

Accessibility and Universal Design

Presented by
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Boley Centers, Inc.



Jack Humburg

- ✓ Director of Housing Development
- ✓ Director of ADA Services
- ✓ Fair Housing Education and Outreach
- ✓ Consultant to the City of St. Petersburg on ADA issues for over a decade & former chair of CAPI



Qualifications

- DBTAC Affiliate for the State of Florida since 1992
- Authored ADA Transition Plans for Hillsborough County, Osceola County, City of Indiana Rocks Beach, West Palm Beach, Green Cove Springs, Hillsborough County Court System, The City of Tampa, and others.
- Consultant on hundreds of ADA lawsuits and complaints
- Chair of the Accessibility Advisory Committee of the Florida Building Code Commission
- Trained by U.S. DOJ, EEOC, Access Board, & HUD.

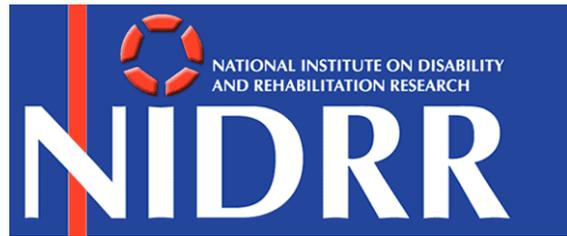




128 Place
2780 1st Avenue North
St. Petersburg, FL 33713

- Provider of services and supports to individuals with mental illness and others since 1970
- Currently operating over 900 units of affordable housing in Pinellas County.
- Pinellas Affordable Living, Inc. is a Community Housing Development Organization
- Private non-profit 501(c) 3

Southeast ADA Center (DBTACs)

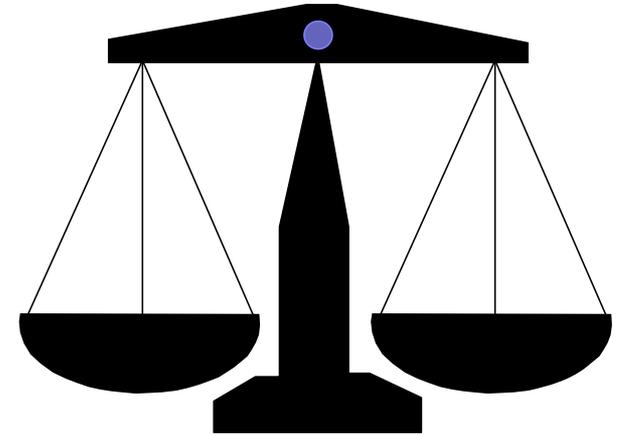


The DBTAC is a Network of 10 Regional Centers providing TA throughout the country with over 2,200 affiliates at the local, state and regional level.



“The Basics”- Civil Rights Laws that Protect Individuals with Disabilities

- ✓ Rehabilitation Act of 1973
 - ✓ Section 504
- ✓ Fair Housing Act (1988 amd.)
- ✓ Individuals with Disabilities Education Act (IDEA)
- ✓ Civil Rights of Institutionalized Persons Act
- ✓ Air Carriers Access Act
- ✓ And Several Others...



- ✓ Florida Human Rights Act
- ✓ Florida Statutes, Chapters 553, 316, etc.



Section 504 of the Rehabilitation Act of 1973

- No otherwise qualified individual with a disability may be discriminated against in any program or activity **receiving direct federal financial assistance**.
- Program Access Standard
 - Modify existing facility, or
 - Move program to accessible facility
- Five percent (no less than one unit) of housing units must be accessible to the mobility impaired. An additional two percent (no less than one unit) must be accessible for either the visually or hearing impaired.

The ADA

- Title I Employment
- Title II Public Entities
- Title III Public Accommodations
and commercial facilities
- Title IV Telecommunications
- Title V Miscellaneous

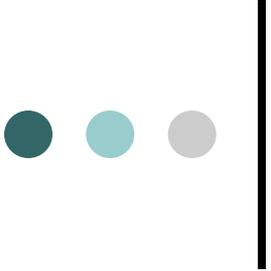


Definition of Disability

With Respect to the Individual...

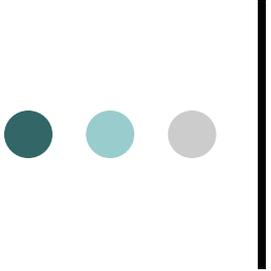
- ✓ Physical or Mental Impairment that substantially limits one or more of a major life activity...
- ✓ Record of impairment
- ✓ Regarded as having an impairment





The ADA Amendments Act

- Broadens coverage to individuals the Courts had said were not “Disabled”
- Mitigating measures should NOT be considered (i.e. medications, etc.)
 - An exception is made for “ordinary eyeglasses or contact lenses” which may be taken into account.



The ADA Amendments Act

- Major Life Activities can be just one activity and should include “Major Bodily Functions” (i.e. immune system, normal cell growth, and the endocrine system)
- Episodic conditions or “in remission” are now covered if the impairment would substantially limit a major life activity when in it’s active state

The ADA Amendments Act

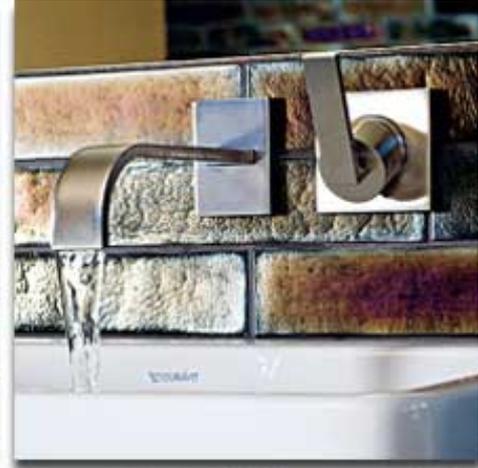
- Bottom Line

“...the primary object of the court’s attention in ADA Cases should be whether covered entities have complied with their obligations and that the question of whether an individual’s impairment is a disability should not demand extensive analysis”



What is “Universal Design”?

- “Universal Design”
 - ...products and environments designed to be usable to the greatest extent possible by people of all ages and abilities eliminating the stigma and expense of “special or different design.”



Universal Design Tips

- Floor levels and materials flush to each other
 - Limit Stairs/Steps
 - Use Slip Resistant and Comfortable Flooring



Universal Design Tips



- Pass the Closed Fist Test
 - Lever Handles on Doors and Faucets
- Be Prepared for Grab Bar Installation
 - Showers
 - Toilets

Bathrooms

- Curbless Showers
- Consider Multiple Shower Heads & Hand Held
- Fixed Seat
- Toilet Seats at 19"
- Reachable Storage



Kitchens



- Increased Lighting
- Create Work Areas in the Kitchen
- Bring the Cabinets Down
- Bottom Storage Should be Accessible
- Accessible Appliances
 - Front Control Range
 - Side by Side Fridge or Bottom Freezers
 - Raise the Dishwasher

● ● ● | Accessible doesn't have to mean ugly



Universal Design Tips

- Put Safety First
- Automate Lighting
- Bring the Outdoors in
- Maximize Natural Lighting
- Remember the Details
 - Environmental Controls within Reach Ranges
 - Accessible Closets
 - Outlets Above 19"
- Leave Enough Clearance
 - 36" Doors
 - 42" Hallways

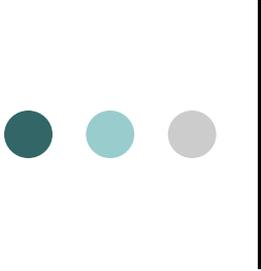


Rossetti researching a universal design closet at Hansen's home in Cincinnati.

Fair Housing Act of 1968, 1988

- Fair Housing Act,
- Provides protections against discrimination on the basis of **race, color, national origin, sex, religion, “handicap”, or familiar status**



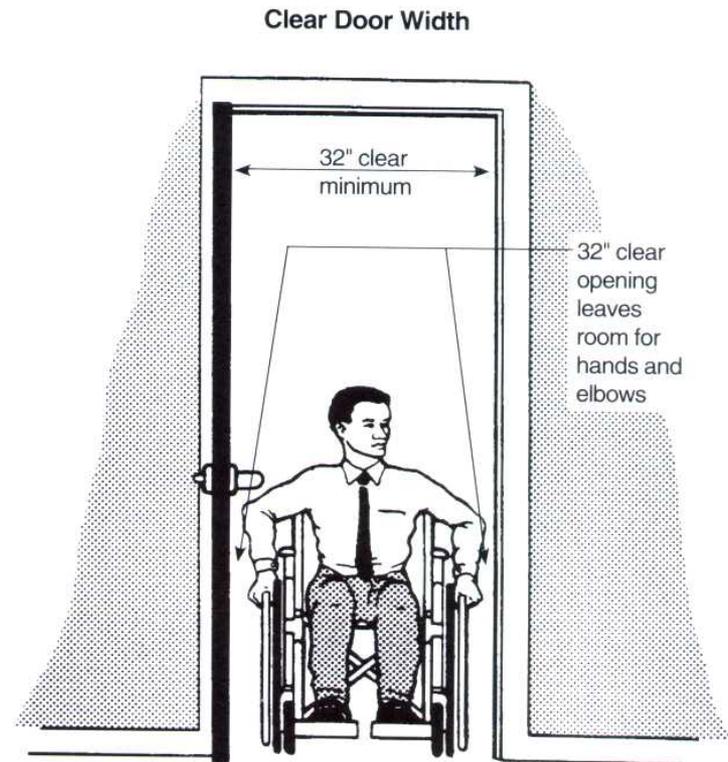


FORMS OF DISCRIMINATION (against a person with a disability)

- Intentional- purposeful discrimination against a person because of his or her disability
- Disparate Impact- an act considered to be discriminatory if it has the effect of discrimination even if it is not intended that way.
- Failure to provide reasonable accommodation
- Failure to allow reasonable modification
- Failure to meet Design and Construction accessibility requirements

ACCESSIBILITY REQUIREMENTS

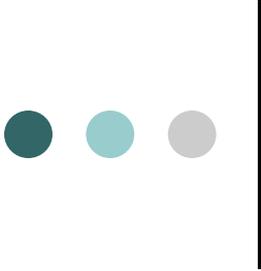
- For multi-family housing with four or more dwelling units constructed after March 13, 1991
- All units in buildings with an elevator. Ground floor units in other buildings consisting of four or more dwelling units (non-elevator).
- Public and common areas must be accessible.





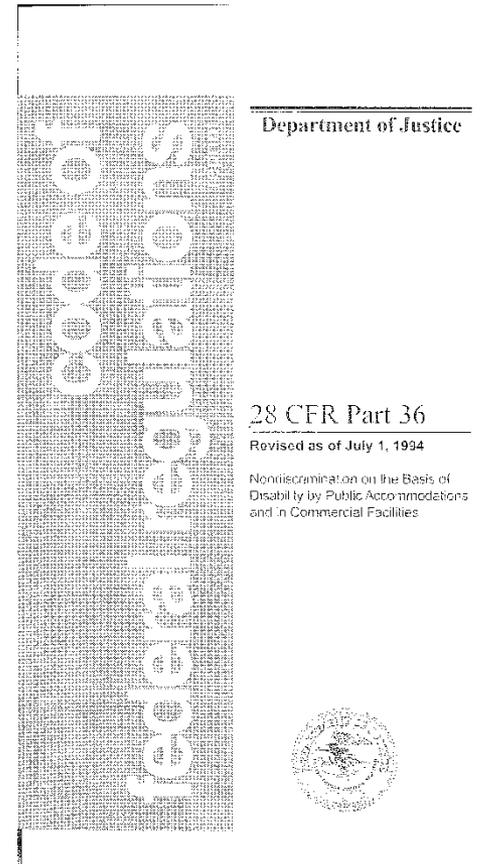
The Fair Housing Act (as amended): Seven Design Requirements

1. Accessible Building Entrance on an Accessible Route
2. Accessible and Usable Public and Common Use Areas
3. Usable Doors
4. Accessible Route Into and Through the Covered Dwelling Unit
5. Light Switches, Electrical Outlets, Thermostats and Other Environmental Controls in Accessible Locations
6. Reinforced Walls for Grab Bars
7. Usable Kitchens and Bathrooms

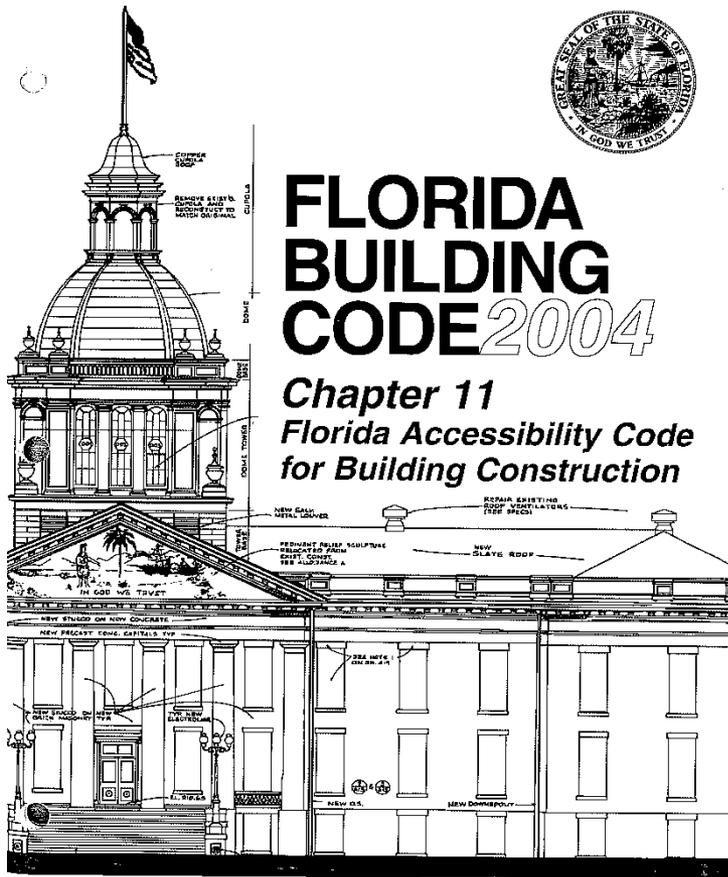


ADAAG

- Developed for private sector facilities – ADA (Title III) by the Access Board
- Usable by state and local governments (with exceptions) – (ADA Title II)
- Access Board has published a new ADAAG and ABA
- DOJ is reviewing and will be seeking comments – again



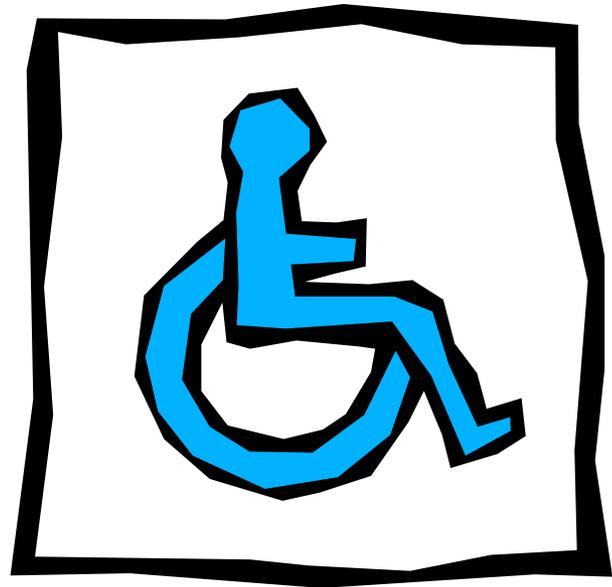
Florida Building Code, Chapter 11



- Florida Accessibility Code for Building Construction (FACBC)
- Certification by the Department of Justice
- Enforced by Local Building Code Officials & Inspectors
- Review is underway to incorporate Florida specific items into the new ADAAG/ABA

Florida Specific Items

- Landing at Ramps
 - 72" vs. 60" [4.8.4(2)]
- Handrail Extensions
 - 18" vs., 12" [4.8.5(2)]
- Means of Egress
 - 44" vs. 36" [4.8.3]
- Exterior Doors
 - 8.5 lbf vs. *reserved*
- Hotel, Motel, ...
 - additional rooms & features required [9.2.3]



Vertical Accessibility [Florida Specific]

New Construction 4.1.3(5) Alterations 4.1.6(k)(iii)

- Vertical accessibility shall be provided to all levels above and below the occupiable grade level, regardless of whether the code requires an elevator to be installed...



Vertical Accessibility

[Florida Specific]

- Exceptions:
 - Elevator pits, lube pits, catwalks
 - Unoccupiable spaces
 - Spaces not open to the public that house no more than five persons*



* Cannot violate the ADA

The “Florida” Accessible Parking Space

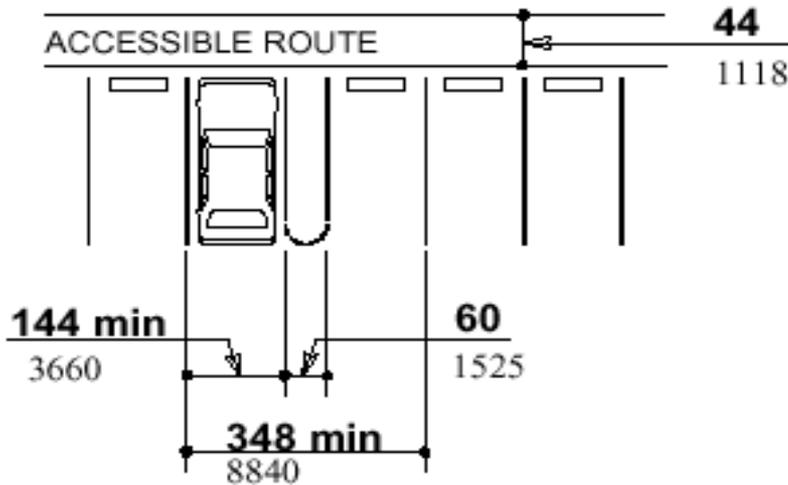
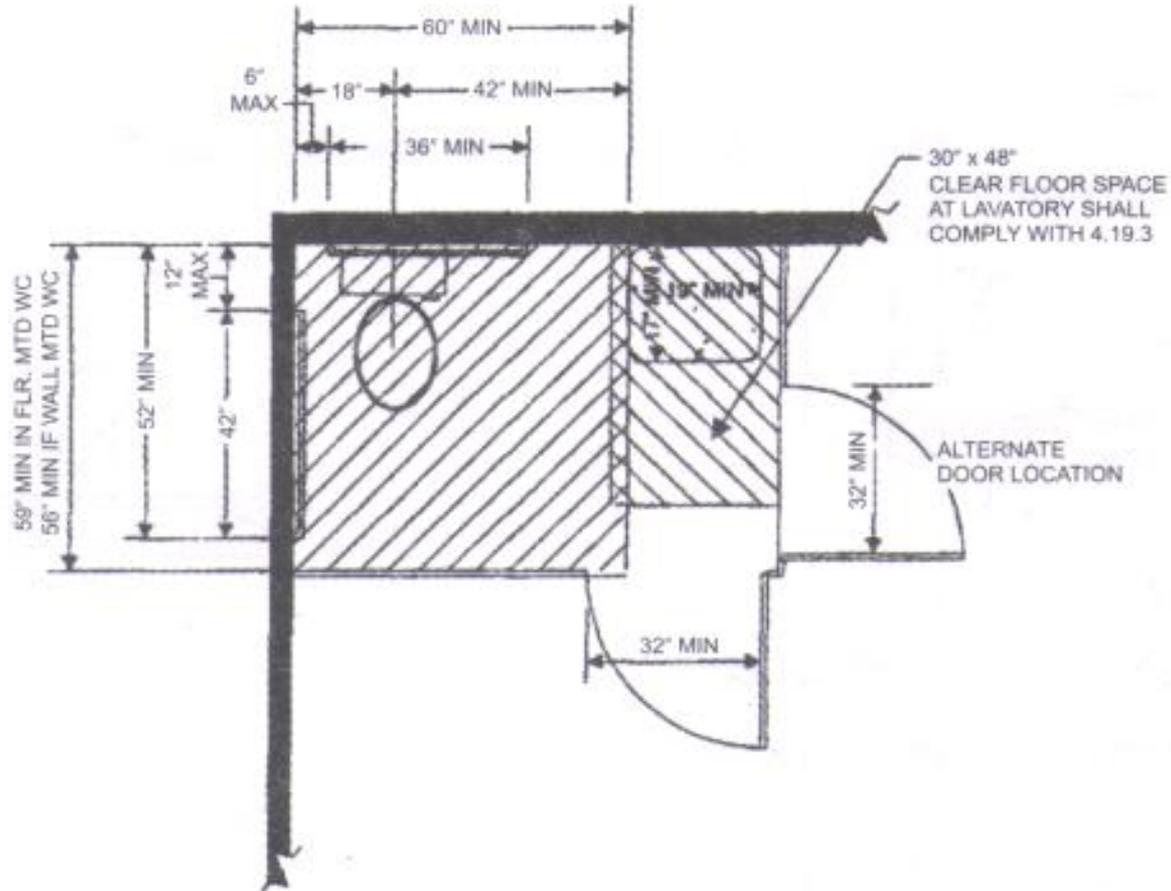


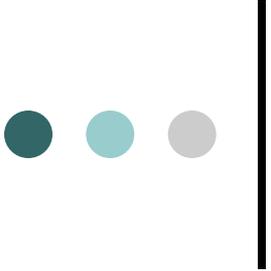
Fig 9(a)
Standard Parking Space Design

- All accessible parking spaces in Florida are 12 feet wide
- 5 foot access aisles are required and can be shared by two spaces
- 44 inch path of travel cannot go behind parked cars
- Designation & Location
- Minimum Number

The “Florida” Standard Stall

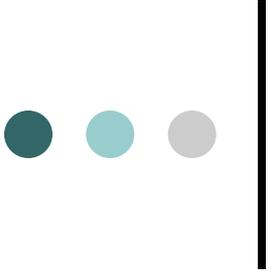
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Resources

- National Resource Center on Supportive Housing and Home Modification
 - www.homemods.org
- Center for Universal Design NC State
 - www.design.ncsu.edu
- AARP
 - www.aarp.org/families/home_design/
- Universal Design Alliance
 - www.universaldesign.org



Contacts

U.S. Access Board

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(800) 993-2822 (TTY)

(202) 272-0081 (FAX)

E-mail: ta@access-board.gov

508@ access-board.gov

www.access-board.gov

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www.sedbtac.org

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