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NC ACCESSIBILITY CODE

2012 NC Bldg Code Ch. 11

2009 ICC/ANSI A117.1

Mandatory: 1 Jun 2012

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2010 ADA STANDARDS:

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

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S.B. 734 Swimming Pools

The **2012 NC Building Code Section 1109.14** requires that recreational and sports facilities are accessible. Depending on whether the facility exists on a site serving either single or multiple buildings containing Type A or Type B dwelling units, *25% but not less than one of each type of recreational facility* is required to be accessible. [NCBC 1109.14.1/1109.14.2] For all occupancies not falling within the purview of NCBC 1109.14.1 or 1109.14.2, NCBC 1109.14.3 requires that all other recreational and sports facilities be accessible, as well. If the recreational facility is a pool or a space, then **ANSI 1109** will assist you in determining the means of providing that accessibility.

Last summer, the legislature addressed the above requirements, specifically as they relate to pools in single family subdivisions. As a result, **SB 734** was passed and later signed by the Governor. **SB 734** directs the **NC Building Code Council (BCC)** to adopt a rule amending NCBC 1109.14 to parallel ADA requirements for public accommodations. The BCC initiated the required code change in June 2015 and is expected to be adopted by the end of this year.

SB 734 states the following:

<http://www.ncga.state.nc.us/Sessions/2013/Bills/Senate/PDF/S734v7.pdf>

ADA REQUIREMENTS FOR PRIVATE POOLS

SECTION 13.(a) Notwithstanding Section 1109.14 of the 2012 NC State Building Code (Building Code), swimming pools shall be required to be accessible only to the extent required by the Americans with Disabilities Act, 42 U.S.C. § 12101, et seq., and federal rules and regulations adopted pursuant to that Act.

SECTION 13.(b) The Building Code Council shall adopt a rule to amend Section 1109.14 of the 2012 NC State Building Code (Building Code) consistent with Section 13(a) of this act.

SECTION 13.(c) Section 13(a) of this act expires on the date that the rule adopted pursuant to Section 13(b) of this act becomes effective.

The proposed language under consideration by the Building Code Council (BCC) is located in Item 4-C of the BCC's June 9, 2015 meeting minutes, located at the link below and reads:

http://www.ncdoi.com/OSFM/Engineering_and_Codes/Documents/BCC_Minutes/2015%2006%2009~June%209.%202015_.pdf

Item C - 4 Request by Lon McSwain, representing the NC BCC, to amend the 2012 NC Building Code, Section 1109.14. The proposed amendment is as follows:

1109.14.1 Facilities serving a single building. In Group R-2 and R-3 occupancies where recreational facilities are provided serving a single building containing *Type A units* or *Type B units*, 25 percent, but not less than one, of each type of recreational facility shall be *accessible*. Every recreational facility of each type on a site shall be considered to determine the total number of each type that is required to be *accessible*.

Exception: Pools for single or multiple Group R-2 and Group R-3 occupancy buildings intended for the residents only.

The same exception proposed to NCBC 1109.14.1 will also amend NCBC 1109.14.2 and NCBC 1109.14.3. (Sorry for the reduced text size above – had to fit it within the space.)

Until adopted and approved by the Rules Review Commission, **NCBC 1109.14** and **ANSI 1109** requirements shall be applicable for new pools and alterations of existing pools as they have been previously.



US Access Board on Play Structures

ON MONDAY, SEPTEMBER 27, 2014 THE US ACCESS BOARD ISSUED THE FOLLOWING EMAIL:

U.S. Access Board Releases Guidance on Playground Surfaces

New guidance on selecting and installing playground surfaces is now available from the Access Board. Developed by National Center on Accessibility (NCA) at Indiana University with funding from the Board, the [guide](#), "Seven Things Every Playground Owner Should Know About the Accessibility of Their Playground Surfaces," (also available in [PDF](#)) outlines key considerations and steps in selecting, installing, and maintaining playground surface to ensure accessibility and compliance with accessibility standards, including those issued under the Americans with Disabilities Act (ADA) and the Architectural Barriers Act (ABA).



The **ADA Standards**, which apply to many types of facilities in the public and private sectors, and the **ABA Standards**, which cover federally funded facilities, include provisions for play areas and play surfaces. These requirements address running and cross slopes, changes in level, openings and apply industry standards for accessibility and impact attenuation issued by the American Society for Testing and Materials.

The guide describes the most popular types of playground surfacing materials, such as poured-in-place rubber, rubber tiles, engineered wood fiber, and hybrid surface systems. It compares information on each of these material types, including installation methods, accessibility issues and considerations, maintenance, repair methods, and cost. This guidance is intended to help playground owners and operators make an informed choice in selecting surface materials and ensuring that they are properly installed and maintained for accessibility. It is based on findings from a Board-sponsored [study](#) by NCA completed last year that assessed the performance of different surfacing materials at 35 playgrounds over a 3-year period.

For further information, contact Jennifer Skulski, CPSI, Principal Investigator, at jskulski@indiana.edu or (812) 856-4422, or Peggy Greenwell of the Access Board at greenwell@access-board.gov, (202) 272-0017 (v), or (202) 272-0075 (TTY).

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CHANGES TO

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New AU Webpage Button: Handouts

This office was extremely fortunate to have Eliza Christopher from ECU as an intern for 5 weeks this summer. Eliza put together a number of documents that may be helpful to you. All are posted on the **AccessUpdate** webpage under the new button marked **HANDOUTS** along with some frequently distributed items. The documents include outlines (to find sections more quickly), comparisons (to answer some of those burning questions), and the frequently requested items. Let us know about any typos and what else you may wish to see posted here.

1. **2009 ANSI A117.1 - 608.5** Outdoor Rinsing Showers
2. **2009 ANSI A117.1** – Outline
3. **2009 NCBC 3409.8.3** StairLift Use
4. **2012 NCBC 1107** Accessible, A and B Dwelling Unit Comparison
5. **2012 NCBC 1107** Dwelling Unit by Occupancy Type
6. **2012 NCBC Appendix E** Outline
7. **2012 NCBC Ch 10** Outline
8. **2012 NCBC Ch 11** Outline
9. Model Home Access
10. PEV Planning Toolbox, ADA Rev. 6
11. US Access Board Playground Surfaces

Some are marked **DRAFT** but are **COMPLETE**. They will be replaced shortly with documents that do not have the word **DRAFT** on them.

If there is an issue using the interpretation in the meantime, please let us know.

ADA vs. NC | 36" vs. 48" Exterior Path of Travel

Q: What is the correct exterior accessible path of travel? **ANSI 403.5** says 36" but the inspector is telling me that it is 48". I have looked all over **ANSI** and have not found anything anywhere that gives 48" for a path of travel. Also, the **2010 ADA Standard** requires 36", so which is it?

A: The scoping document, for the **ANSI A117.1** standard is the **NC Building Code**. **NCBC 1104.1** and **1104.2** requires that the exterior accessible path of travel be fixed, firm and 48" wide. When handrails are provided, the accessible width shall be measured between handrails.

The reason that NC has a 48" exterior path of travel requirement is to allow sufficient space for the following:

1. A person walking with a guide animal.
2. A person walking next to another person being assisted.
3. To allow sufficient space for non-standard size mobility devices.

Where there are differences between the **2010 ADA Standards** and any model building code, such as the **NC Building Code**, whichever requirement is more restrictive takes precedence. In this case, the 48" **NC** requirement is more restrictive than the 36" **ADA** requirement.



Don't Do This



Figure 1 Obstruction in Accessible Parking Space

ASTM Standards Development: WK50995 Accessible Facilities Assessment and Revision to F2959 – Special Requirements for Aerial Adventure Courses

ASTM has proposed a new standard, currently titled **ASTM WK50995 New Practice for Accessible Facilities Assessment**. The applicable website - <http://www.astm.org/DATABASE.CART/WORKITEMS/WK50995.htm> states that *both the title and the scope are in draft form and under development*. This explains the letters WK in the title indicating that it is considered a Work Item until approved through the balloting process and then is published.

The scope addresses barrier removal in various types of housing, publically owned and privately owned property and other facilities housing public accommodations.

ASTM is revising the standards that addresses zip lines: **ASTM F2959, Practice for Special Requirements for Aerial Adventure Courses**. This link - <http://www.astm.org/standardization-news/update/zip-line-safety-so15.html> - Contains contact information, in case you are interested in the standard or the revision.

Since both are in draft format, you may want to bookmark the pages and save them for future reference as the standards are written or revised.



Figure 2 ASTM Photo