

COCO NEWSLETTER SUBMISSION

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ACCESSIBILITY UPDATES

The following **hot topics** have been the subject of interpretations recently:

§ 30.1.2.1.3 ASSISTED LIVING FACILITIES (ALF). Assisted Living Facilities are addressed under Chapter 30, with requirements for Type A and Type B units. The ALFs are distinguished from Residential Care Facilities, addressed under Chapter 28 as long-term care facilities and nursing homes, since their license allows for only *incidental* medical care. Only those facilities which are licensed to provide medical care are addressed under Chapter 28.

§ 30 COVERED MULTI-FAMILY DWELLING COMMON USE AREAS AND STAIRS

- **§ 30.2.3.1** Common use areas (areas outside the dwelling unit itself) are required to be accessible. The common use areas include stairs providing access to non-accessible units on other floors.
- **§ 8.2.1** The stairs are required to comply with the more general Section 8.2.1 requirement for minimum 11 inch treads (assuming the floor level is not served by ramps or elevators) as there are no more specific requirements in Chapter 30 which modify the general requirement. The 30.2.3.1 provision simply reinforces the general requirement. The Volume I - Section 1007.3.1 provision requiring the sum of two risers and a tread to be between 24 and 25 inches is still applicable.

§ 17 STROBE PLACEMENT

- **§ 17.1.2** Strobes in business occupancies are required in public and common use areas, like open office spaces, but are not required in individual offices. If combination horn/strobes are provided in the tenant space, and the required decibel level can be achieved in a private office only by providing an additional device, then the result may be that there will be a strobe in an individual office.
- **§ 17.1.3** Strobes are required in public and common use areas of institutional occupancies, but are not required in patient rooms. This does *not* limit the patients being admitted to only those who are not hearing-impaired (see Volume I - Section 905.1.4 reference to "Visible and audible alarm indicating appliances shall be provided in those occupancies housing the hearing-impaired").
- **§ 17.3.3.3.4** Strobes are not required in the alcove which provides access to restrooms when the depth of the alcove increases the minimum corridor width to more than 15 feet, i.e., the width over 15 feet does not mean that this is a new corridor perpendicular to the primary corridor.
- Strobes are **not required in a vestibule** located between a corridor and a restroom. This is typically a circulation area which someone passes through, taking only the time necessary to travel in the area between the doors. If the vestibule is enlarged and furnished as for a lounge, then a strobe shall be provided.
- Horns and strobes are **neither required, nor are they to be provided, in enclosed exit stairs** in any occupancy. Any building occupant within a stair at the time of an alarm will either receive an alarm when re-entering the building, or will be already on the way out and not require an alarm.

33/34 SHELL BUILDING UPFITS

Shell buildings constructed prior to July 1, 1999 are considered existing buildings for any tenant upfits constructed after that date.

- **§ 38.2.1** If the exit components (stairs, etc.) were constructed as part of the shell building, then no Area of Rescue Assistance (ARA) is required, unless either Volume I or Volume IX requires an *additional* exit.
- **§ 6.3.2.1.1** If the exit components were not constructed as part of the shell building, then an ARA shall be provided.
- **§ 34.1.** If the exit components were partially constructed (e.g., a stair less than 48" between handrails was constructed as part of the shell building) and the design of the tenant upfit includes

the addition of an ARA, then the design shall be made accessible to the *maximum extent feasible*. In the example given, the stair would be considered existing, and increasing the minimum width between handrails would be *technically infeasible*. [§ 34.1.2.1/§ 34.1.2.2] So the stair may remain at its original width, however all other requirements associated with an ARA shall be provided.

- **NOTE:** It is easy to get caught up in trying to enforce requirements which are legally enforced by others, e.g., the example above. Assuming the unsprinklered shell building was constructed after the ADA went into effect, even though the stair should have been constructed with a minimum 48" width between handrails to comply with the ADA, this requirement is one which exists between the owner, the designer and the federal government. It is not within the jurisdiction of any local inspector or inspection department, nor is it within the state's jurisdiction to enforce the federal requirement. [§ 33.4.1] Only when the owner or designer intends to reconstruct the stair does § 33.4.2 come into play allowing the inspector to enforce the applicable state requirements.

§ 7.3.1 MINIMUM CORRIDOR WIDTHS. Volume I, Table 1004 lists minimum corridor widths based on occupancy and occupant load served. If the project requires only a minimum width corridor, the door clearance requirements in I-C will usually result in a requirement for a wider corridor. The approaches to all doors opening onto a corridor must be considered in determining the minimum required width.