

ADA in Details

Interpreting the 2010 Americans
with Disabilities Act Standards for
Accessible Design

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Contents

Preface v

Acknowledgments vi

CHAPTER 1

Accessible Routes 1

Accessible Routes & Clearances 1

Clear Floor, Turning, & Maneuvering Spaces 6

Walking Surfaces 11

Protruding, Post-Mounted, & Overhanging
Objects 14

Reach Ranges 19

Doors & Gates – General 23

Doors & Gates – Maneuvering Clearances 26

Doors & Gates – Opening Configurations 29

Power-Assist, Low-Energy, & Automatic Doors &
Gates 34

Doors, Gates, & Windows – Specific Types &
Uses 38

Machines, Controls, & Other Items 41

CHAPTER 2

Site Elements 47

Accessible Parking – In General 47

Accessible Parking Signage 51

Accessible Parking Spaces 54

Valet & Passenger Drop-Off & Loading Areas 59

Transportation – Boarding & Alighting Areas 63

Curb Ramps 66

Corner Curb Cut Ramps 72

Island Conditions & Blended Transitions 76

Detectable Warning Surfaces 80

Accessible Electric Vehicle Charging Stations –
Requirements 85

Pools, Spas, & Other Recreation 92

Pools, Spas, & Water Entry Systems 96

CHAPTER 3

Vertical Access 103

Stairways 103

Pedestrian Ramps 107

Pedestrian Ramp Landings 111

Edge Protection 118

Handrails 121

Elevator Lobby & Landing Area 127

Elevator Car 131

Platform Lifts—Non-Enclosed Runway 135

CHAPTER 4

Architectural Elements 139

Counters – Check-Out, Food, Sales, & Service 139

Seating At Tables, Bars, & Work Surfaces 144

Kitchens & Kitchenettes 149

Drinking Fountains 157

Common Use Plumbing Fixtures 160

Sign Types 163

Sign Components 167

International Symbol of Accessibility (ISA) 172

Telephones – Wheelchair Access 174

Telephones & Other Communication Features 177

CHAPTER 5

**Restrooms & Bathing
Facilities 181**

Restroom & Bathing Facility Signage 181

Restroom & Bathing Facility Accessories 185

Lavatory 189

Toilet Fixture 193

Grab Bars 196

Restroom & Bathing Facilities – Single-User 200

Toilet Compartments 206

Restroom – Multi-User 210

Ambulatory Compartment 217

Urinals 220

Showers 222

Bathtubs 229

CHAPTER 6

Other Elements 233

Children’s Suggested Requirements 233

Storage, Lockers, and Fitting & Dressing
Rooms 238

Assembly – Circulation & Seating 243

Assembly – Assisted Listening Systems 248

Transient Lodging 251

Multi-Family Dwelling Units 260

Employee Only Spaces 271

CHAPTER 7

**A Word or Two on Existing
Projects 275**

Overview 275

Barrier Removal 275

Alterations 278

Summary 279

CHAPTER 8

**Innovative Ideas on Access
World-Wide 281**

Access Overall 281

Visiting 281

Designing Universally 281

As We Age in Place 282

Life-Long Communities 282

Other Topical Approaches 282

Access Overall – In Summary 285

References 286

Index 287

Preface

HOW TO USE THIS BOOK

A Word to the Wise and Others

While I have been working with these details for more years than I can count, tweaking, correcting, and adding more information, there always seems to be some small item that is not quite right. Please do reference the applicable codes and regulations before using the information—that's why the Sources are there. There are additional exceptions in the source material as well, that may not be notated within these pages. Be aware that the Administrative Authority, for local jurisdictions, may have modified these provisions and interpretations, although it should not be less stringent than the ADA. And then of course, there is the continual refining of gray areas with court interpretations, which could have further implications. Also, federal government projects have slightly differing requirements under the Architectural Barriers Act (ABA) for facilities that use federal funds for design, build, or alteration, or are leased by a federal agency. The Act was initially passed in 1968 and modified, expanded, and updated over the years, depending on whether the branch is GSA, DOD, or USPS, with HUD temporarily adopting the ADA, with eleven exceptions, as an equivalent standard for UFAS. So use this book as a starting point.

Another item to note that has come up numerous times. When referencing standards such as BHMA, ANSI, ASME, ASTM, ICC/IBC, and NFPA, I am purposefully not referencing the most current version of each. The reason is that both the Department of Justice and the Department of Transportation do not provide 'blanket approval' to these standards, but rather review specific referenced editions that need to be complied with at a minimum. So depending upon local jurisdiction requirements, you may need to comply with more than one edition. If there is a conflict with a newer version, the older Director of the Federal Register approved edition takes precedence. This is discussed in the Scoping section – ADA Chapter 1: Application and Administration, 105 Referenced Standards.

Although this book was originally created for projects within California, it has grown and expanded to

include all projects under the Americans with Disabilities Act—for projects outside of California, just ignore the blue print, whether blue text or blue strike-out lines. Remember, the local Administrative Authority may have other parameters for the project location that you would need to consider and overlay on top of this information.

Items in black are per the 2010 Americans with Disabilities Act Standards (ADAS), which became mandatory March 15, 2012, with the exception of pools and spas for transient lodging, which received an extension until January 31, 2013, and are the minimum of what we need to comply with. **If the black text has no blue strike-out line, the 2016 California Building Code (CBC) is either in conformance with the ADA Standards, or ADAS takes precedence because it is more stringent and provides for greater access than CBC. Items in blue are CBC only, where CBC is more stringent, or provides more parameters, or doesn't allow (if there is a strike-out) the less restrictive/less access standards of ADAS.**

And last, but definitely not the very least, remember that our population has close to 20% with some form of disability, and by the time we hit 65 that percentage increases to over half per the U.S. Census Bureau Report of July 2012. With this last census, the percentage of the overall population with disabilities has stabilized, unlike previous projections, but the actual percentage of people with severe disabilities has increased. So making our environment accessible is a huge priority for us all!

Overall Background

Accessibility for *places of public accommodation* has two components: The first is meeting the requirements for the Americans with Disabilities Act Standards (ADAS), and the second is meeting requirements for local jurisdictions, whether city, county, or state. The ADA is a civil rights act and is subject to interpretation by the courts. The second component is subject to code review with the Administrative Authority having jurisdiction. A facility needs to comply with both, and if one is more

stringent, providing greater access than the other, it would be the one that rules. All new buildings and alterations that are post-ADA need to comply, with very few exceptions. Existing buildings that are pre-ADA need to have barriers removed—where this is considered *readily achievable*—for *places of public accommodation* and commercial buildings. Public buildings—city, county, or state—are required to provide *program accessibility* rather than *barrier removal* for existing facilities. As of

March 15, 2012, new portions were integrated into the regulations. These elements, if they already existed, would be required to have barriers removed where *readily achievable* for *places of public accommodation*, or to be part of a *transition plan* for *public entities*. Facilities that were built after the 1991 ADA went into effect should have complied. If not, noncomplying elements would need to be fixed according to the new Standards—it would not be considered *barrier removal*.

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