NORTH CAROLINA DEPARTMENT OF INSURANCE OFFICE OF STATE FIRE MARSHAL

Jim Long Commissioner of Insurance State Fire Marshal

ENGINEERING

2002 NORTH CAROLINA ACCESSIBILITY CODE WITH 2004 AMENDMENTS FOR US DOJ CERTIFICATION

The attached package contains the 2004 Amendments to the 2002 North Carolina Accessibility Code. These amendments were:

Adopted by the NC Building Council on June 8, 2004
Approved by the Rules Review Commission on July 22, 2004
and become
Effective on August 1, 2004
Mandatory Enforcement Date is January 1, 2006

INSTRUCTIONS:

After printing out and punching holes in the entire set of pages, insert pages (do <u>not replace</u>) in the appropriate code as indicated below (and by the page number at the bottom of each page):

- 1. The first page of the attachment amends Section 205.1 of the North Carolina Administration & Enforcement Requirements Code.
- 2. The remaining pages amend the 2002 North Carolina Accessibility Code.

It is recommended that you copy the pages onto a different color sheet (such as yellow) to call attention to the fact that you have *inserted* and not *replaced* pages in the code. That way when you look something up on the old two-sided code page and there is a yellow one-sided page next to it, you will remember to check the new page for any changes. If you print it on white paper or copy it onto blue paper, you may not remember to check.

CHAPTER 2 POWERS AND DUTIES OF THE CODE ENFORCEMENT OFFICIAL

201 GENERAL

The powers and duties of the Code Enforcement Official are generally described in the General Statute 153A-352 for counties, and General Statute 160A-412 for cities.

202 RIGHT OF ENTRY

202.1 Right of Entry. The Code Enforcement Official shall have the right to enter buildings or premises as described in the General Statutes 153A-360 and 153A-364 for counties and 160A-420 and 160A-421 for cities.

203 WORK ORDERS

General Statute 153A-361 authorizes a county Code Enforcement Official to issue stop work orders. General Statute 160A-421 authorizes a city Code Enforcement Official to issue stop work orders. These statutes describe when a stop work order can be issued, how the stop work order can be issued, and how the stop work order may be appealed.

204 UNSAFE BUILDINGS OR SYSTEMS

A county Code Enforcement Official's authority to condemn an unsafe building is found in General Statute 153A-366. A city Code Enforcement Official's authority to condemn an unsafe building is found in General Statute 160A-426.

205 ALTERNATIVE MATERIAL, DESIGN AND METHODS

205.1 Alternative Material, Design and Methods.

The provisions of this code are not intended to prevent the use of any alternate material, design, or method of construction, provided that the alternate has been reviewed and approved by the Code Enforcement Official at his sole discretion. The Code Enforcement Official may approve an alternate, provided that the alternate, for the purpose intended, is at least the equivalent of that prescribed in the technical codes in quality, strength, effectiveness, accessibility, fire resistance, durability and safety. The Code Enforcement Official may require that sufficient evidence or proof be submitted to substantiate any claim made regarding the alternative material, design and methods.

("Accessibility" added at USDoJ request related to NC Accessibility Code 2.3.5 - Equivalent Facilitation)

205.2 Test or Analysis. The Code Enforcement Official may require tests, test reports or specific analysis as proof of compliance. Tests or analysis shall be performed at the expense of the owner or his agent, and by an approved testing laboratory or other approved testing laboratory or other approved agency or registered design professional. Required tests or analysis for code compliance are specified in the technical codes.

NOTES FOR CODE USERS:

- 1) PARAGRAPHS/SECTIONS OF THIS CODE PREFACED BY AN ASTERISK (*) AND THE HIGHLIGHTED TEXT THEREIN DENOTE DIFFERENCES BETWEEN THE AMERICANS WITH DISABILITIES ACT (ADA AND ADAAG) AND THIS CODE [FOR EXAMPLE: * 3.2.1 The clear width shall be 48 inches (1220 mm) minimum.]
- 2) THE ANNOTATIONS* WITHIN THE MARGIN OF EACH TEXT PAGE ARE PROVIDED FOR CONVENIENCE ONLY. THEY ARE <u>NOT</u> NORTH CAROLINA BUILDING CODE REQUIREMENTS NOR ARE THEY TO BE INTERPRETED AS SUCH.

 (* THE SEVERAL "VOL. I-C" ANNOTATIONS DENOTE THE PREVIOUS EDITION OF THIS CODE [1989-1999], NOT THIS CURRENT CODE. THE SEVERAL "FR" ANNOTATIONS DENOTE THE FEDERAL REGISTER, THE PUBLICATION DATE, AND THE PAGE NUMBER [E.G., FR 7/26/91 At 35581 IS: FEDERAL REGISTER, JULY 26, 1991, PAGE 35581].)
- 3) CODE USERS ARE CAUTIONED NOT TO RELY SOLELY ON THE ILLUSTRATIONS; SOME ILLUSTRATIONS ARE NOT ACCOMPANIED BY THE FULL TEXT; OR, CERTAIN REQUIREMENTS ARE NOT ILLUSTRATED AND ARE FOUND IN THE TEXT ONLY.
- 4) ALL REFERENCES IN THIS CODE TO "VOLUME I" SHALL MEAN THE NORTH CAROLINA BUILDING CODE.
- 5) CERTIFICATION WILL NOT APPLY TO WAIVERS OF ADA REQUIREMENTS THAT MAY BE GRANTED BY REVIEWING OFFICIALS. THEREFORE, IF AN INDIVIDUAL APPLIES FOR A WAIVER OF AN ACCESSIBILITY REQUIREMENT FOR AN ELEMENT OF A BUILDING THAT IS ALSO REQUIRED TO BE ACCESSIBLE UNDER THE ADA, HE OR SHE WILL NOT BE ENTITLED TO CERTIFICATION'S REBUTTABLE EVIDENCE OF COMPLIANCE FOR THAT ELEMENT.

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- **1.4.2.11** Social Service Center Establishments (Adoption Agency; Day Care Center; Food Bank; Homeless Shelter).
- 1.4.2.12 A Place of Exercise or Recreation (Bowling Alley; Gymnasium; Health Spa).
- **1.4.3** A Commercial Facility shall be defined as a facility, operated by a private entity, whose operations affect commerce, communication, trade traffic, transportation, or travel that are intended for nonresidential use which do not fall into at least one of the categories listed in 1.4.2.

USDoJ 36.104 (See, Also, FR 7/26/91 At 35577)

- 1.4.4 If a Place of Public Accommodation or a Commercial Facility is located in a private residence, then that portion of the residence used exclusively in the operation of the Public Accommodation or Commercial Facility, or that portion used both for the Public Accommodation or Commercial Facility and for residential purposes shall require that the following elements available to or used by customers and clients be made accessible:
 - (1) The sidewalk leading up to the property (if such area is under the control of the owner of the property) and the walkway on the property leading up to the entrance;
 - (2) A minimum of one entrance;

USDoJ 36.207(a) 36.207(b) 36.401(b)(1) 36.401(b)(2)

- (3) Those portions of the residence, interior or exterior, available to or used by employees or visitors of the Public Accommodation or Commercial Facility;
- (4) A minimum of one toilet room used by employees and visitors.
- 1.5 REMOVAL OF BARRIERS: See 33.4 in the Appendix.

1.6 DIMENSIONS: Dimensions that are not stated as "maximum" or "minimum" are absolute. All Dimensions are subject to conventional industry tolerances.

ADAAG 3.2; ICC/ANSI A117.1, 104.1 (1998); Added By BCC

2.2.16 COMMON USE

Those interior and exterior rooms, spaces, or elements that are made available for the use of a restricted group of people (e.g., occupants of a homeless shelter, occupants of an office building, or the guests of such occupants).

ADAAG 3.5

2.2.17 CROSS SLOPE

The slope of a walk, path, ramp, etc. that is perpendicular to the direction of travel. (See, also, 2.2.32 Running Slope.)

ADAAG 3.5

* 2.2.18 CURB CUT

A ramp of short horizontal projection that is cut through a curb.

Derived From "Curb Ramp"

* 2.2.19 CURB RAMP

A ramp of short horizontal projection that is built up to a curb.

(ADAAG 3.5)

2.2.20 DETECTABLE WARNING

A standardized surface feature built in or applied to walking surfaces or other elements to warn visually impaired people of hazards on a circulation path.

ADAAG 3.5 -

2.2.21 ELEMENT

An architectural or mechanical component of a building, facility, space or site *that can be used in making functional spaces accessible* (e.g., telephone, curb ramp, door, drinking fountain, seating, watercloset, etc.).

Vol. I-C, 2.1(f); ADAAG 3.5

2.2.22 ENTRANCE

Any access point to a building, facility, or portion thereof, used for the purposes of entering. An entrance includes: the approach walk; the vertical access leading to the entrance platform; the entrance platform itself; vestibules (if provided); the entry door(s) or gate(s); and the operating hardware of the entry door(s) or gate(s).

ADAAG 3.5

2.2.23 FACILITY

All or any portion of <u>buildings</u>, <u>structures</u>, <u>site improvements</u>, <u>complexes</u>, <u>equipment</u>, <u>roads</u>, <u>walks</u>, <u>passageways</u>, <u>parking lots</u>, <u>or other real or</u> <u>personal property on a site</u>.

ADAAG 3.5; <u>Revised At</u> USDoJ Request

2.2.24 GROUND FLOOR

Any occupiable floor less than one story above or below grade with direct access to grade. A building or facility always has at least one ground floor and may have more than one ground floor as where a split level entrance has been provided or where a building is built into a hillside. (See, also, 6.1.6 and 30.2.7.)

ADAAG 3.5

2.2.36 SLEEPING ACCOMMODATIONS

Rooms in which people sleep (e.g., dormitory rooms, homeless shelters, hotel rooms, motel rooms, etc.)

ADAAG 3.5

2.2.37 SPACE

A definable area (e.g., alcove, assembly area, corridor, entrance, hall, lobby, room, storage room, toilet room, etc.)

ADAAG 3.5

2.2.38 TEXT TELEPHONE

Machinery or equipment that employs interactive graphic (i.e., typed) communications through the transmission of coded signals across the standard telephone network. Text telephones can include, for example, devices known as TDD's (<u>Telecommunication Devices or Telecommunication Devices for the Deaf</u>) or computers.

ADAAG 3.5

2.2.39 TRANSIENT LODGING

A building or facility, or portion thereof, excluding inpatient medical care facilities, that contains one or more dwelling units or sleeping accommodations. Transient lodging may include, but is not limited to, dormitories, group homes, hotels, hostels, inns, motels, resorts.

ADAAG 3.5

2.2.40 VEHICULAR WAY

A route intended for vehicular traffic such as a road, street, driveway or parking lot.

ADAAG 3.5

2.2.41 WALK

An exterior pathway with a prepared surface intended for pedestrian use including general pedestrian areas such as plazas and courts.

Vol. I-C, 2.1(o); ADAAG 3.5

2.3 GENERAL TERMINOLOGY

2.3.1 COMPLY WITH

Meet one or more of the requirements of the Code.

ADAAG 3.4

2.3.2 IF....THEN

A requirement that applies only when the conditions described are present (e.g.: <u>If</u> laundry equipment is provided, <u>then</u> it shall comply with....).

ADAAG 3.4

2.3.3 MAY

Denotes an option or alternative (e.g.: The accessible route from a parking lot <u>may</u> use either a curb cut or a curb ramp).

Vol. I-C, 2.3(b): ADAAG 3.4

2.3.4 SHALL

As used in the Code, is a mandatory requirement or specification.

Vol. I-C, 2.3(c); ADAAG 3.4

2.3.5 EQUIVALENT FACILITATION

See North Carolina Administration and Enforcement Requirements
Code 205.1 (Alternative Material, Design And Methods).

<u>Added At</u> USDoJ Request

4.10 ISLANDS

4.10.1 Raised islands at crossings shall be either:

(1) Cut through at the level of the street and have a 48 inches (1220 mm) long minimum space between opposite faces of the island; or

ADAAG 4.7.11, Figures 15(a), 15(b)

(2) Have curb cuts in compliance with 4.7.1.3 with a 48 inches (1220 mm) long minimum space on top of the island between curb cuts or curb ramps. If side flares flares are provided, then they shall comply with the applicable requirements of 4.7.2.1 or 4.7.2.2.

4.11 PASSENGER LOADING ZONES

4.11.1 If passenger loading zones are provided, then a minimum of one accessible loading zone having a 60 inches (1525 mm) wide by 240 inches (6.1 m) long minimum clear floor area shall be provided adjacent to the vehicle pull-up space with the long dimension parallel to the vehicle direction of travel. (NOTE: Valet parking facilities and drop-off areas require passenger loading zones.)

ADAAG 4.1.2(5)(c), 4.6.6

Revised At USDoJ Request

4.11.2 If curbs are provided between the access aisle and the vehicle pull-up space, then a curb cut or curb ramp shall be provided.

ADAAG 4.6.6

*4.11.3 Vehicle pull-up spaces and the adjacent loading zone may incorporate a 1/4 inch per foot (6 mm per 305 mm) maximum slope in all directions for drainage.

ADAAG 4.6.6

4.11.4 All passenger loading zones, vehicle pull-up areas and at least one vehicular access route to the loading zone from site entrance(s) and exit(s) shall have a 114 inches (2895 mm) minimum overhead clearance.

ADAAG 4.6.5

4.11.5 Passenger loading zones shall be identified by an above-ground sign which shall face on-coming traffic. The sign shall comply with 18.1.4 and 18.2.2, and shall display the International Symbol of Accessibility which shall have a 6 inches (150 mm) minimum border dimension (i.e., the unobstructed field within which the Symbol is located).

ADAAG 4.1.2(7)(b), 4.30.3, And 4.30.7

*4.11.5.1 The sign shall be permanently installed on fixed building elements (e.g., wall, retaining wall, column, etc.) or a post or pylon. For any installation the bottom of the sign shall be 84 inches (2135 mm) above the finished floor or ground level.

ADAAG Does Not Give
Height;
84" Consistent With NC
Dept. Of Transportation
Regulation For Height
Of Parking Signs (See
Illustration For 4.1.2)

CHAPTER 9 GROUND AND FLOOR SURFACES

9.1 GENERAL REQUIREMENTS

9.1.1 Interior and exterior ground and floor surfaces along accessible routes and in accessible rooms, spaces, and areas shall be fixed, firm and non-slip. Interior surfaces shall include floors, ramps, stairs and the standing/wearing surface of elevator cabs. Exterior surfaces shall include walks, ramps, curb cuts, curb ramps, stairs, parking spaces and access aisles, and the standing/wearing surfaces of elevator cabs.

ADAAG 4.1.3(3), 4.5.1

9.1.2 Floors and ground surfaces shall be on a common level throughout. Surfaces that are not on a common level shall comply with the applicable requirements of 3.3.1.

Vol. I-C, 4.5(a)(1); ADAAG 4.5.2

9.2 CARPET

9.2.1 If carpet or carpet tile is used on a ground or floor surface, then it shall be securely attached and have a firm cushion, pad, or backing. If a carpet or carpet tile is installed without a cushion or pad, then it shall be securely attached to its ground or floor surface. With or without a cushion, pad, or backing the installation shall minimize movement (i.e., "creep" and/or bunching).

ADAAG 4.5.3

9.2.2 Carpet or carpet tile may have a level loop, textured loop, level cut pile, or level cut/uncut pile texture. The pile thickness shall be 1/2 inch (13 mm) maximum. Exposed carpet edges shall be securely fastened to the floor or ground surface and have trim along the full length of its exposed edge(s). Edge trim shall comply with the applicable requirements of 3.3.1.

ADAAG 4.5.3

9.3 For gratings see 3.3.6.

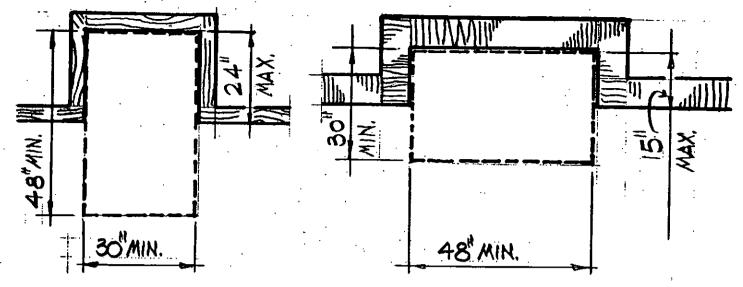
Cross-Reference

9.4 CLEAR FLOOR SPACE IN ALCOVES FOR WHEELCHAIRS

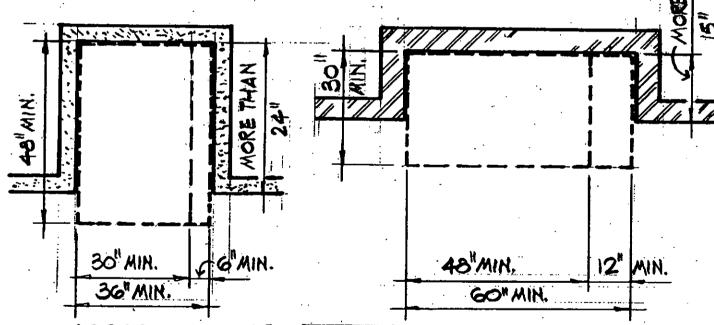
9.4.1 One full unobstructed side of a clear floor or ground space for a wheelchair shall adjoin or overlap an accessible route or adjoin another clear floor space.

ADAAG 4.2.4.2; Added At USDoJ Request

9.4.2 If a clear floor space is located in an alcove or otherwise confined on all or part of three sides, then additional maneuvering clearances shall be provided. Refer to the illustrations for this Section for the required minimum additional clearances.



CLEAR FLOOR SPACE IN ALCOVES



ADDED MANEUVERING CLEARANCES FOR ALCOVES

9.4 CLEAR FLOOR SPACE IN ALCOVES

NOTE: THE ALCOVE CLEAR FLOOR SPACES ILLUSTRATED ARE APPLICABLE TO ELEMENTS REFERENCED IN THIS CODE SUCH AS, BUT NOT LIMITED TO, DRINKING FOUNTAINS & WATERCOOLERS (CHAPTER 13), TELEPHONES (CHAPTER 14), PLATFORM WHEELCHAIR LIFTS (SECTION 15.11), CONTROLS AND OPERATING MECHANISMS (CHAPTER 16).

CHAPTER 9—GROUND AND FLOOR SURFACES

10.4.3 If a sign or other obstruction is mounted between posts or pylons that are separated by a distance greater than 12 inches (305 mm), then the sign or obstruction lowest edge shall be 27 inches (685 mm) maximum or 80 inches (2030 mm) minimum above the finished floor or ground surface.

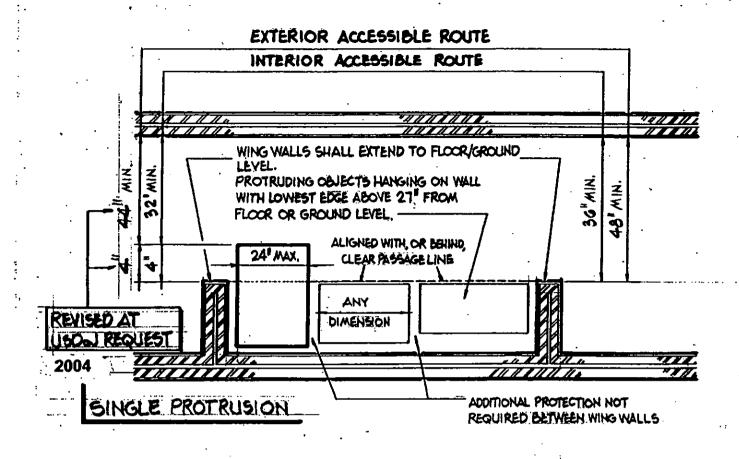
1992 ANSI A117.1, 4.4.3

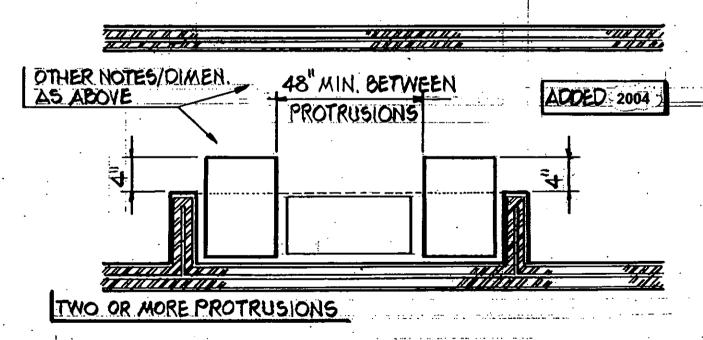
10.5 CLEAR WIDTH AND CLEAR FLOOR AREAS/SPACES

*10.5.1 If a single protruding or projecting object has a width of 24 inches (610 mm) or less, then the minimum clear width at the point of passage may be reduced to 44 inches (1120 mm) for an exterior accessible route and 32 inches (815 mm) for an interior accessible route.

ADAAG Fig. 8(e)

Revised At USDoJ Request





10,5- CLEAR WIDTH AND CLEAR FLOOR AREAS/SPACES

11.3.1.2 If total available floor area is limited, then a maximum 6 inches (150 mm) deep by a minimum 9 inches (230 mm) high toe space under base cabinet(s) may be allowed to supplant part of the clear floor area.

(E.G.: The horizontal distance from a wall to the face of a base cabinet may be 54 inches [1370 mm] minimum if the cabinet has the required toe space. The horizontal distance between two opposite base cabinets may be 48 inches [1220 mm] minimum if both cabinets have the required toe space.)

Revised At USDoJ Request To ADAAG Fig. 27 & 31

*11.3.1.3 If total available floor area is limited, then a maximum 6 inches (150 mm) deep by a minimum 9 inches (230 mm) high toe space located under a wall-hung watercloset may be allowed to supplant part of the clear floor area. A floor mounted watercloset may be used provided that neither the base nor pedestal projects into the toe space. (I.E.: The 6 inches [150 mm] by 9 inches [230 mm] toe space shall be measured vertically from the forward edge of the fixture projected vertically to the floor.)

Revised At USDoJ Request To ADAAG Fig. 27 & 31

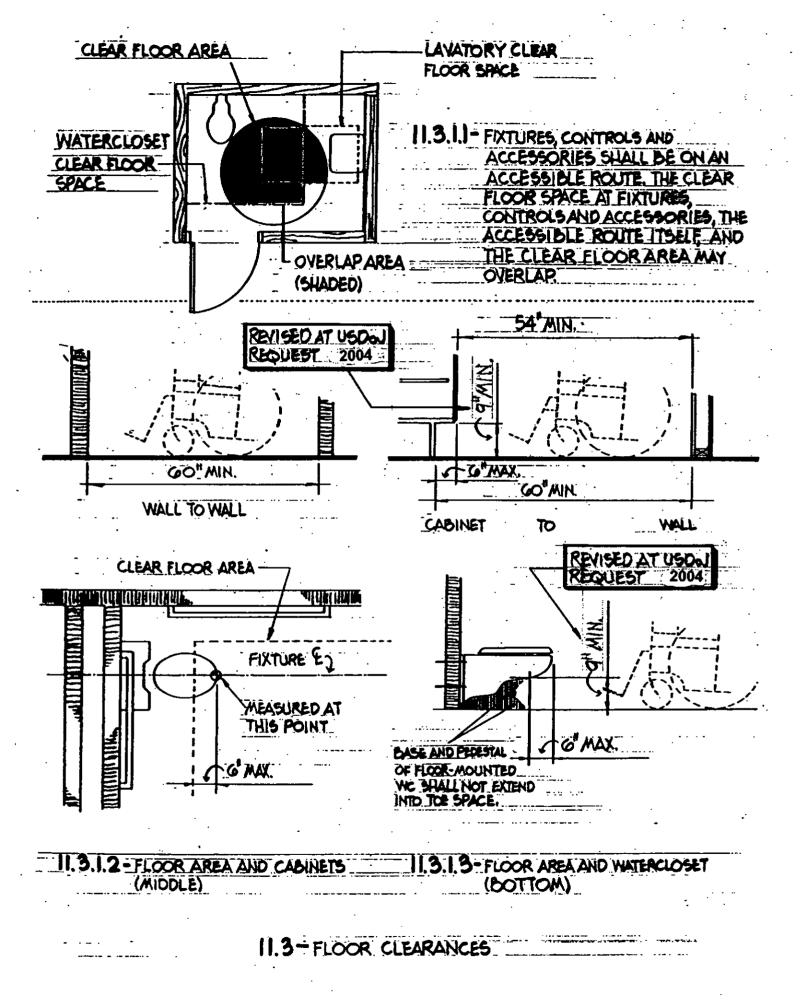
11.3.2 ENTRY DOORS AND DOOR HARDWARE

11.3.2.1 All toilet room entry doors shall comply with the applicable requirements of Chapter 7.

ADAAG 4.22.2

11.3.2.2 The swing of a toilet room entry door may overlap the clear floor area by 12 inches (305 mm) maximum. Doors shall not swing into the clear floor space required at any fixture or accessory.

Vol. I-C, 4.6.2(b); FAQ, Question #10; ADAAG 4.22.2



(3) A 92 inches (2335 mm) minimum clear length if Overall Dimension(s) Of a wall hung watercloset is used; or, a 95 inches ADAAG Fig. 30 (a-1); (2415 mm) minimum clear length if a floor Vol. I-C, 4.6.3(e)-Similar mounted watercloset is used: (4) Sidewall and rearwall grab bars shall comply with 11.4.1(4) and 11.4.1(5). 11.4.3 In addition to a Type I or Type II standard stall, if six or more **ADAAG 4.22.4** watercloset stalls are provided in any toilet room, then a stall complying with the following shall also be provided: (1) A 36 inches (915 mm) wide stall having a 66 inches ADAAG 4.22.4: (1675 mm) minimum depth if a wall hung watercloset Revised At USDoJ is used; or, a 69 inches (1745 mm) minimum depth Request if a floor mounted watercloset is used: (2) A self-closing outswing, or horizontal sliding, door having a 32 inches (815 mm) minimum clear opening and located **ADAAG 4.22.4** at the stall front: (3) An approach to the door that complies with 11.4.1(3). (4) One grab bar having a 42 inches (1070 mm) minimum length on **ADAAG** each side of the stall. Each grab bar shall be located 12 inches 4.22.4 (305 mm) maximum from the finished face of the rear wall and both horizontal centerlines shall be 33 inches minimum to 36 inches maximum (840 mm to 915 mm) above the finished floor. **ADAAG 4.17.5 ADAAG 4.17.4**

11.4.4 Accessible toilet stall door operating hardware shall comply with 7.9.

11.4.5 For a Type I stall with less than 60 inches (1525 mm) depth, the front and a minimum of one side partition shall have a 9 inches (230 mm) high toe clearance.

11.5 GRAB BARS

11.5.1 Grab bars shall have gripping surfaces of 1-1/4 inches to 1-1/2 inches (32 mm to 38 mm) in width or outside diameter.

Vol. I-C, 4.6.5(a); **ADAAG 4.26.2**

11.5.2 Grab bars shall have a 1-1/2 inches (38 mm) hand clearance between the face of the bar and the finished surface of the wall or partition. For a grab bar(s) located in a recess, see 5.4.3.

Vol. I-C, 4.6.5(b); ADAAG 4.26.2. Fig. 39(d)

Vol. I-C, 4.6.5(c)

^{*11.5.3} All grab bars and their fasteners shall be capable of supporting a 250 pound (113 Kg) load applied in any direction anywhere along its length.

11.5.5 Grab bars and adjacent wall surfaces shall be free of any sharp or abrasive elements. Grab bar edges shall have a 1/8 inch (3 mm) minimum radius. (See, also, the NOTE following 5.4.2[10].)

ADAAG 4.26.4

11.6 TOILET FIXTURES

11.6.1 An accessible watercloset shall comply with the following:

(1) The centerline shall be 18 inches (460 mm) from the adjacent sidewall. The height to the top of the seat shall be 17 inches minimum to 19 inches maximum (430 mm to 480 mm). If a contoured seat is used, then the height to the top shall be measured at the forward one-third of the seat.

ADAAG 4.16.3; Revised At USDoJ Request

(NOTE: For the stall required by 11.4.3 the watercloset shall be centered within the enclosure):

Contoured Seat By Staff & Public Comment - 8/96

(2) The use of seats spring loaded to return to a vertical position shall be prohibited:

ADAAG 4.16.3

(3) The required seat height shall be applicable for wall hung or floor mounted fixtures:

Vol. I-C, 4.6.6(a)(3)

(4) Flush control activating mechanisms shall be placed on the **ADAAG 4.16.5** wide side of waterclosets at 44 inches (1120 mm) maximum above the finished floor. Controls shall be either automatic or hand operable by a force of five (5) pounds (2.3 Kg) maximum Flush controls shall be operable with one hand and shall not require the use of a fine grasp, tight pinching motion, or a turning, wrist-twisting motion for activation. (NOTE: For the stall required by 11.4.3 the flush mechanism

Added At **USDoJ**

Request

*(5) Toilet paper dispensers shall be located on the sidewall adjacent to the watercloset at 19 inches (430 mm) minimum above the finished floor and

may be left- or right-handed):

ADAAG 4.16.6

36 inches (915 mm) maximum from the finished wall or partition behind the watercloset. Paper dispenser(s) located in a stall required by 11.4.3 may be placed on either sidewall. Dispenser placement shall not interfere with the clear use of any grab bar. The use of dispensers that control delivery or that do not permit a continuous paper flow shall be prohibited.

11.6.2 Accessible lavatories shall comply with the following:

(1) The rim or finished counter surface shall be <u>34 inches</u> <u>maximum (865 mm)</u> above the finished floor. At the forward end of the fixture apron, skirt of a vanity, or counter, a 29 inches (735 mm) minimum knee clearance shall be provided from the apron/skirt to the finished floor (for detailed knee clearance, refer to the illustration);

ADAAG 4.19.2; Revised At USDoJ Request

(2) The lavatory shall extend 17 inches (430 mm) minimum measured from the wall or partition to the most forward edge of the fixture.

ADAAG Fig. 31 And 32

(3) A minimum clear floor space 30 inches wide by 48 inches long (765 mm by 1220 mm) shall be provided, oriented for a forward approach only and shall extend 19 inches (485 mm) maximum under the fixture. The clear floor space shall adjoin or overlap the accessible route leading to the fixture.

Vol. I-C, 4.6.6(b)(1); ADAAG 4.19.3

*(4) Water supply and drain lines shall not encroach nor interfere with the clear required knee space;

Vol. I-C, 4.6.6(b)(3)

(5) Hot water supply and drain lines shall be covered with either pipe insulation or a non-heat conducting baffle. A baffle shall not encroach nor interfere with the required minimum knee space. Toe space at the bottom of any baffle shall have a 6 inches (150 mm) maximum depth and a 9 inches (230 mm) minimum height above the finished floor. Neither the insulation, baffle, nor lavatory shall have sharp or abrasive surfaces/edges;

Vol. I-C, 4.6.6(b)(4); ADAAG

4.19.4

(6) Levers, blades, multi-arm handles, push buttons or electronically controlled mechanisms are examples of acceptable controls for water activation. If self-closing valves are used, then the faucet shall remain open for 10 seconds minimum. Faucet operation shall not require the use of a fine grasp, a tight pinching motion, or a turning/wrist-twisting motion for water activation. Manually activated faucets shall be operable by a five (5) pounds maximum force.

(NOTE: See, also, 11.11-Accessible Sinks).

Cross-Reference

11.6.3 Accessible urinals shall comply with the following:

(1) Fixtures shall be stall-type or wall-hung with the rim at 17 inches (430 mm) maximum above the finished floor;

Vol. I-C, 4.6.6(c)(3); ADAAG 4.18.2

*(2) The elongated rim or bowl shall *project 14 inches*(355 mm) minimum from the face of the finished wall or partition behind the fixture;

Vol. I-C, 4.6.6(c)(2); ADAAG 4.18.2: Elongated

Rim Only

(3) A clear floor space 30 inches wide by 48 inches long (760 mm by 1220 mm) minimum shall be provided and oriented for a forward approach only. If privacy screens that do not project beyond the front edge of the fixture are provided, then the clear space between screens may be 29 inches (735 mm) minimum. If the screens extend beyond the front edge of the fixture rim, then the clear space between screens shall be 30 inches (760 mm) minimum. The clear floor space shall adjoin or overlap the accessible route leading to the fixture.

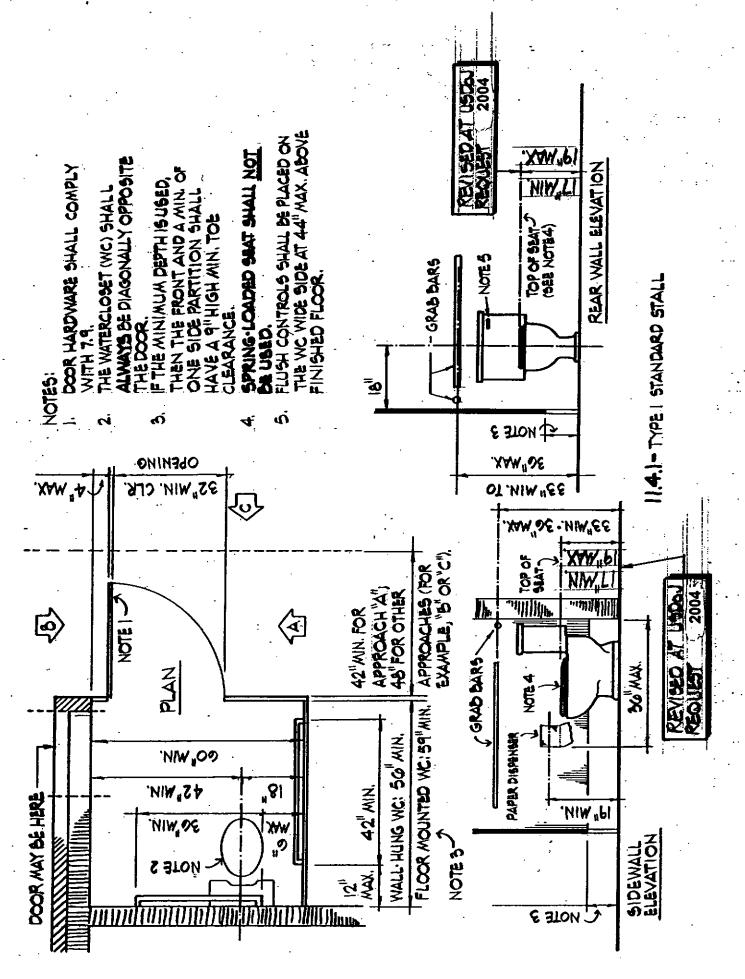
ADAAG 4.18.3;

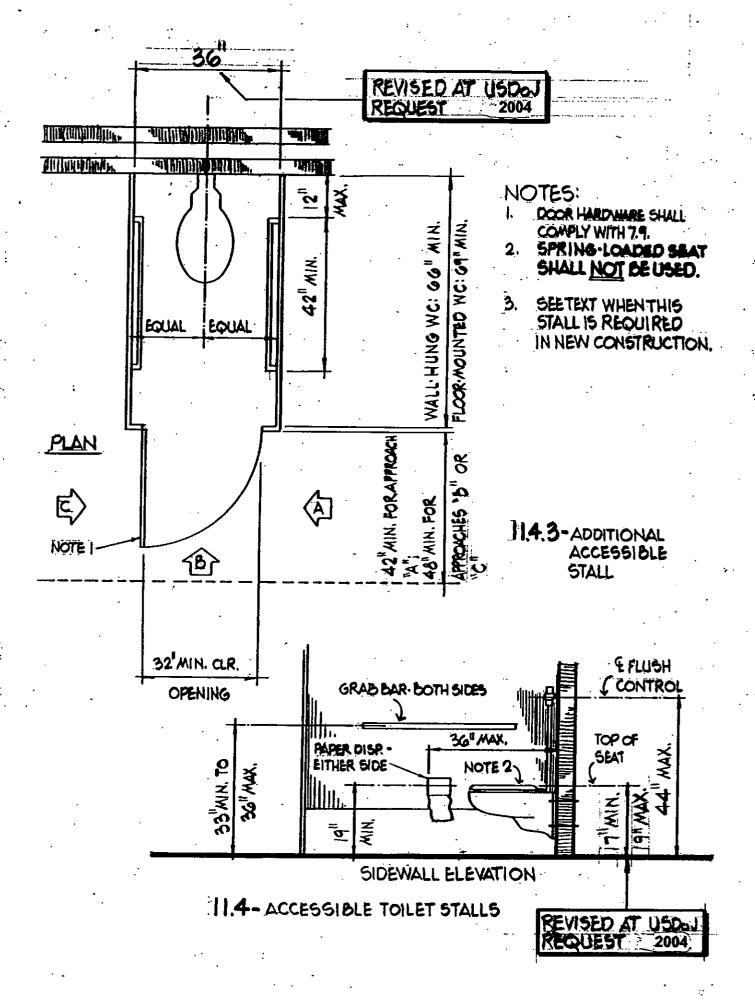
Vol. I-C, 4.6.6(c)(1) Similar

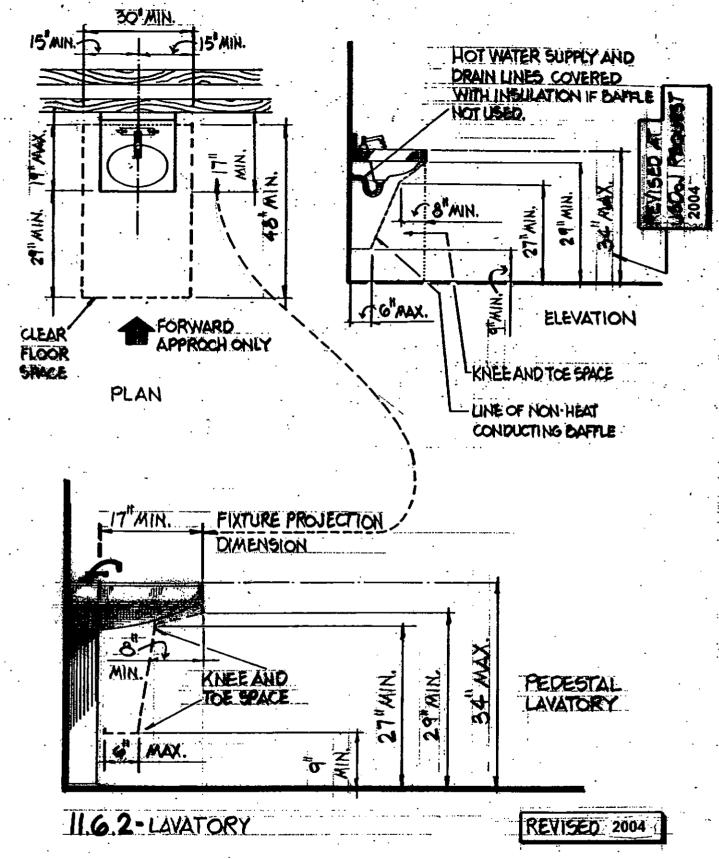
(4) Flush control activating mechanisms shall be located 44 inches (1120 mm) maximum above the finished floor. Controls shall be either automatic, or hand operable by a force of five (5) pounds (2.3 Kg) maximum. Flush controls shall be operable with one hand and shall not require the use of fine grasp, tight pinching motion, or a turning, wrist-twisting motion for activation.

Vol. I-C, 4.6.6(c)(4); ADAAG 4.18.4

Added At USDoJ Request







11.6- TOILET FIXTURES

11.7 TOILET ACCESSORIES

*11.7.1 If mirrors are provided at lavatories, then the mirror over the accessible lavatory shall be placed with its bottom edge at 40 inches (1015 mm) maximum above the finished floor. A full length mirror may be used in place of one located over the lavatory provided that it is located within the toilet room on an accessible route and the mirror bottom edge is at 9 inches (230 mm) minimum above the finished floor.

Vol. I-C: Bottom Of Mirror; ADAAG: Bottom Of Reflecting Surface; Full Length Mirror: Vol. I-C, 4.6.7(a)(1)

*11.7.2 If shelves are provided at lavatories, then the shelf over the accessible lavatory shall have its top surface at 40 inches (1015 mm) maximum above the finished floor. If shelves are placed in a location other than over the lavatories, then a minimum of one accessible shelf installed at the prescribed height shall be located within the toilet room on an accessible route.

Vol. I-C, 4.6.7(a)(2)

- 11.7.3 Towel bars, dispensers, disposals, etc. shall comply with the following:
 - *(1) If toilet room accessories are provided, then a minimum of one of each type shall be located on an accessible route with the highest control, operating mechanism, or dispensing/disposal slot at 48 inches (1220 mm) maximum above the finished floor.

 Clear floor space at accessories shall be 30 inches wide by 48 inches long (760 mm by 1220 mm) minimum. Mounting height(s) other than 48 inches (1220 mm) are permitted provided the installation complies with the requirements of 16.2.1 (Forward Reach) or 16.2.2 (Parallel [i.e, Side] Reach), as applicable.

 Controls and operating mechanisms shall be operable by a 5 pounds (2.3 Kg) maximum force.

Vol. I-C, 4.6.7(b); ADAAG 4.22.7

> Added At USDoJ Request

- (2) Waste receptacles shall comply with the applicable requirements of 10.3 through 10.5. Waste receptacles shall not be permitted to to obstruct the clear floor area, the clear floor space at fixtures and accessories, nor access to those elements.
- (3) If medicine cabinets are provided, then a minimum of one shall be located with a usable shelf at 44 inches (1120 mm) maximum above the finished floor.

ADAAG 4.23.9

11.7.4 DIAPER CHANGING TABLES

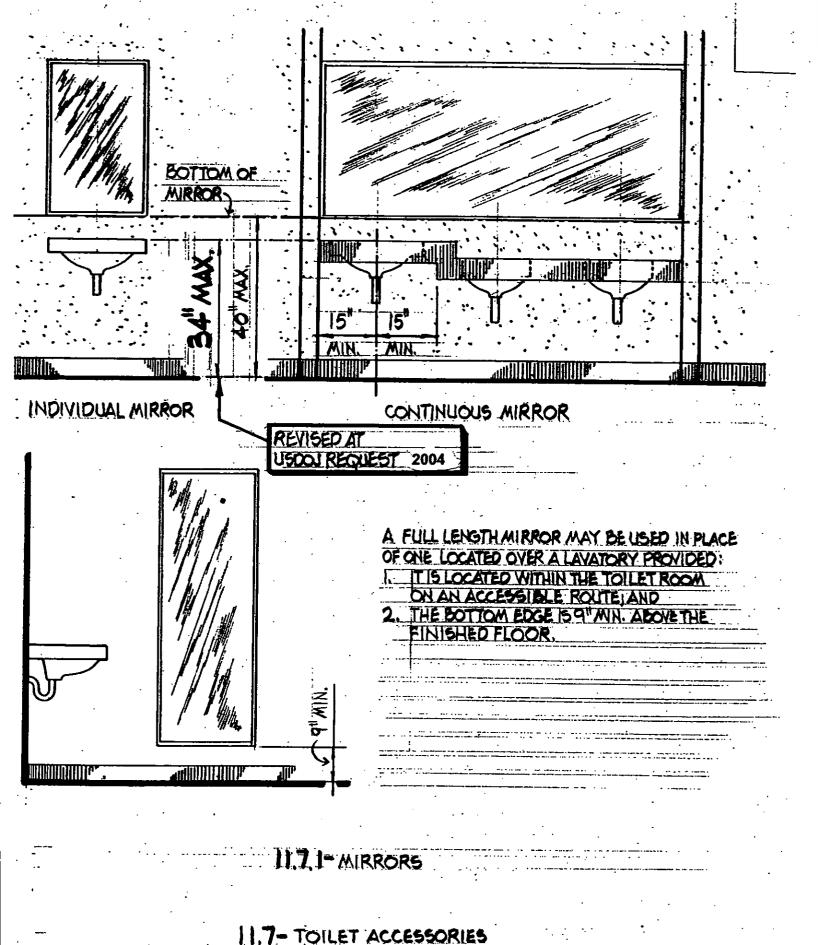
N.C. House Bill 1108; Council Vote 3/10/92;

*11.7.4.1 GENERAL REQUIREMENTS

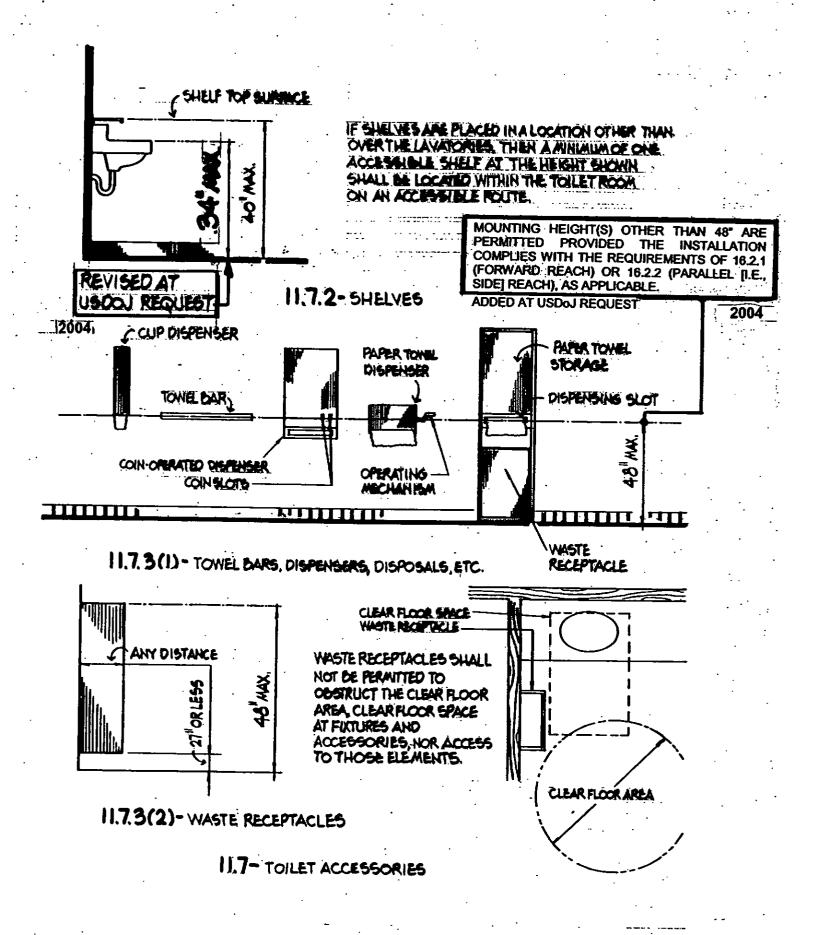
Not in ADAAG

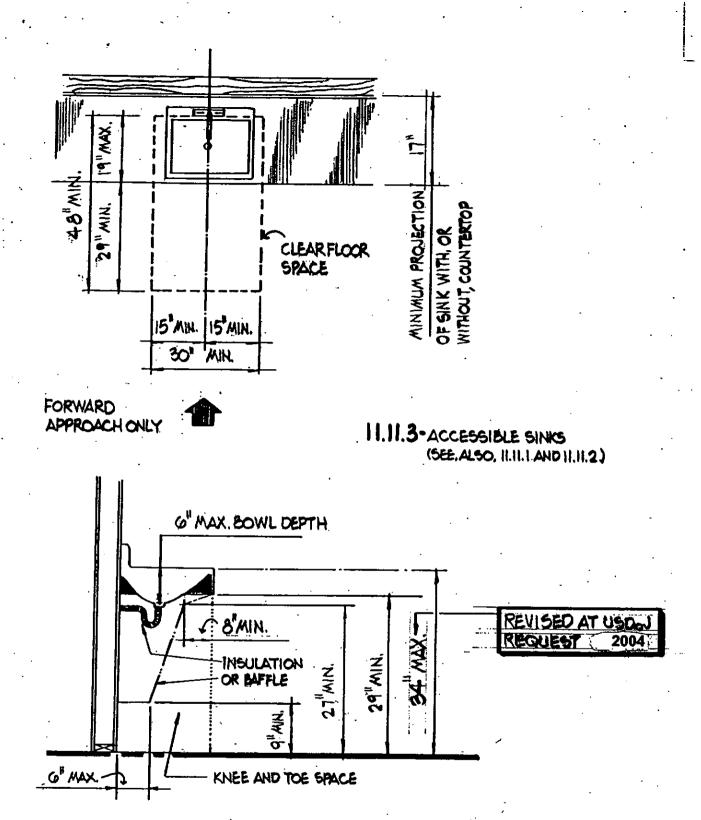
11.7.4.1.1 If diaper changing tables are provided, then such accessory shall be located in each men's and women's toilet room/restroom where changing tables are to be installed. A minimum of one diaper changing table, or one section of a continuous changing table, in each toilet room shall comply with this Section. (NOTE: If diaper changing tables are installed within men's and women's toilet rooms in buildings and facilities required to have a unisex/disabled restroom [see 11.9.1], then accessible diaper changing tables shall also be provided within the unisex toilet room.)

Scope



11,7- TOILET ACCESSORIES





ILII- ACCESSIBLE SINKS

12.4 ACCESSIBLE BATHTUBS

12.4.1 GENERAL REQUIREMENTS

12.4.1.1 Accessible bathtubs may have either an in-tub seat, or a built-in or built-up seat at the head of the tub.

Vol. I-C, 4.6.9(a)(2); ADAAG 4.20.3

12.4.1.2 Enclosures of any type shall not have tracks mounted on the tub rim and shall not obstruct the use of controls nor transfer in to, or out of, the bathtub.

ADAAG 4.20.7; Revised At USDoJ Request

*12.4.1.3 If enclosure doors have translucent or transparent glazing, then the glazing shall comply with 12.1.3.2.

Vol. I-C, 4.6.9(a)(4)

12.4.1.4 Grab bars shall comply with 11.5.

Cross-Reference

*12.4.1.5 An in-tub seat or a minimum 15 inches (380 mm) wide built-in or built-up seat shall be capable of supporting a 250 pound (113 Kg) minimum load and shall be constructed of materials that will not rot or corrode when repeatedly exposed to water. In-tub seats shall be mounted securely and shall not slip or slide during use.

ADAAG Fig. 33(b); Vol. I-C.

4.6.9(c)(1)

12.4.1.6 Water control shall be lever operated and located towards the open side of the tub below the grab bar and above the tub rim. Controls shall be operable by a five (5) pounds (2.3 Kg) maximum force. A flexible, hand-held shower spray shall be provided which shall comply with 12.2.5. (See, also, 12.2.5.1.)

Vol. I-C, 4.6.9(c)(2); ADAAG: 4.20.5 4.20.6

Fig. 34

12.4.2 CLEAR FLOOR SPACE: BATHTUB WITH AN IN-TUB SEAT (NOTE: For 12.4.2.1 through 12.4.3.2 the long dimension of the clear

floor space is always parallel to the tub length.)

12.4.2.1 For a side approach the clear floor space shall be 30 inches

wide by 60 inches long (760 mm by 1525 mm) minimum.

Vol. I-C, 4.6.9(b)(1); ADAAG Fig. 33(a)

12.4.2.2 For a front approach the clear floor space shall be 48 inches deep by 60 inches wide (1220 mm by 1525 mm) minimum.

Vol. i-C, 4.6.9(b)(1); ADAAG Fig. 33(a)

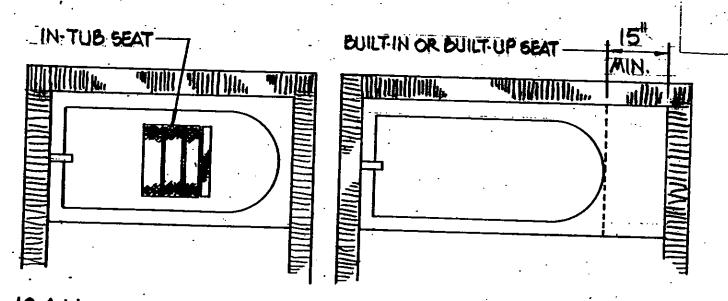
12.4.3 CLEAR FLOOR SPACE: BATHTUB WITH A BUILT-IN OR BUILT-UP SEAT

12.4.3.1 For a side approach the clear floor space shall be 30 inches wide by 75 inches long (760 mm by 1905 mm) minimum.

Vol. I-C, 4.6.9(b)(2); ADAAG Fig. 33(b)

*12.4.3.2 For a front approach the clear floor space shall be 48 inches deep by 75 inches wide (1220 mm by 1905 mm) minimum.

Vol. I-C, 4.6.9(b)(2)



12.4.1.1- ACCESSIBLE BATHTUBS MAY HAVE EITHER AN IN-TUB SEAT OR A BUILT-IN OR BUILT-UP SEAT AT THE HEAD OF THE TUB.

GRAB BARS NOT SHOWN

Horizontal Sliding Door Text Reference
And Illustrations Deleted At Request Of
US Department of Justice

12.4.1.2 ENCLOSURES OF ANY TYPE SHALL NOT HAVE TRACKS MOUNTED ON THE TUB RIM AND SHALL NOT OBSTRUCT THE USE OF CONTROLS NOR TRANSFER IN TO, OR OUT OF, THE BATHTUB.

12.4 - ACCESSIBLE BATHTUBS

CHAPTER 15 ELEVATORS AND PLATFORM WHEELCHAIR LIFTS

15.1 GENERAL REQUIREMENTS

15.1.1 If an elevator is provided, then it shall be a passenger elevator and shall comply with this Chapter. The elevator shall serve each story or level, including mezzanines.

Vol. I-C, 4.9.2(b); ADAAG 4.1.3(5); FR 7/26/91 At 35418

15.1.1.1 Elevators shall comply with ASME A17.1-96. Platform wheelchair lifts shall comply with ASME A18.1-1999.

Added At USDoJ Request

15.1.2 If more than one passenger elevator is provided, then all passenger elevators shall meet the requirements of this Chapter.

Vol. I-C, 4.9, Preface; ADAAG 4.1.3(5)

15.1.3 An accessible elevator shall be located on an accessible route on all levels used by building employees and the general public.

Vol. I-C, 4.9.2(a); ADAAG 4.10.1

*15.1.4 Freight elevators shall not be considered as meeting the requirements of this Chapter. If the only elevator provided is used to serve both freight and passengers, then it shall meet the requirements for passenger elevators.

Vol. I-C, 4.9.2(b)

15.1.5 A passenger elevator that provides service from a garage to only one level or story of a building is not required to serve other stories or levels within that building.

ADAAG 4.1.3(5), Exception 1

(NOTE: This does not apply to multi-family dwellings; see 30.4.1.5.5.)

Cross-Reference

15.1.6 A minimum five (5) foot-candles (53.8 lux) illumination level shall be provided at the car controls, platform, car threshold, and landing sill.

ADAAG 4.10.11

15.1.7 Ramps complying with Chapter 5 may be used in lieu of an elevator.

Vol. I-C, 4.9, Preface; ADAAG 4.1.3(5)3, Title III Tech Assist. Manual, Page 58, Exception 3

15.11 PLATFORM WHEELCHAIR LIFTS

15.11.1 USE OF LIFTS

15.11.1.1 Buildings and facilities may utilize a lift for the following applications only:

(1) To provide an accessible route to a performing	ADAAG
area in an assembly occupancy.	4.1.3(5)(4)(a)

- (2) To comply with the wheelchair line-of-sight viewing position and dispersion requirements of 22.2. ADAAG 4.1.3(5)(4)(b)
- (3) To provide access to incidental occupiable spaces and rooms which are not open to the general public and which house five (5) or fewer persons (e.g., sound or lighting control rooms, projections booths, equipment controls rooms, etc.).
- (4) To provide access to raised judges' benches, clerks'
 stations, speakers' platforms, jury boxes, and witness
 stands, or to depressed areas such as the courtroom well.

 ADAAG
 4.1.3(5)4(e),
 1/13/98
- *(5) To provide access to the first occupiable level of a Vol. I, building elevated due to flood plain regulations and not required to have an elevator. (See, also, 1.2.6.3.1.)
- **15.11.1.2** A person shall be able to approach, enter, operate, and exit from a platform lift in an unassisted manner.

ADAAG 4.11.3;

15.11.2 CLEARANCES, DIMENSIONS AND SAFETY FEATURES

15.11.2.1 Platform wheelchair lifts shall be located on an accessible route.

N.C. Dept. of Labor, Elevator Division <u>"Key Operation" Deleted--</u> ASME 18.1

*15.11.2.2 If the accessible route allows for <u>an unenclosed</u> straight-on approach, then the clear floor space at the bottom landing shall be 30 inches wide by 48 inches long (915 mm by 1220 mm) minimum. If the lift is located in an alcove, then the alcove shall comply with the maneuvering clearances in the illustration for 9.4.2.

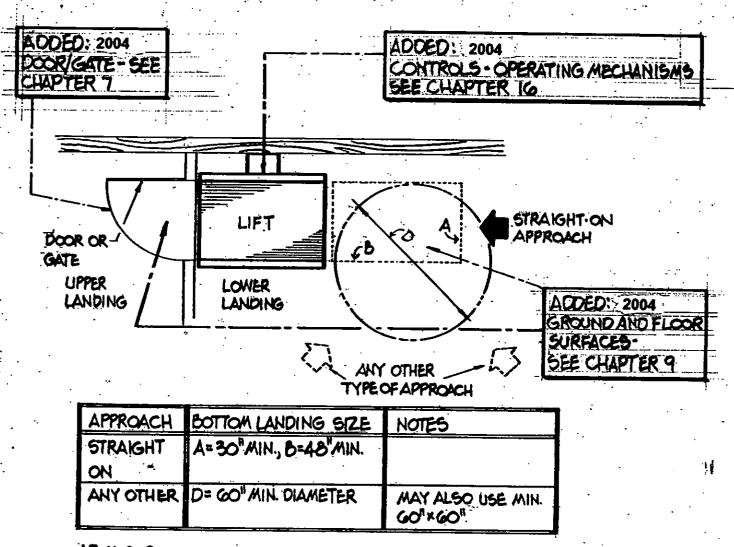
ADAAG 4.2.4; Added At USDoJ Request

15.11.2.3 At the top landing the clear floor space at the pull side of the safety door/gate shall comply with 7.3.1. <u>The door/gate clear opening and operating hardware/mounting height shall comply with the applicable requirements of 7.2.1, 7.9.1 and 7.9.2, respectively.</u>

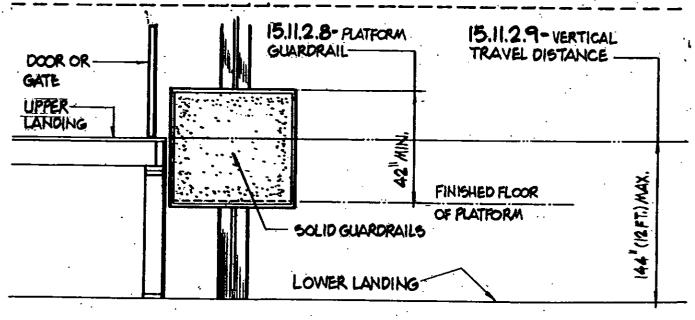
Cross-Reference

15.11.2.4 All operating mechanisms shall be activated by a five (5) pounds (2.3 Kg) maximum force <u>and shall comply with the applicable requirements of Chapter 16.</u>

Vol. I-C, 4.10(a)(3); ADAAG 4.27



15.11.2.2- CLEAR SPACE AT BOTTOM LANDING



15.11-PLATFORM WHEELCHAIR LIFTS

18.4 MOUNTING LOCATION AND HEIGHT

18.4.1 Signs designating permanent rooms and spaces shall be located on the wall or partition adjacent to the strike jamb/latch side of the door.

Vol. I-C, 4.11(c)(2); ADAAG 4.30.6

* 18.4.1.1 If no wall space is available adjacent to the strike jamb/latch side of the door, then the sign(s) shall be placed on the nearest adjacent wall or partition. For double (two-leaf) doors the sign shall be placed on the wall or partition adjacent to the primary operable leaf.

ADAAG 4.30.6

18.4.1.2 *Deleted*

<u>Deleted At</u> <u>USDoJ Request</u>

18.4.2 <u>The</u> mounting location shall be such that a person can approach to within 3 inches (75 mm) of the sign without encountering any protruding objects or having to stand within the swing of a door.

Reference To 18.4.1.2

Deleted

ADAAG 4.30.6

18.4.3 The sign horizontal centerline shall be at 60 inches (1525 mm) above the finished floor or ground level.

ADAAG 4.30.6

*18.4.3.1 Signs identifying devices intended for public use shall have the horizontal centerline at the same height as the operating mechanism (see 16.2.1 or 16.2.2, as applicable). Signs may be located to the left or right of the device. If the device is located within a cabinet, then the sign shall be located on the wall or partition adjacent to the door operating handle or pull.

Derived From: Vol. I-C, 4.11(b)(1); ADAAG 4.30 And 4.27

* 18.5 HAZARDOUS AREAS

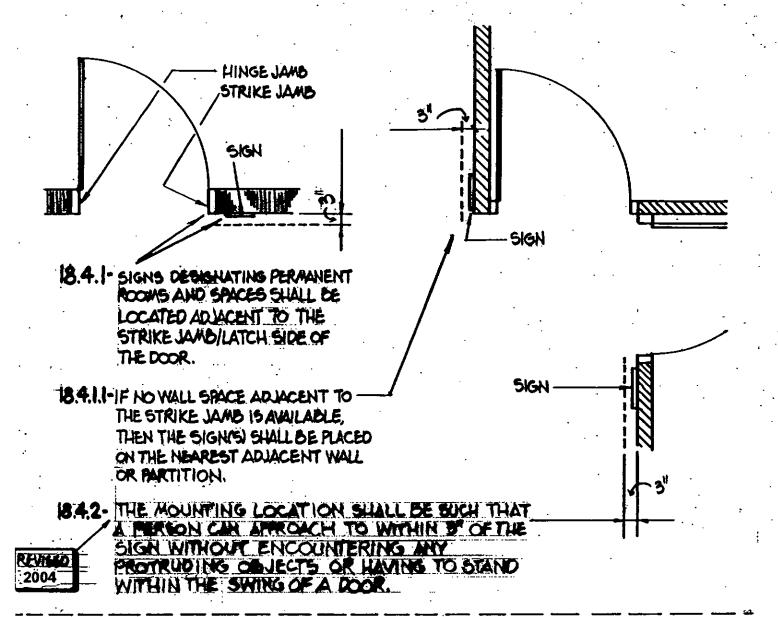
18.5.1 Hazardous areas of a building (e.g., a loading dock, boiler room, electrical equipment room, etc.) shall have signs complying with this Chapter in addition to the requirements of 7.10.

Vol. I-C, 4.11(d)(1); 4.11(d)(2)

18.6 EXEMPTION

18.6.1 Building directories, menus, and all other signs which are temporary (e.g., temporary information about rooms or spaces such as the name of the current occupant of the room).

ADAAG 4.1.3(16); FR 7/26/91 At 35423



18.4.1.2-

Illustration Deleted
At Request Of
US Department of Justice
2004

18.4- MOUNTING LOCATION AND HEIGHT

Illustration Deleted
At Request Of
US Department of Justice
(2004)

CHAPTER 23 RESTAURANTS AND CAFETERIAS

23.1 GENERAL REQUIREMENTS

23.1.1 All restaurants, cafeterias, and other food service establishments, shall comply with this Chapter and the applicable requirements of this Code.	<u>Deleted</u> ADAAG 5.1			
23.1.2 If fixed tables are provided, then five percent (5%), or a minimum of one (whichever is the greater number), of the fixed tables shall be accessible. See 21.2.1 and 21.3 for access to, and seating at, the accessible table(s).	ADAAG 5.1			
23.1.3 If dining counters are provided where only food/drink consumption occurs, then five percent (5%), or a minimum of one (whichever is the greater number), of the counter spaces shall be accessible. See 21.2.1 and 21.3 for access to, and seating at, the accessible counter space(s).	ADAAG 5.1 (Consumption Only)			
23.1.4 Counters where food/drink is served and consumed shall comply with 23.2.	(Service And Consumption)			
23.1.4.1 If counters are provided where service only occurs (i.e., consumption does not occur at the same counter or bar where service occurs), then the service counter shall comply with 26.2.1. The counter where consumption occurs shall comply with 23.1.3.	ADAAG 5.2 [7.2(1)] (Service Only); FR 7/26/91 At 35443			
23.1.5 Accessible fixed tables or counter spaces shall be distributed throughout the space or facility. (NOTE: In facilities with smoking and non-smoking sections, accessible tables and counter spaces must be divided proportionally between the two sections. E.G.: A 100-table facility having a 40-table smoking section and a 60-table non-smoking section must provide 2 accessible tables in the smoking section [40% of the minimum 5 total accessible tables] with 3 accessible tables in the non-smoking section [60% of the minimum 5 total accessible tables].)	ADAAG 5.1 <u>Added At</u> <u>USDoJ</u> <u>Request</u>			
23.2 COUNTER AND BARS WHERE FOOD/DRINK IS SERVED AND CONSUMED				
23.2.1 If food and/or drink is served and consumed by customers either seated on stools or standing at a counter/bar whose top is greater than 34 inches (865 mm) above the finished floor, then a minimum 60 inches (1525 mm) long section of the main counter or bar shall have a 28 inches (710 mm) minimum to 34 inches (865 mm) maximum height to the finished top. Clear floor space, knee clearance, and approach shall comply with 21.2.1 and 21.3.1.	ADAAG 5.2 And 4.32			
23.2.1.1 If service is available at accessible tables located within the same area as the counter or bar, then the accessible counter/bar requirements of 23.2.1 are not mandatory. The accessible table(s) shall comply with 23.1.2.	ADAAG 5.2			

24.3.6 DIRECT CONNECTIONS

24.3.6.1 Direct connections to commercial, retail, or residential facilities shall have an accessible route from the point of connection to boarding platforms and all transportation system elements used by the public. Any elements provided to facilitate future direct connections shall be on an accessible route connecting boarding platforms and all transportation system elements used by the public.

ADAAG 10.3.1(3)

24.3.7 SIGNAGE

[24.3.7.1] and Route Signage [24.3.7.3] placed, to the maximum extent practicable, at uniform locations throughout the transit system. The authority of the Code Enforcement Official shall be limited to ensuring that each station's Entrance and Route Signage complies with the requirements of this Code.

<u>Defines C.E.O.</u> Responsibilities

24.3.7.1 STATION ENTRANCE SIGNS

24.3.7.1.1 If signs are provided at station entrances identifying the station and/or the entrance, then a minimum of one sign at each entrance shall comply with 18.1.4, 18.3.1, and 18.3.2. Location of the accessible sign shall comply with the applicable requirements of 18.4.

ADAAG 10.3.1(4)

24.3.7.1.2 If the station has no defined entrance but signage is provided, then the accessible signage shall be placed in a central location.

ADAAG 10.3.1(4), Exception

24.3.7.2 STATION IDENTIFICATION SIGNS

24.3.7.2.1 Stations for the types of systems named in 24.3.1.1 shall have identification signs that comply with 18.1.4, 18.2.1, and 18.2.2 (if applicable), which shall be placed at frequent intervals.

ADAAG 10.3.1(5)

24.3.7.2.2 Station identification signs shall be placed so that they are clearly visible from within the vehicle on both sides of the train car. Signs located on one side of a train car may be temporarily obstructed by another train on adjacent tracks.

ADAAG 10.3.1(5); FR 9/6/91 At 45507

24.3.7.2.3 If station identification signs are located close to train car windows (i.e., the signs are placed on the side of a car opposite from the boarding side), then all signs in such locations shall have the top of the highest letter or symbol below the top of the car windows and the bottom of the lowest letter or symbol above the window horizontal centerline.

ADAAG 10.3.1(5)

24.3.7.3 ROUTE SIGNAGE

24.3.7.3.1 Lists of stations, routes, or destinations served by the station and located on boarding areas, platforms, or mezzanines shall comply with 18.1.4, 18.2.1, and 18.2.2 (if applicable). A minimum of one sign in compliance with 18.3.1 and 18.3.2 shall be provided at each platform or boarding area identifying the specific station. Placement of this sign shall comply with 18.4.2 and 18.4.3.

ADAAG 10.3.1(6)

- **29.4.3.2** If the following spaces are provided as part of an accessible room, then they shall be accessible:
 - (1) The living area.
 - (2) The dining area.
 - (3) A minimum of one sleeping area.
 - (4) A minimum of one full bathroom (i.e., one room equipped with a watercloset, lavatory, and a bathtub or shower).

ADAAG 9.2.2(6)

ADAAG

9.2.2(6)(d),

Exception

- (5) If only half-baths are provided, then a minimum of one half-bath.
- (6) Carports, garages or parking spaces.
- (7) Patios, terraces, or balconies.

(NOTE: If weather protection requirements necessitate placement of patios, terraces, or balconies at floor levels other than specified by 3.3.1, then access to these areas shall be provided by extensions of the accessible route: e.g., providing a ramp in compliance with Chapter 5; installing raised decking that permits storm drainage while providing a floor level difference within the tolerances allowed by 3.3.1, or by other extensions of an accessible route that comply with this Code.)

29.4.4 DOORS AND DOORWAYS

29.4.4.1 All doors leading to, and within, all accessible rooms shall comply with Chapter 7.

Vol. I-C, 4.3.9(b)(1); ADAAG 9.2.2(3)

29.4.4.2 Doors and doorways leading to, and within, all other sleeping rooms, suites, or other guest rooms shall comply with 7.2.1 and 7.3.5 only.

ADAAG 9.4

29.4.5 KITCHENS, KITCHENETTES, WET BARS AND SIMILAR AMENITIES

29.4.5.1 If kitchens, kitchenettes, wet bars, or similar amenities are provided within a class of sleeping accommodations, then the same accessible amenities shall be provided within the accessible room(s) found in that sleeping accommodation class.

ADAAG 9.2.2(7)

*29.4.5.2 Cabinets, counters, and appliances shall have a minimum 30 inches wide by 48 inches long (760 mm by 1220 mm) clear floor space that provides for a forward or parallel (i.e., side) approach. Fifty percent (50%) minimum of all cabinet shelves shall comply with 16.2.1 or 16.2.2 as applicable. Cabinet/drawer operating hardware shall comply with 20.4. Refrigerators shall comply with 30.5.4.4.4.

ADAAG 9.2.2(7)*

"Cabinets OR

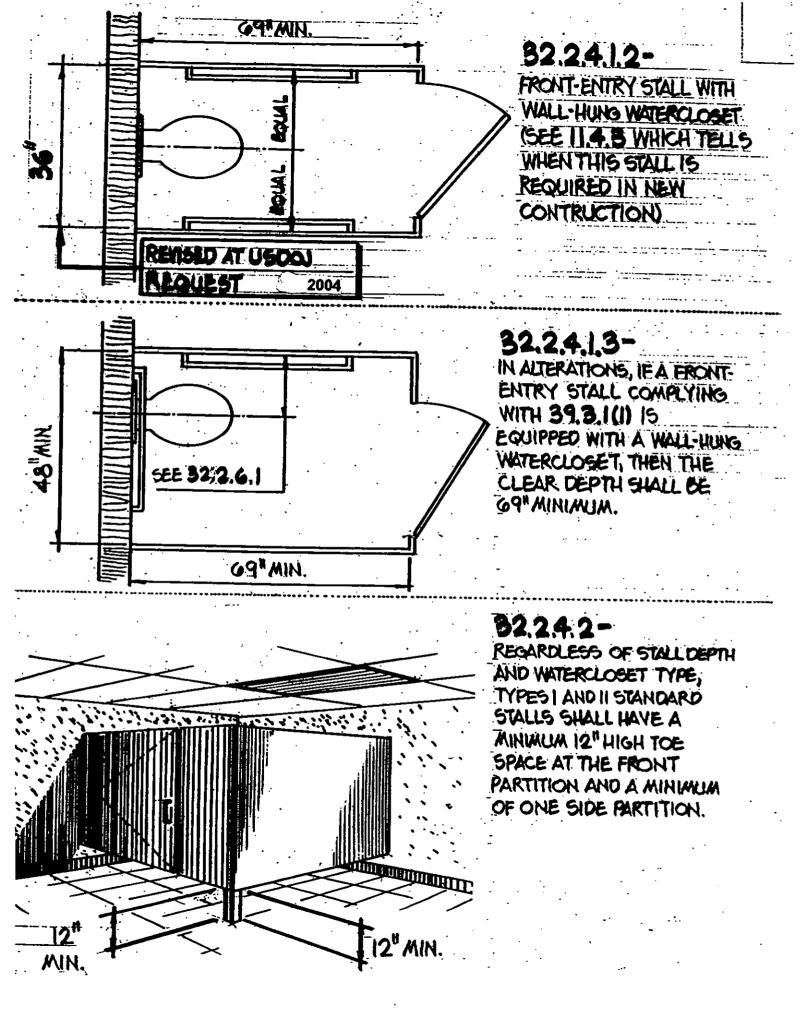
Refrigerator-Freezer"; Access

* 9.2.2(7) Says

Board Says Word Is "<u>And</u>" (Via Phone 3/9/94)

29.4.5.3 Countertops shall be located <u>34 inches (865 mm) maximum</u> above the finished floor. Sinks shall comply with 11.11.3.

ADAAG 9.2.2(7); <u>Revised</u> <u>At USDoJ Request</u>



PART III:

ALTERATIONS

"Appendices For"

<u>Deleted At</u>

USDoJ Request

This Part Does Not Require Alterations; It Simply Provides That When Alterations Are Undertaken, They Must Be Made In A Manner That Provides Access.

(U.S. Department Of Justice: Federal Register, July 26, 1991 At 35580)

APPLICABILITY OF BUILDING CODE TO ALTERED BUILDINGS
Under Rules And Regulations Of The Building Code Council, The Code
Applies To The Design And Construction Of Buildings That Are Altered.
(N.C. General Statute 143-138, Case Notes: Olympic Products Co. v. Roof Sys., 88 N.C. App.
315, 363 S.E. 2d 367, cert. denied, 321 N.C. 744, 366 S.E. 2d 862, 863 [1988].)

Any Alteration To A Place Of Public Accommodation
Or A Commercial Facility, After January 26, 1992,
Shall Be Made To Ensure That, To The Maximum
Extent Feasible, That The Altered Portions Of The Facility
Are Readily Accessible To And Usable By Individuals
With Disabilities, Including Individuals Who Use
Wheelchairs.

(U.S. Department Of Justice, §36.402[a][1])

Each Facility Or Part Of A Facility Altered By, On Behalf Of, Or For The Use Of A Public Entity In A Manner That Affects Or Could Affect The Usability Of The Facility Or Part Of The Facility Shall, To The Maximum Extent Feasible, Be Altered In Such A Manner That The Altered Portion Of The Facility Is Readily Accessible To And Usable By Individuals With Disabilities, If The Alteration Was Commenced After January 26, 1992.

(U.S. Department Of Justice, §35.151[b])

36.3.1 *Deleted*

36.4 CURB CUTS/CURB RAMPS

*36.4.1 <i>If a 48 in</i>	ches (1220 mm) minimum walking surface width
	Infeasible, then that clear width may be reduced
to 36 inches (9	15 mm) minimum.

ADAAG 4.3.3 = 36" Modifies Vol. I-C, 3.2(b)(1) = 48"

36.4.2 If Technical Infeasibility prohibits the use of a 1:12 (25mm:305mm) maximum slope, then the walking surface of a curb cut or curb ramp may have a slope and rise that complies with one of the following:

Technically Infeasible-FR 7/26/91 At 35428

(1) A slope between 1:10 (25mm:255mm) and 1:12 (25mm:302mm) is permitted for a maximum 6 inches (150 mm) rise.

ADAAG 4.1.6(3)(a)(i)

(2) A slope between 1:8 (25mm:205mm) and 1:10 (25mm:255mm) is permitted for a maximum 3 inches (75 mm) rise.

ADAAG 4.1.6(3)(a)(ii)

36.4.2.1 The use of any slope steeper than 1:8 (25mm:205mm) shall be prohibited.

ADAAG 4.1.6(3)(a)(ii)

Illustration Deleted
At Request Of
US Department of Justice
(2004)

CHAPTER 39 TOILET ROOMS AND BATHING FACILITIES

39.1 GENERAL REQUIREMENTS

39.1.1 On floors wherein inaccessible toilet rooms and/or bathing facilities are located, if an alteration is undertaken to an existing facility, or if a unisex facility is built, then each inaccessible facility shall be provided with signage complying with 18.1.2 indicating the direction to the accessible facilities (or facility). Each accessible facility shall be identified in compliance with 18.1.3(3).

ADAAG 4.1.2(7)(d), 4.1.6(3)(e)(iii)

39.2 FIXTURE COUNT REDUCTION

*39:2.1 To provide for accessibility, if the existing fixture count exceeds the minimum number of fixtures of each type required by the Plumbing Code in effect at the time the building or facility was originally built, then that fixture count may be reduced by the number of excess fixtures only.

Derived From ADAAG 4.1.6(3)(e)(ii)

39.3 ACCESSIBLE TOILET STALLS

39.3.1 If compliance with 11.4.1 or 11.4.2 is Technically Infeasible, then one of the alternate stalls listed below shall be used:

(1) A Front Entry Stall having

ADAAG Fig. 30(b), Bottom

- 1. A 48 inches (1220 mm) minimum width and a 66 inches (1675 mm) minimum depth if a wall hung watercloset is used; or, a minimum 69 inches (1745 mm) depth if a floor mounted watercloset is used;
- 2. An outswing, or horizontal sliding, door having a 32 inches (815 mm) minimum clear opening and located diagonally opposite the watercloset;
- 3. A clear floor space on the pull side of the door having a 42 inches (1070 mm) minimum clear aisle width for an approach towards the pull handle; or, a 48 inches (1220 mm) minimum aisle width for any other type of approach;
- 4. Sidewall and rearwall grab bars that comply with 11.4.1(4) and 11.4.1(5).
- *(2) A Side Entry Stall located at the end of the room and having
 - 1. A 48 inches (1220 mm) minimum clear width;

Revised At USDoJ Request

*2. A minimum 114 inches (2895 mm) clear length for a wall hung watercloset; or, a minimum 117 inches (2970 mm) clear length for a floor mounted watercloset;

- *3. An outswing, or horizontal sliding, door having a 36 inches (915 mm) minimum dimension across the face;
- 4. <u>Sidewall and rear wall grab bars in compliance 11.4.1(4)</u> 11.4.1(5), respectively.

Revised At USDoJ Request

(3) A stall in compliance with 11.4.3.

ADAAG Fig. 30(b), Top

39.4 UNISEX TOILET AND/OR BATHING FACILITIES

39.4.1 TRAVEL DISTANCE AND LOCATION

39.4.1.1 If it is Technically Infeasible to make existing toilets and/or bathing facilities accessible, then a minimum of one unisex facility per floor may be permitted.

ADAAG 4.1.6(3)(e)(i)

*39.4.1.2 For all building types the unisex facility (or facilities) shall be placed within 60 feet (18.3 m) horizontal distance from any existing common use toilet/bathing facilities.

60 Ft: ADAAG Says "Within Same Area" But Offers No Guidance

*39.4.2 UNISEX TOILET ROOM

*39.4.2.1 For buildings and facilities having a gross area greater than 2,500 square feet (232.25 square meters), the toilet room shall have a 60 inches by 60 inches (1525 mm by 1525 mm), or a 60 inches (1525 mm) diameter, minimum clear floor area.

Vol. I-C, Pg. 91 and 92

*39.4.2.2 For buildings and facilities having a gross area of 2,500 square feet (232.25 square meters) or less the minimum toilet room shall comply with 11.8.2.1 or 11.8.2.2. (For buildings and facilities where this size toilet room is permitted see 11.8.1.1 and 11.8.1.2.)

Vol. I-C, 4.6.4(a); <u>Plumbing Code</u> <u>Table 403.4, Note 4</u>

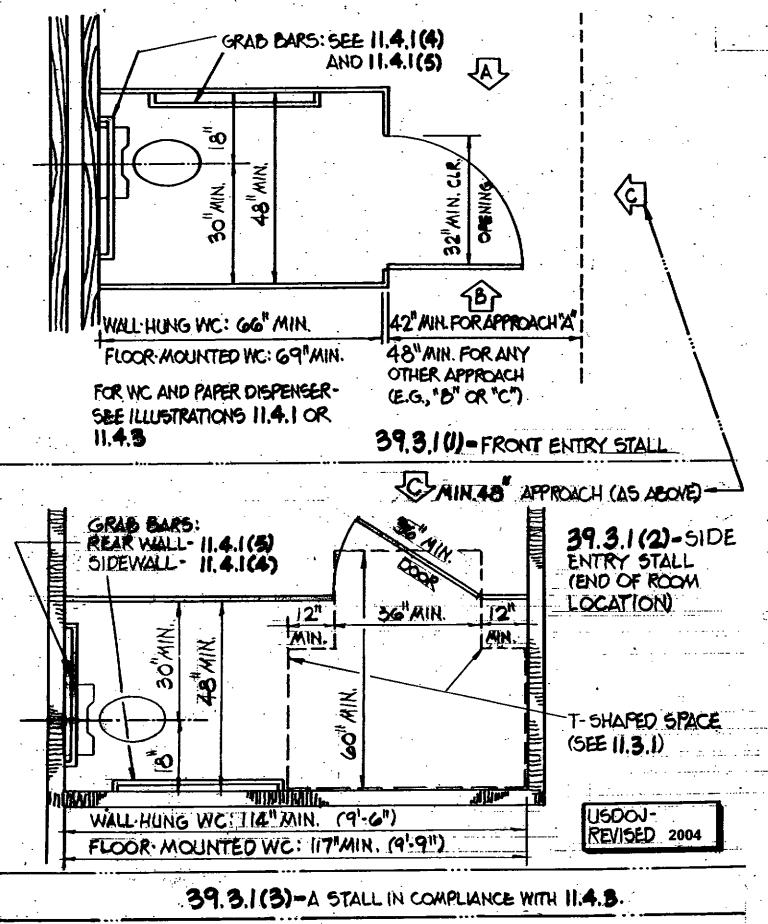
39.4.3 UNISEX BATHING FACILITY

39.4.3.1 Each unisex bathing room shall have a clear floor area within the room in compliance with 11.3.1. Bathing fixtures shall comply with the applicable requirements of Chapter 12.

Vol. 1-C, 4.6.8, 4.6.9; ADAAG 4.23.3

*39.4.3.2 If non-bathing fixtures (e.g., watercloset, lavatory, etc.) are provided within the room, then they shall comply with the applicable requirements of Chapter 11. Placement of these non-bathing fixtures shall not obstruct access to, and use of, the bathing fixture.

Derived From: Vol. I-C, Chapter 4.6 et al; ADAAG 4.22.3 and 4.23.2



39.3.1- IF COMPLIANCE WITH 11.4.1 OR 11.4.2 IS TECHNICALLY INFEASIBLE, THEN ONE OF THE STALLS CALLED FOR ON THIS PAGE SHALL BE USED.

PART IV:

HISTORIC PRESERVATION

"Appendix For"

<u>Deleted At</u> <u>USDoJ Request</u>

Alterations To Buildings Or Facilities That Are Eligible For Listing In The National Register Of Historic Places Under The National Historic Preservation Act (16 U.S.C. 470 Et Seq.), Or Are Designated As Historic Under State Or Local Law, Shall Comply With [Chapter 51 Of This Code]

(U.S. Department Of Justice, §36.405[a], Modified)

Alterations To Historic Properties Shall Comply, To The Maximum Extent Feasible, With [Chapter 51 Of This Code].

(U.S. Department Of Justice, §35.151[d][1], Modified)

CHAPTER 51 HISTORIC PRESERVATION

51.1 SCOPE

51.1.1 Except as noted in 51.3.1, alterations to qualified historic buildings and facilities shall comply with the applicable requirements of Parts II or III of this Code.

ADAAG 4.1.7(1)(a); FR 7/26/91 At 35428

51.1.2 By virtue of age as the sole criteria, buildings and facilities shall not be eligible to utilize this Chapter.

Vol. I-C Interpretation; See, also, FR 7/26/91 At 35584 and 35711

51.2 DEFINITION

51.2.1 QUALIFIED HISTORIC BUILDING OR FACILITY

A building of facility that is listed, or eligible for listing:

(1) In the National Register of Historic Places; or

ADAAG 4.1.7(1)(b)(i)

(2) By the State Historic Preservation Officer, Division of Archives and History, North Carolina Department of Cultural Resources, acting on behalf of the North Carolina Historical Commission in compliance with G.S. 121-8 and N.C.A.C. 4R.0600; or

Vol. I-C, 1.3 [ADAAG 4.1.7(1)(b)(ii)]

(3) Under appropriate local law.

ADAAG 4.1.7(1)(b)(ii)

QUALIFIED HISTORIC BUILDINGS AND FACILITIES SUBJECT TO SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT

Added At USDoJ

If an Alteration or Change of Occupancy is undertaken to a qualified historic building or facility that is subject to Section 106 of the National Historic Preservation Act, the entity undertaking the alterations shall follow the Section 106 process. If the State Historic Preservation Officer, Division of Archives and History, Department of Cultural Resources determines that compliance with the requirements for accessible routes, ramps, entrances or toilet facilities would threaten or destroy the historic significance of the building or facility, then the alternative requirements of 51.4 for that element are permitted.

QUALIFIED HISTORIC BUILDINGS AND FACILITIES NOT SUBJECT TO SECTION 106 OF THE NATIONAL HISTORIC PRESERVATION ACT

<u>Added At USDoJ</u> Request:

If an Alteration or Change of Occupancy is undertaken to a qualified historic building or facility that is not subject to Section 106 of the National Historic Preservation Act, and the entity undertaking the alterations believes that compliance with the requirements for accessible routes, ramps, entrances or toilet facilities would threaten or destroy the historic significance of the building or facility, then the entity shall consult with the State Historic Preservation Office, Division of Archives and History, Department of Cultural Resources. If the State Historic Preservation Officer determines that compliance with the accessibility requirements for accessible routes, ramps, entrances, or toilet facilities would threaten or destroy the historical significance of the building or facility, then the alternative requirements of 51.4 for that element are permitted.

51.3 GENERAL REQUIREMENTS

51.3.1 If compliance with the applicable requirements of Parts II or III of this Code for:

* (1) An exterior accessible route (including parking);

(2) Ramp(s);

(3) An accessible entrance;

ADAAG:

(4) An interior accessible route; and

4.1.7(1)(a); 4.1.7(2(a)(ii);

(1) / W Willows a decessions reduct, and

4.1.7(2)(b)

(5) Accessible toilets

would threaten or destroy the historic significance of the building or facility, then the alternative requirements of 51.4 may be used for the feature.

51.3.2 If it is Technically Infeasible to comply with a specific accessibility requirement, then the other elements or features that are being altered and can be made accessible shall be made accessible.

FR 7/26/91 At 35430

51.4 HISTORIC PRESERVATION: MINIMUM REQUIREMENTS

*(NOTE: Public and private entities may use this Section only after consultation with the Engineering Division, North Carolina Department of Insurance and the State Historic Preservation Officer, Division of Archives and History, North Carolina Department of Cultural Resources. No entity shall unilaterally decide to use the alternative requirements of this Section.)

ADAAG 4.1.7(2)(b); FR 7/26/91 At 35429

51.4.1 EXTERIOR ACCESSIBLE ROUTE

51.4.1.1 Each historic building and facility shall have a minimum of one accessible route leading from a site access point to an accessible entrance.

Vol. I-C, 3.1(a); ADAAG 4.1.7(3)(a)

51.4.1.2 PARKING AND CURB CUTS/CURB RAMPS: See Chapters 4 and 36.

Cross-Ref.

51.4.2 RAMPS

51.4.2.1 A 1:6 (25mm:150mm) maximum slope may be used for a 24 inches (610 mm)

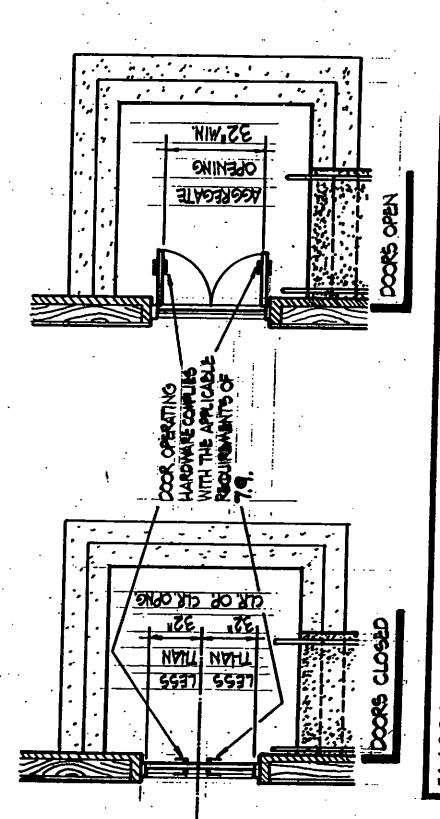
maximum horizontal distance (i.e., the total rise is limited to 4 inches [100 mm]).

Landings, handrails, and edge protection shall comply with 5.3, 5.4 and 5.5, respectively. Exception

51.4.3 ACCESSIBLE ENTRANCE

51.4.3.1 Each historic building and facility shall be provided with a minimum of one accessible entrance used by the general public.

Vol. I-C, 4.2(a)(1); ADAAG 4.1.7(3)(b)



51.4.3.2.1 for a doorway having two (2) <u>Historic</u> doors with each door having a clear opening that is less RESTORE/CONSERVE THE EXISTING HISTORIC DOORS MAY NOT REQUIRE THE OF THE FOLLOWING ARE SATISFIED REPLACEMENT OF THE HISTORIC DOORS PROVIDED THAT ALL

(1) THE AGGREGATE CLEAR OPENING IS 32 INCHES (815 MM MINIMUM; (2) DOOR OPERATING HARDWARE COMPLIES WITH

THE APPLICABLE REQUIREMENTS OF 7.9; AND

(3) THE THRESHOLD (IF ANY) HAS A 1/2 INCH (13 MM)

MAXIMUM OVERALL HEIGHT.

(**NOTE 1:** FOR 51.4.3.2 AND 51.4.3.2.1, <u>EXISTING THRESHOLDS BEFWEEN 1/4 INCH AND 3/4 INCH</u> IN OVERALL HEIGHT MAY REMAIN IN NOTE 2: AN AUTOMATIC DOOR OPERATOR MAY BE USED TO PROVIDE AN ACCESSIBLE ENTRANCE. THE DOOR OPERATOR SHAL PLACE PROVIDED THAT BEVELED EDGES COMPLYING WITH 7.8.2 ARE PROVIDED ON BOTH SIDES.

COMPLY SIDEI REACH, AS APPLICABLE <u>OPEN BOTH DOORS AT THE SAME TIME AND INSTALLATION OF THE EXTERIOR AND INTERIOR ACTIVATING DEVICES SHALL</u> RESTORATION/CONSERVATION OF EXISTING HISTORIC DOORS. ITIONI OF DOORS CONSTITUTES AN ALTERATION REQUIRING COMPLIANCE WITH 51.4.3.2. <u>16.1.3 AND THE REQUIREMENTS OF 16.2.1 IFORWARD REACHI OR 16.2.2 (PARALLE)</u> PARAGRAPH DEMO NOT

Revisions/Recommendations At USDoJ Request

51.4.3.1.1 If it is determined that no entrance used by the public can be made accessible, then access at any entrance not used by the general public that is open and unlocked may be used. Direction and identification signage shall be provided in compliance with 38.1.5. The accessible entrance shall also be provided with a notification system (e.g., closed circuit telephone, door bell, push button activating and interior light, etc.). If is determined (by the agency having jurisdiction over the property) that security is, or can be, a problem, then a remote monitoring system may be used.

(NOTE: The type of notification and/or monitoring system[s] is not limited by this Code. Notification and/or security system[s] that require manual activation shall comply with 16.1.2, 16.1.3, and the applicable requirements of 16.2.)

Cross-Reference

ADAAG

4.1.7(3)(b),

Exception

51.4.3.2 An accessible entrance shall have a minimum of one door that complies with Chapter 7. For a multi-door entrance the accessible door shall be identified with the International Symbol of Accessibility.

ADAAG 4.1.3(7)(c), 4.30.7

*51.4.3.2.1 For a doorway having two (2) historic doors with each door having a clear opening that is less than 32 inches (815 mm), an alteration to restore/conserve the existing historic doors may not require the replacement of the historic doors provided that all of the following are satisfied:

Revised At
USDoJ Request

- (1) The aggregate clear opening is 32 inches (815 mm) minimum:
- (2) Door operating hardware complies with the applicable requirements of 7.9; and

(3) The threshold (if any) has a 1/2 inch (13 mm) maximum overall height.

Derived From ADAAG 4.1.6(3)(d)(ii)

(NOTE 1: For 51.4.3.2 and 51.4.3.2.1, existing thresholds between 1/4 inch and 3/4 inch in overall height may remain in place provided that beveled edges complying with 7.8.2 are provided on both sides.

Revised At USDoJ Request

NOTE 2: An automatic door operator may be used to provide an accessible entrance. The door operator shall open both doors at the same time and the installation of the exterior and interior activating devices shall comply with 16.1.2, 16.1.3 and the requirements of 16.2.1 [Forward Reach] or 16.2.2 [Parallel (i.e., Side) Reach], as applicable.

Note 2: "Automatic Operator": Recommended By USDoJ

NOTE 3: The purpose of this Paragraph is restoration/conservation of existing historic doors. Removal [demolition] of doors constitutes an alteration requiring compliance with 51.4.3.2.)

Note 3: Clarification
Recommended By USDoJ

51.4.4 INTERIOR ACCESSIBLE ROUTE

51.4.4.1 The accessible route from the accessible entrance shall, at a minimum, lead to all publicly used spaces located on the level of the accessible entrance. If a ramps(s), elevator(s), or lift(s) is provided, then the accessible route shall extend to all publicly used spaces on all levels served by those elements.

ADAAG 4.1.7(3)(d)

51.4.5 UNISEX TOILET ROOM

51.4.5.1 A unisex toilet room shall comply with the following:

(1) When the gross area of a building or tenant space is 2,500 gross square feet (232.25 square meters) or less, one toilet room with lockable door complying with 11.8.2 and 11.8.3 may be used by both male and female occupants.

Plumbing Code Table 403.4 Note 4

(2) For buildings and facilities having a gross area greater than 2,500 square feet (232.25 square meters), a single toilet room having an internal 60 inches by 60 inches (1525 mm by 1525 mm), or a 60 inches (1525 mm) diameter, minimum clear floor area shall be permitted.

Vol. I-C, 11.3.1; ADAAG 4.22.3 And Figure 3

51.4.5.2 If an accessible route to levels above and/or below the accessible entry level is not provided, then the accessible toilet(s) shall be located on the accessible entry level.

From ADAAG 4.1.3(5) Exception 1; And 4.1.7(3)(c)

51.4.5.3 Each inaccessible toilet room shall be provided with signage complying with 18.1.2 indicating the direction to the accessible toilet(s). Accessible toilet room(s) shall be identified in compliance with 18.1.3(3).

ADAAG 4.1.6(3)(e)(iii)

51.5 HISTORIC DISPLAYS

51.5.1 Displays, written information, documents, etc. shall be located in such a position that they can be seen by a seated person. Exhibits and signage displayed horizontally (e.g., documents, maps, books, stamps, etc.) shall be located at 44 inches (1120 mm) maximum above the finished floor.

ADAAG 4.1.7(3)(e)