

## **Jungle Island Zipline Tour WAV #145**

**Issue:** Vertical accessibility to the zip line.

**Analysis:** The applicant is requesting a waiver from providing vertical accessibility to 7 zip lines. The Zipline tour will be accessed via a pre-existing ADA compliant facility and building. The path up to the ticketing area will be fully ADA compliant, as will the ramp leading to the first suspension bridge at the beginning of the attraction. The attraction from the suspension bridge through the last zip line will not be universally accessible, due to the nature of high adventure activities. The disembark area at the termination of the final zip line will have an ADA compliant ramp, leading back into the ADA complaint facility.. The project will cost \$800,000. The primary hardship to the applicant is technical difficulty and concern that safety for individuals with mobility impairments may not be possible. Section 234.3 of the code states, "Amusement rides shall provide at least one wheelchair space complying with 1002.4 or at least one amusement ride seat designed for transfer complying with 1002.5 or at least one transfer device complying with 1002.6. Exceptions: 1. Amusement rides that are controlled or operated by the rider shall not be required to comply with 234.3. 3. Amusement rides that do not provide amusement ride seats shall not be required to comply with 234.3."

### **Uploaded Documents:**

1. Plans

**Project Progress:** This project is under design and is new construction.

### **Items to be waived:**

Vertical accessibility to the structure, as required by section 553.509, Florida Statutes.

553.509 Vertical accessibility. This part and the Americans with Disabilities Act Standards for Accessible Design do not relieve the owner of any building, structure, or facility governed by this part from the duty to provide vertical accessibility to all levels above and below the occupiable grade level, regardless of whether the standards require an elevator to be installed in such building, structure, or facility, except for:

- (a) Elevator pits, elevator penthouses, mechanical rooms, piping or equipment catwalks and automobile lubrication and maintenance pits and platforms;
- (b) 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
- (c) 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.
- (d) Theaters, concert halls, and stadiums, or other large assembly areas that have stadium-style seating or tiered seating if ss. 221 and 802 of the standards are met.
- (e) All play and recreation areas if the requirements of chapter 10 of the standards are met.

- (f) All employee areas as exempted in s. 203.9 of the standards.
- (g) Facilities, sites, and spaces exempted by s. 203 of the standards.
- (2) However, buildings, structures, and facilities must, as a minimum, comply with the Americans with Disabilities Act Standards for Accessible Design.

206.2.4 Spaces and Elements. At least one accessible route shall connect accessible building or facility entrances with all accessible spaces and elements within the building or facility which are otherwise connected by a circulation path unless exempted by 206.2.3 Exceptions 1 through 7.

402.2 Components Accessible routes shall consist of one or more of the following components: Walking surfaces with a running slope not steeper than 1:20, doorways, ramps, curb ramps excluding the flared sides, elevators, and platform lifts. All components of an accessible route shall comply with the applicable requirements of Chapter 4 and 208.3.1.

**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.