MIAMI-DADE FIRE RESCUE STATION 64

Issue: Vertical accessibility to the second floor of a fire station and accessibility to firefighters' toilet rooms.

Analysis: The applicant is requesting a waiver from providing vertical accessibility to the second floor of a new, \$3,500,000 fire station. The applicant is also requesting that toilet rooms for the firefighters be constructed without accessible features since persons with disabilities could not be employed as firefighters. An estimate of \$56,000 was submitted for installation of an elevator and \$6,114 for accessible toilet facilities. An accessible toilet room has been planned adjacent to the lobby of the building's public area.

Project Progress:

The project is under design.

Items to be Waived:

Vertical accessibility to the second floor, as required by Section 553.509, Florida Statutes and toilet rooms per 11-4.1.2(6), FBC.

- 553.509 Vertical accessibility. Nothing in Sections 553.501-553.513 or the guidelines shall be construed to relieve the owner of any building, structure or facility governed by those sections from the duty to provide vertical accessibility to all levels above and below the occupiable grade level regardless of whether the guidelines require an elevator to be installed in such building, structure or facility, except for:
 - (1) Elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks and automobile lubrication and maintenance pits and platforms;
 - (2) Unoccupiable spaces, such as rooms, enclosed spaces and storage spaces that are not designed for human occupancy, for public accommodations or for work areas; and
 - (3) Occupiable spaces and rooms that are not open to the public and that house no more than five persons, including, but not limited to equipment control rooms and projection booths.

11-4.1.2(6) If toilet facilities are provided on a site, then each such public or common use toilet facility shall comply with Section 11-4.22.

Waiver Criteria: There is no specific guidance for a waiver of this requirement in the code. The Commission's current rule, authorized in Section 553.512, Florida Statutes, provides criteria for granting waivers and allows consideration of unnecessary or extreme hardship to the applicant if the specific requirements were imposed.

This application is available in alternate formats upon request.

REQUEST FOR WAIVER FROM ACCESSIBILITY REQUIREMENTS OF CHAPTER 553, PART V, FLORIDA STATUTES

Your application will be reviewed by the Accessibility Advisory Council and its recommendations will be presented to the Florida Building Commission. You will have the opportunity to answer questions and/or make a short presentation, not to exceed 15 minutes, at each meeting. The Commission will consider all information presented and the Council's recommendation before voting on the waiver request.

1. Name and address of project for which the waiver is requested.

Name: Miami-Dade County Fire Rescue Station 64.

Address: SE Corner NW 154 Street and NW 77 Court, Miami Lakes, Florida

2. Name of Applicant. If other than the owner, please indicate relationship of applicant to owner and written authorization by owner in space provided:

Applicant's Name: Angel H. Lamela

Applicant's Address: 9300 NW 41st Street, Doral, Florida 33178

Applicant's Telephone: 786-331-4502 FAX:786-331-4501

Applicant's E-mail Address: angel.lamela@miamidade.gov

Relationship to Owner: Division Manager, Facilities and Construction Division

Owner's Name: Miami-Dade County Fire Rescue

Owner's Address: 9300 NW 41st Street, Doral, Florida 33178

Owner's Telephone: <u>786-331-4502 FAX: 786-331-4501</u>

Owner's E-mail Address: angel.lamela@miamidade.gov

Contact Person: Angel H. Lamela

Signature of Owner:

Contact Person's Telephone: 786-331-4502 E-mail Address: angel.lamela@miamidade.gov

This application is available in alternate formats upon request. Form No. 2001-01
3. Please check one of the following:
[X] New construction.
[] Addition to a building or facility.
[] Alteration to an existing building or facility.
[] Historical preservation (addition).
[] Historical preservation (alteration).
4. Type of facility. Please describe the building (square footage, number of floors). Define the use of the building (i.e., restaurant, office, retail, recreation, hotel/motel, etc.) The building will be a two (2) story, three Bay, approximately 10,500 sq ft. Fire Station. A fire station is operational 24 hour a day, 7 days a week and its occupants are firefighters as defined by and meeting the requirements of Florida Statutes 633.30-633.35. This facility will serve as a central location in which to provide the community with a full array of emergency response services. The facility will be a new station to house personnel presently stationed at trailers.
5. Project Construction Cost (Provide cost for new construction, the addition or the alteration): <u>Approximately \$ 3,500,000</u>
6. Project Status: Please check the phase of construction that best describes your project at the time of this application. Describe status.
[X] Under Design [] Under Construction*
[] In Plan Review [] Completed*
* Briefly explain why the request has now been referred to the Commission.

7. **Requirements requested to be waived.** Please reference the applicable section of Florida law. Only Florida-specific accessibility requirements may be waived.

Issue

1: Florida Statutes Title XXXIII Regulation of Trade, Commerce, Investments and Solicitations Chapter 553 Part II Accessibility by Handicapped Persons Section 553.503, FL Statutes that state "This code shall apply to State & Local Governmental Facilities."

Issue

2: Florida Statutes Title XXXIII Regulation of Trade, Commerce, Investments, and Solicitations Chapter 553 part II Accessibility by Handicapped Persons Section 553.504 Exceptions to applicability of the guidelines (12) a-c.

Issue

- 3: Chapter 11 Florida Accessibility Code for Building Construction Part A 11-4 Accessible Elements and Spaces: Scope Technical requirements 11-4.1.2(6), 11-4.10 Elevators, 11-4.22 Toilet rooms, 11-4.23 bathrooms, Bathing Facilities and Showers Rooms.
- 8. **Reason(s) for Waiver Request:** The Florida Building Commission may grant waivers of Florida-specific accessibility requirements upon a determination of unnecessary, unreasonable or extreme hardship. Please describe how this project meets the following hardship criteria. Explain all that would apply for consideration of granting the waiver.
- [X] The hardship is caused by a condition or set of conditions affecting the owner which does not affect owners in general.

The hardship is a result of a condition that is not accounted for the under the code. A fire station is a facility used mainly to house firefighting equipment and firefighters. The minimum requirements to qualify as Florida Statutes 633.30-633.35, govern a firefighter. Under these sections there is a requirement that a firefighter be in good physical condition as outlined by the National Fire Protection Association (NFPA) Standard 1582. Not under any circumstance would an individual with a disability be qualified to be a firefighter. Therefore, making the requirement of the accessibility code impractical for those areas of the fire station that would not be open to the Public. See attached Memo from the Fire Chief.

[] Substantial financial costs will be incurred by the owner if the waiver is denied.			
[] The owner has made a diligent investigation into the costs of compliance with the code, but			

cannot find an efficient mode of compliance. Provide detailed cost estimates and, where appropriate, photographs. Cost estimates must include bids and quotes.

9. Provide documented cost estimates for each portion of the waiver request and identify any additional supporting data which may affect the cost estimates. For example, for vertical accessibility, the lowest documented cost of an elevator, ramp, lift or other method of providing vertical accessibility should be provided, documented by quotations or bids from at least two vendors or contractors.

Each bathroom would require the following:	Labor	Materials
1. Wood backing for grab bars lavatories and accessories	60.00	25.00
2. Grab bars at toilet (1-36" and 1-42")	30.00	53.00
3. Grab bars at showers (1-18" and 1-30" or 1-L shape	30.00	46.00
4. Shower control and hc kit	100.00	170.00
5. Shower seat	60.00	250.00
6. Handicap Toilet instead of standard	75.00	120.00
	355.00	664.00

Total: \$1019.00

6 Bathrooms - 6 @ \$1019.00 = \$6,114.00

Elevator <u>\$56,000.00</u>
Total cost \$62,114.00

There will also be additional savings on the electrical side by not having the elevator. There will not be a need for the following: breaker for the elevator, elevator machine room with mini split, elevator shaft with relief ductwork and ventilator, elevator recall and shunt trip in the fire alarm system. As a conclusion, the electrical service and the generator could be decreased in size which will provide a significant saving.

10. **Licensed Design Professional**: Where a licensed design professional has designed the project, his or her comments **MUST** be included and certified by signature and affixing of his or her professional seal. The comments must include the reason(s) why the waiver is necessary.

The following comments pertain to: 1) New Fire Station #10 175-172 Street. As per Federal Register 28 CFR Part 3.5 Section 35.151 and 36 CFR Part 1191. The Department of Justice's Title II Regulations give state and local governments the option of choosing between designing constructing or/and altering their facilities in conformance with UFAS or with ADAAG. We choose to use UFAS which includes an Occupancy Classification Section that is not included in the ADA. This Section 4.1.4(5) deals with fire stations and states that the application of the code should apply to: "All areas for Which the Intended Use will Require Public Access or Which

May Result in Employment of Physically Handicapped Persons." Based on this we contend that the bathrooms for the firefighters do not need to comply with accessibility requirements and do not need to provide elevators.

Please Note, that we are providing an accessible toilet room in the front part of the station where the public will have access. In addition to an accessible parking space and one accessible route to an accessible entrance.

Signature Cua alle Ty Printed NameAna Alleguez, R.A.

Alleguez Architecture, Inc. 901 Ponce De Leon Blvd. Suite 202 Coral Gables, Florida 33134 305-461-4001

(SEAL)

CERTIFICATION OF APPLICANT:

I hereby swear or affirm that the applicable documents in support of this Request for Waiver are attached for review by the Florida Building Commission and that all statements made in this application are to the best of my knowledge true and correct. Dated this 8th day of Mry ,2009

Signature ,2009

Signature

Angel H. Lamela **Printed Name**

By signing this application, the applicant represents that the information in it is true, accurate and complete. If the applicant misrepresents or omits any material information, the Commission may revoke any order and will notify the building official of the permitting jurisdiction. Providing false information to the Commission is punishable as a misdemeanor under Section 775.083, Florida Statutes.



Date:

September 25, 2008

To:

Antonio Taveras, Construction Manager 1

Office of Americans with Disabilities Act Coordination

From:

Herminio Lorenzo, Fire Chief

Miami-Dade Fire Rescur

Subject:

ADA Requirements within Fire Station Facilities.

Miami-Dade Fire Rescue requires persons seeking employment as a Firefighter to submit to, and then successfully pass a vigorous physical and medical evaluation that is in accordance with Florida Statute 633.34, Firefighters Qualification for Employment and Florida Administrative Code 69A-37.037, Firefighter Training Course Medical Examination. These laws require a firefighter candidate to be in "good physical condition" in order to obtain certification in the State of Florida. As outlined on the State of Florida's Bureau of Fire Standards and Training's Medical Evaluation form (DI4-1022) firefighter candidates must not only submit to the standard hearing, vision, and cardiac assessments but the examining physician must attest to the candidates ability to;

- Wear personal protective equipment that weighs approximately 50 pounds while performing firefighting tasks which would include the lifting, carrying, and raising of heavy ground ladders, using heavy equipment and tools to perform forcible entry or vehicle extrication, working with heavy hose lines that have considerable reaction.
- · Wear positive pressure breathing equipment
- Work for long periods of time, requiring sustained physical activity and intense concentration.
- Perform a variety of tasks on slippery, hazardous surfaces, such as rooftops or from ladders.
- Rely on senses of sight, hearing, smell and touch to help determine the nature of the emergency

After obtaining certification as a Firefighter, Miami-Dade Fire rescue requires their uniformed personnel (Firefighters) assigned to firefighting units and stations to maintain this physical condition without limitations. Any injury or illness that is addressed by a physician is evaluated. Prior to allowing an individual to return to full duty the examining physician must attest to the physical condition of the firefighter based on the following criteria from the National Fire Protection Associations 1582, Standard on Comprehensive Occupational Medical Program for Fire Departments and the Department of Labor 29 CFR 1630.2(n)(3) which are adopted as rule by Miami-Dade Fire Rescue:

 Perform fire-fighting tasks (e.g., houseline operations, extensive crawling, lifting and carrying heavy objects, ventilating roofs or walls using power or hand tools, forcible entry), rescue operations, and other emergency response actions under stressful conditions while wearing personal protective ensembles (PPE) and self-contained breathing apparatus (SCBA). Antonio Taveras, Construction Manager 1 Office of ADA Coordination Page 2

- Exposed to toxic fumes, irritants, particulates, biological (infectious) and non-biological hazards, and/or heated gases, despite the use of personal protective ensembles including SCBA.
- Climb 6 or more flights of stairs while wearing fire protective ensemble weighing at least 50 lbs or more and carrying equipment/tools weighing an additional 20 to 40 lbs.
- Search, locate, and rescue by dragging or carrying victims ranging from newborns up to adults weighing over 200 lbs to safety despite hazardous conditions and low visibility.
- Advance water-filled hoselines up to 2 ½ inch in diameter from fire apparatus to occupancy (approximately 150 ft); which can involve negotiating multiple flights of stairs, ladders, and other obstacles.
- Climbing ladders, operating from heights, walking or crawling in the dark along narrow and uneven surfaces, and operating in proximity to electrical power lines and/or other hazards.

Uniformed personnel who have become injured and can no longer adhere to the above standards are placed on Restricted Duty status. These individuals are not assigned to the fire station or permitted to work on the emergency apparatus. Reasonable accommodations are made at our Fire Department Headquarters to allow these individuals to function in a staff support role.

HL/dd



May 8th, 2009

Miami-Dade Fire Rescue Department

9300 N.W. 41st Street Doral, Florida 33178-2414 T 786-331-5000

miamidade.gov

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Miami Springs

North Bay Village

North Miami

North Miami Beach

Opa-locka

Palmetto Bay

Pinecrest

South Miami

Supriy Islas Surfside

Sweetwater

Virginia Gardens

West Miami

Mary-Kathryn Smith

Tallahassee, Florida 32399

Enclosed please find the following documents for review in compliance with the Waiver of Accessibility Requirements for Miami-Dade Fire Rescue, Station 64:

- Fully completed Waiver Request Form
- Various sizes of project site plan drawings: 24" X 36", 11" X 17" and 8.5" X 11"
- Memo from MDFRD Fire Chief, Herminio Lorenzo RE: Physical Requirements for Firefighters

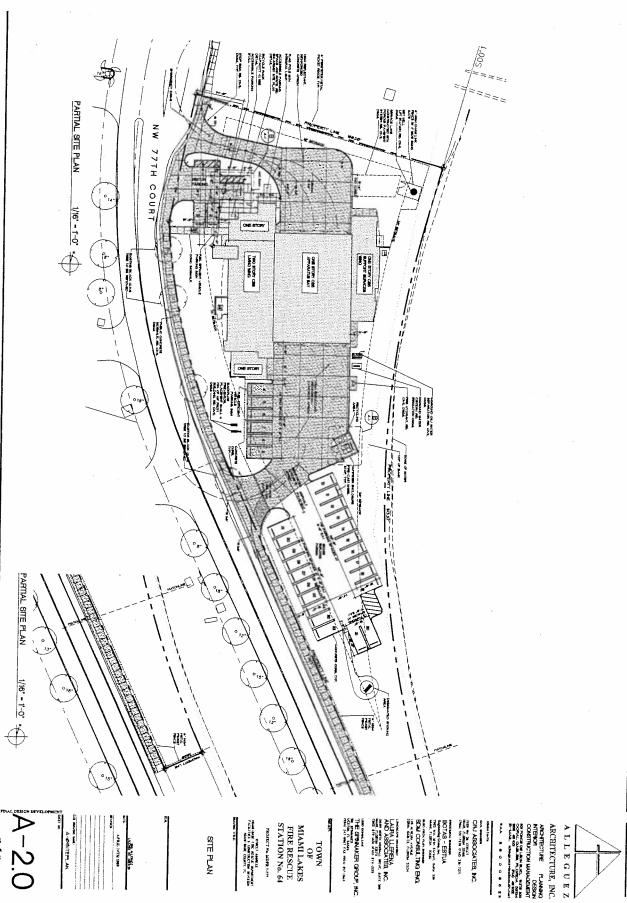
Miami-Dade Fire Rescue submitted waivers for two story stations #10, 40 and 67 that were similar to what we are presenting. All three waivers were granted February 5, 2009 (No. DCA09-HC012, DCA09-HC013, DCA09-HC014). As the City Architect for the City of Hialeah, I have submitted waivers for City of Hialeah Fire Station 2 and City of Hialeah Fire Station 3, both granted on January 8 DCA04-HC-012, and DCA04-HC-011. Also a waiver was granted for City of Hialeah Fire Station 8 DCA06-HC-203 on August 22, 2006. In the current application for Miami-Dade Fire Rescue Station No. 64 at SE corner NW 154 Street and NW 77th Court, Miami Lakes, Florida, we request that the Accessibility requirements of Chapter 553, Part V, Florida Statutes be waived because of financial hardship. In accordance with National Fire Protection Association (NFPA) Standard 1582 and Florida Statutes 633.30-633.35, under no circumstance would a disabled person be allowed to be a firefighter. Consequently, the required accessibility code would be impractical for the areas of the fire station that are not open to the public.

We are kindly requesting to be added to the waiver request for Miami-Dade Fire Rescue, Station 64 on the next Accessibility Advisory Council and Florida Building Commission meeting agendas on June 2009.

Sincerely. Ingel H Lamela

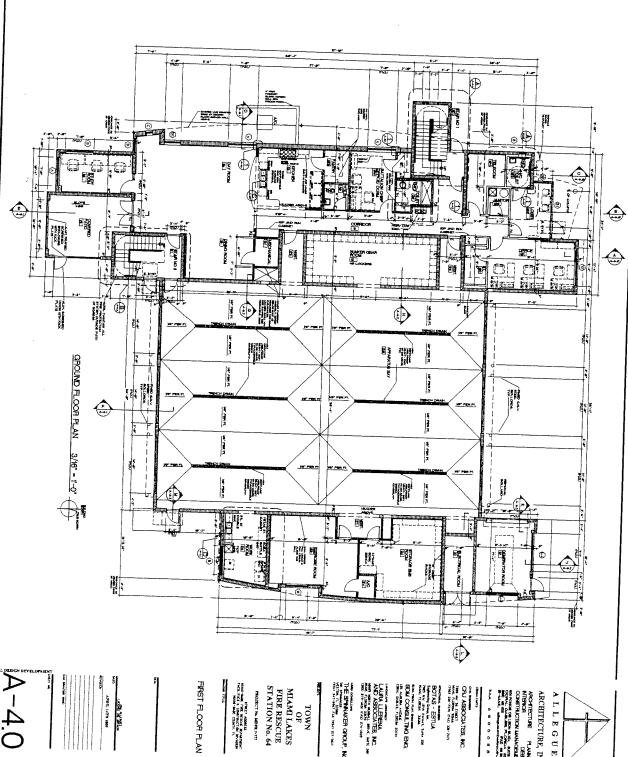
Angel H. Lamela **Division Manager**

Facilities and Construction Miami-Dade Fire Rescue



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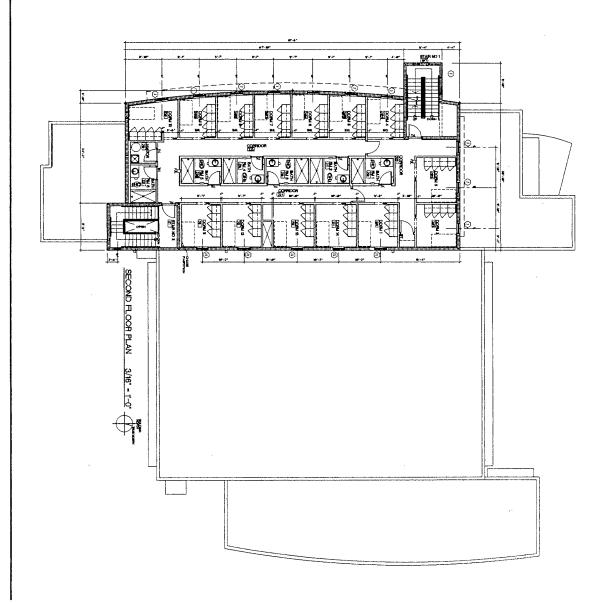
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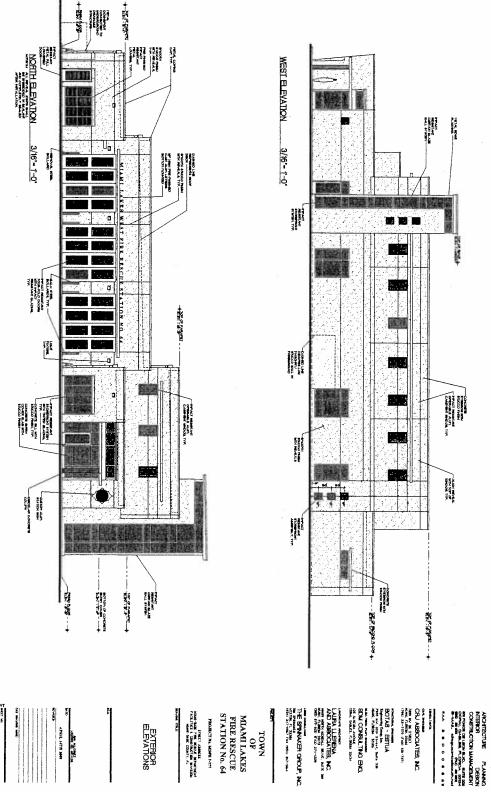
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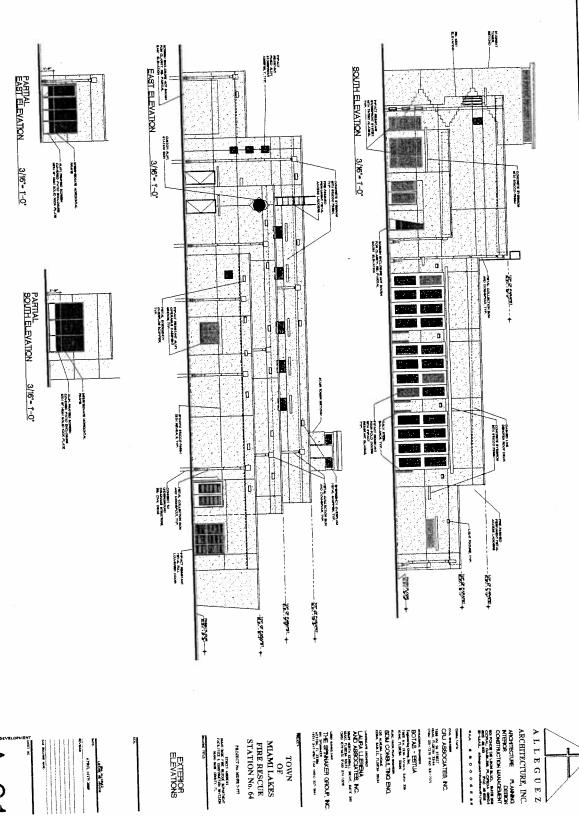
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