shall comply with Sections 309.2 and 309.3.

NCBC 1107.6.2.2.1 – Type A Calcs

Since 7/1/1999 and an earlier edition of the **North Carolina Accessibility Code [NCSBC Vol. I-C]**, the method of calculating Type A dwelling units for apartments has always been done by multiplying the required 5% against each class of units separately, where classes of units are determined by the number of bedrooms in the individual dwelling unit or suite. That way, if a project has 20% 1-bedroom units, and 80% 2-bedroom units,

20% of the Type A dwellings will be dispersed to the 1-bedroom units and 80% of the Type A dwelling units will be dispersed to the 2-bedroom units.

This calculation method is different than the **IBC Commentary** method, but is how NCDOL has consistently required the distribution of the unit types proportional to the classes of units being provided. To simplify this for you, an Excel spreadsheet is attached for your use in determining **Type A** dwelling unit requirements and distribution.

ACCESS TO A DRINKING FOUNTAIN DOES NOT MEAN THAT FIRE EXTINGUISHERS SHOULD BE MOUNTED IN THE CLEAR FLOOR SPACE IN FRONT OF A DRINKING FOUNTAIN.



Generic Type A Unit Type Calculation

UNIT CLASS	TOTAL # UNITS	5%		# OF TYPE A
STUDIO	0	0.00	≈	0
1BR	85	4.25	≈	5
2BR	50	2.50	≈	3
3BR	15	0.75	≈	1
4BR	0	0.00	≈	0
5BR	0	0.00	≈	0
TOTAL @ 5%	150	7.50	≈	9

	REQUIRED	DESIGNED	TOTAL IN PROJECT
STUDIO TOTALS	0	0	0
1 BR TOTALS	5	0	85
2 BR TOTALS	3	0	50
3 BR TOTALS	1	0	15
4 BR TOTALS	0	0	0
5 BR TOTALS	0	0	0
TYPE A UNIT TOTALS	9	0	
TOTAL UNITS IN PROJECT			150