

MODEL HOME ACCESS

Questions and Answers

NC Building Code Section 1104.2 + 1105.1 Model Home Access

An accessible path of travel is required from the parking area to the following specific locations when model homes are provided:

1. to the Sales Center;
2. to the model home entrance;
3. to the path of travel between models.

When the Sales Center is located in the house, an accessible path of travel is required to the area where the Sales center is located within the house. If the Sales Center is in the garage, then access between the garage and entrance to the house is required, but an accessible path of travel through the house is not required. The model home itself is considered a display area, requiring access to and from, but not through, the house.

Access to the models and to upper floors of the models may be provided by equivalent facilitation, i.e., brochures, photos, videos and other means of providing information. Requirements will apply to the sales area in addition other NCBC requirements. The NCBC has more detailed requirements now addressing entrances. If the entrances are from a parking garage or a restricted area, remember that an accessible entrance is still required. [NCBC 1105.1.1, 1105.1.3]

If the Sales Center is accessible, then access is not required to the model homes, including the home in which the Sales Center is located, provided that a virtual tour is available of all model homes.

Access to the Selection Center is required. It is not acceptable for products and materials to be brought over from the Selection Center to the Sales Center for prospective buyers to view. Doing so eliminates the ability that an individual buyer has of viewing the available selections and asking to see “that one over there” instead. If only certain samples are taken to the Sales Center, an equivalent selection experience will not occur.

In some cases, the Selection Center is a storage area from which the selections are taken, and then carried over to the Sales Area so that everyone, both able-bodied customers and customers with disabilities, can make their selection. While this does make the Selection Area a non-public area, since the sales employees make the selections for the prospective customers, the area is required to be accessible from an approach, enter and exit point of view. [NCBC 1103.2.3]

The NC Plumbing Code, The NC Accessibility Requirements and the Plumbing Facilities

Q: What options are available to satisfy the NC Plumbing Code and the accessibility requirements for toilet facilities in or at residential dwellings used for model homes? If temporary facilities are incorporated, what are the requirements for their use? What options are available for the use of permanent facilities?

When a residential dwelling is used as a model home, there are several different scenarios as to how the situation may occur. The following addresses each of the various options and is based on the following premise:

BASIC PREMISE: Once a business office is located within a residential dwelling, that office is considered a permanent business office in accordance with the NC Plumbing Code. As such, the Plumbing Code requires permanent plumbing fixtures as long as the sales office or design center is located either in the model home or the garage.

The NC Building Code Ch.11 works in coordination with the NC Plumbing Code and the referenced ANSI A117.1 standard to provide the required accessible fixtures. [NCBC 1109.1, 1109.2; ANSI Ch. 6, NCPC Table 403.1]

If the Sales office is located in the model:

- provide permanent accessible plumbing fixtures in model or in garage (unisex toilet)
- if local plumbing official permits use of port-a-potties, provide accessible port-a-potty for everyone to use (see next bulleted item below)

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- able-bodied personnel cannot use permanent fixtures in house + have persons with disabilities use accessible port-a-potty

If the Sales office is located in the garage:

- provide permanent accessible plumbing fixtures in model or garage (unisex toilet)
- if local plumbing official permits use of port-a-potties, provide accessible port-a-potty for everyone to use (see next bulleted item below)
- able-bodied personnel cannot use permanent fixtures in house + have persons with disabilities use accessible port-a-potty

Question: Regarding the last bullet in each of the two scenarios above, if accessible portable facilities are utilized:

1. Can an "out of order" sign be placed on the door to the permanent fixture locations in the house, or
2. Can the water supply to the fixtures be shut off, or
3. Do the fixtures have to be disconnected from water distribution and DWV systems (this option has potential to get messy).

Answer: The water supply to the fixtures would have to be shut off. Simply posting an out of order sign would not be acceptable because in-house staff would be aware that the sign was not accurate and may continue to use the facilities, contrary to the 3rd bulleted item.

Common Use Areas

Question: If a townhouse project in a gated community has single story units located in buildings containing less than four units per building does a swimming pool located on the property for the residents have to have an accessible path, gate latch, etc?

Answer: Common use areas are commercial buildings that are required to comply with the NC Building Code, irrespective of whether they are associated with single family dwellings or a townhouse project in a gated community. This includes where the number of units is less than four units per building, i.e., what falls under either the federal Fair Housing Act or Ch. 11 [NCBC1107.6.4.2].

Question: Are recreational and sports facilities on site required to be accessible at where the subdivision is single family homes?

Answer: Yes, NCBC 1109.14.3 requires all recreational and sports facilities not falling within the purview of R-2 and R-3 (already required to be accessible) to be accessible.

* Please note that the NC Building Codes effective as of 1 June 2012 include:

- the **2012 NC Building Code**
- the **2009 ANSI A117.1**