

## STATE BUILDING CODE INTERPRETATION NO. I-07-00

February 14, 2000

The following is offered in response to your letter in which you request formal interpretations regarding issues connected to accessibility for persons with disabilities under the 1999 State Building Code.

**Question 1a:** Can townhouses be constructed in a complex consisting of two story buildings, 4800 square feet per floor area, using Use Group R-4 under the 1995 CABO One and Two Family Dwelling Code, without providing units for persons with disabilities?

**Answer 1a:** Yes. The height and areas mentioned in your question are consistent with the limitations placed on Use Group R-4 in Section 103.1 of the 1995 CABO One and Two Family Dwelling Code portion of the 1999 State Building Code, so the townhouses you ask about could be constructed as Use Group R-4 dwelling units. There is no requirement in the 1999 State Building Code for providing accessible dwelling units in complexes designated Use Group R-4. Subsection (d) of Section 29-273, Connecticut General Statutes, requires a percentage of Use Group R-3 attached one and two family dwellings to be accessible but contains no requirement for R-4 dwelling unit accessibility.

**Question 1b:** What if the building described is a single building, rather than part of a complex.

**Answer 1b:** The answer is the same as answer 1a whether it is a complex or a single building.

**Question 2:** In a Use Group R-3 complex of attached one family dwelling units (townhouses) is there a requirement to provide 10% accessible units of each type of unit available (i.e.: one bedroom, two bedroom, three bedroom) or is the requirement to simply provide 10% accessible units of the total number of units available?

**Answer 2:** Section 1107.4.2.3 of the BOCA National Building Code/1996 portion of the 1999 State Building Code, which governs construction of Use Group R-3 buildings, states that where dwelling units differ in the number of bedrooms provided, Type A dwelling units shall conform generally to the percentages of the unit types as a whole. The referenced section goes on to say that this requirement shall not be construed so as to require a greater number of Type A units than as computed by Section 1107.4.2.2, which requires one Type A unit for every 10 units or substantial fraction thereof in every

Use Group R-3 project with 10 or more dwelling units. One would therefore set the total number of accessible units by requiring one for every 10 units or substantial fraction thereof, and one would then divide the distribution up in accordance with the percentages of each type of unit available, by bedroom number. For instance, in a project with 106 total units, twenty-six of which are three bedrooms, forty of which are two bedrooms and forty of which are one bedrooms, a total of 11 accessible units are required: 3 three bedrooms; 4 two bedrooms and 4 one bedrooms.

**Question 3:** If a building site in a portion of the Use Group R-3 complex referred to in question 2 does not lend itself, due to topography, to the provision of accessible units, is it acceptable to distribute the required units to other buildings as long as the total number of required units is made available within the complex?

**Answer 3:** Yes. In general, Section 1107.4.2.3 requires that the required accessible units be distributed throughout any building or complex, but if it can be demonstrated that physical site constraints preclude the inclusion of accessible units in a particular building within a complex, it would be acceptable to place the required units in an alternative location. At no time, however, is it acceptable to provide fewer than the number of accessible units required based on site constraints.

**Question 4:** What is required in a Type A dwelling unit beyond accessibility to the entrance of the unit via an accessible route?

**Answer 4:** There are many requirements for the interiors of Type A dwelling units that are all detailed in Section 1002 of the ICC/ANSI A117.1 – 1998 standard for Accessible and Usable Buildings and Facilities. These requirements include, among others, accessible route; walking surfaces; doors and doorways; ramps; private residence elevators and wheelchair lifts (if provided); operable parts of all building systems; laundry equipment; toilet and bathing facilities; kitchen clearances and working space requirements; and storage facilities. The important thing to keep in mind is that some required items, such as toilet and bathing grab bars can be added when needed (as long as required backing is installed when constructed), but some items, such as required door and floor clearances; and operable parts, must be compliant at the time of original construction. In other words, it would not be acceptable in a Type A dwelling unit, to be required to move walls or modify door sizes to meet the ICC/ANSI required clearances, or relocate light switches, at the time that a person with disabilities moved into the unit. All basic clearances and required reach ranges, etc. must be in place prior to the issuance of the initial Certificate of Occupancy for the unit.